

HOUSE JOURNAL
OF THE
SIXTY-THIRD LEGISLATURE
OF THE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

2013 Regular Session
Convened January 14, 2013
Adjourned Sine Die April 28, 2013
2013 First Special Session
Convened May 13, 2013
Adjourned Sine Die June 11, 2013
2013 Second Special Session
Convened June 12, 2013
Adjourned Sine Die June 29, 2013
2013 Third Special Session
Convened November 7, 2013
Adjourned Sine Die November 9, 2013

VOLUME 1



Frank Chopp, Speaker
Jim Moeller, Speaker Pro Tempore
Barbara Baker, Chief Clerk

Compiled and edited by Al Audette, Journal Clerk and Sean Kochaniewicz, Journal Clerk

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SIXTY THIRD LEGISLATURE - REGULAR SESSION

FIRST DAY

House Chamber, Olympia, Monday, January 14, 2013

The House was called to order at 12:00 noon by the Chief Clerk, Barbara Baker.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard commanded by Trooper Pete Stock. The National Anthem was sung by Malachi Jones from Timberline High School. The Chief Clerk, Barbara Baker led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor John Rosenberg, Lutheran Church of the Good Shepherd, Olympia Washington.

Pastor John Rosenberg: "Creator God, we thank you for allowing us to live and to work in a place so beautiful we sometimes believe it rivals heaven itself. We're also deeply grateful for the profound privilege of being citizens in a democracy, but all is not well in our state O, God. There are too many demands and too few revenues to address them. We are not of one mind about how to face the challenges ahead. So we come to you today to ask your blessings upon the men and women of this House as they carry out the important work to which they have been elected. Be with them in the long days ahead when they are separated from their loved ones and the people they represent. When it might be easy to give in to cynicism, despair or expedience, bless them with courage, hope and integrity. When the problems that face them seem insurmountable, and a way through impossible, send them your wisdom and the light of your spirit to guide them through. Help them to remember the most vulnerable among us as they make decisions affecting the future of all of the citizens of our state. Above all, keep them and their loved ones in your care and protection during these days. May they never doubt the importance of the work to which you have called them, or your continued presence as they carry out their sacred vocation. Amen."

The Chief Clerk called upon Representatives Hansen and Johnson to escort chief Justice Barbara Madsen of the Supreme Court of the State of Washington to the rostrum.

FORMATTING CHANGED TO ACCOMMODATE TEXT.

MESSAGE FROM THE SECRETARY OF STATE

The Honorable
Speaker of the House
The Legislature of the State of Washington
Olympia, Washington

Mr. Speaker:

I, Sam Reed, Secretary of the State of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the office of State Representative at the State General Election held in the State of Washington on the 6th day of November, 2012, as shown by the official returns of said election now on file in the office of the Secretary of State:

REPRESENTATIVES ELECTED NOVEMBER 6, 2012

District	Counties Represented	Name	Party Preference
1	King, Snohomish	Derek Stanford	Prefers Democratic Party
		Luis Moscoso	Prefers Democratic Party
2	Pierce, Thurston	Gary Alexander	Prefers Republican Party
		J.T. Wilcox	Prefers Republican Party
3	Spokane	Marcus Riccelli	Prefers Democratic Party
		Timm Ormsby	Prefers Democratic Party
4	Spokane	Larry Crouse	Prefers Republican Party
		Matt Shea	Prefers Republican Party
5	King	Jay Rodne	Prefers Republican Party
		Chad Magendanz	Prefers Republican Party
6	Spokane	Kevin Parker	Prefers Republican Party
		Jeff Holy	Prefers Republican Party
7	Ferry*, Okanogan, Pend Oreille*, Spokane, Stevens*	Shelly Short	Prefers Republican Party
		Joel Kretz	Prefers Republican Party
8	Benton	Brad Klippert	Prefers Republican Party
		Larry Haler	Prefers Republican Party
9	Adams*, Asotin*, Franklin, Garfield*, Spokane, Whitman*	Susan Fagan	Prefers Republican Party
		Joe Schmick	Prefers Republican Party
10	Island*, Skagit, Snohomish	Norma Smith	Prefers Republican Party
		Dave Hayes	Prefers Republican Party
11	King	Zack Hudgins	Prefers Democratic Party
		Steve Bergquist	Prefers Democratic Party
12	Chelan*, Douglas*, Grant, Okanogan	Cary Condotta	Prefers Republican Party
		Brad Hawkins	Prefers Republican Party
13	Grant, Kittitas*, Lincoln*, Yakima	Judy Warnick	Prefers Republican Party
		Matt Manweller	Prefers Republican Party
14	Clark, Klickitat*, Skamania*, Yakima	Norm Johnson	Prefers Republican Party
		Charles Ross	Prefers Republican Party
15	Yakima	Bruce Chandler	Prefers Republican Party
		David V. Taylor	Prefers Republican Party
16	Benton, Columbia*, Franklin, Walla Walla*	Maureen Walsh	Prefers Republican Party
		Terry R. Nealey	Prefers Republican Party
17	Clark	Monica Stonier	Prefers Democratic Party
		Paul Harris	Prefers Republican Party
18	Clark	Brandon Vick	Prefers Republican Party
		Liz Pike	Prefers Republican Party
19	Cowlitz, Grays Harbor, Lewis, Pacific*, Wahkiakum*	Dean Takko	Prefers Democratic Party
		Brian E. Blake	Prefers Democratic Party
20	Clark, Cowlitz, Lewis, Thurston	Richard DeBolt	Prefers Republican Party
		Ed Orcutt	Prefers Republican Party
21	Snohomish	Mary Helen Roberts	Prefers Democratic Party
		Marko Lias	Prefers Democratic Party
22	Thurston	Chris Reykdal	Prefers Democratic Party
		Sam Hunt	Prefers Democratic Party
23	Kitsap	Sherry V. Appleton	Prefers Democratic Party
		Drew Hansen	Prefers Democratic Party
24	Clallam*, Grays Harbor, Jefferson*	Kevin VanDeWege	Prefers Democratic Party
		Steve Tharinger	Prefers Democratic Party
25	Pierce	Dawn Morrell	Prefers Democratic Party
		Hans Zeiger	Prefers Republican Party

26	Kitsap, Pierce	Jan Angel	Prefers Republican Party
		Larry Seaquist	Prefers Democratic Party
27	Pierce	Laurie Jinkins	Prefers Democratic Party
		Jake Fey	Prefers Democratic Party
28	Pierce	Steve O'Ban	Prefers Republican Party
		Tami Green	Prefers Democratic Party
29	Pierce	David Sawyer	Prefers Democratic Party
		Steve Kirby	Prefers Democratic Party
30	King, Pierce	Linda Kochmar	Prefers Republican Party
		Roger Freeman	Prefers Democratic Party
31	King, Pierce	Cathy Dahlquist	Prefers Republican Party
		Christopher Hurst	Prefers Indpdnt Dem. Party
32	King, Snohomish	Cindy Ryu	Prefers Democratic Party
		Ruth Kagi	Prefers Democratic Party
33	King	Tina Orwall	Prefers Democratic Party
		Dave Upthegrove	Prefers Democratic Party
34	King	Eileen L. Cody	Prefers Democratic Party
		Joe Fitzgibbon	Prefers Democratic Party
35	Kitsap, Mason*, Thurston	Kathy Haigh	Prefers Democratic Party
		Drew C. MacEwen	Prefers Republican Party
36	King	Reuven Carlyle	Prefers Democratic Party
		Gael Tarleton	Prefers Democratic Party
37	King	Sharon Tomiko Santos	Prefers Democratic Party
		Eric Pettigrew	Prefers Democratic Party
38	Snohomish	John McCoy	Prefers Democratic Party
		Mike Sells	Prefers Democratic Party
39	King, Skagit, Snohomish	Dan Kristiansen	Prefers Republican Party
		Elizabeth Scott	Prefers Republican Party
40	San Juan*, Skagit, Whatcom	Kristine Lytton	Prefers Democratic Party
		Jeff Morris	Prefers Democratic Party
41	King	Marcie Maxwell	Prefers Democratic Party
		Judy Clibborn	Prefers Democratic Party
42	Whatcom	Jason Overstreet	Prefers Republican Party
		Vincent Buys	Prefers Republican Party
43	King	Jamie Pedersen	Prefers Democratic Party
		Frank Chopp	Prefers Democratic Party
44	Snohomish	Hans Dunshee	Prefers Democratic Party
		Mike Hope	Prefers Republican Party
45	King	Roger Goodman	Prefers Democratic Party
		Larry Springer	Prefers Democratic Party
46	King	Gerry Pollet	Prefers Democratic Party
		Jessyn Farrell	Prefers Democratic Party
47	King	Mark Hargrove	Prefers Republican Party
		Pat Sullivan	Prefers Democratic Party
48	King	Ross Hunter	Prefers Democratic Party
		Cyrus Habib	Prefers Democratic Party
49	Clark	Sharon Wylie	Prefers Democratic Party
		Jim Moeller	Prefers Democratic Party

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this 8th day of January, 2013.

Sam Reed
Secretary of State

The Clerk called the roll and a quorum was present.

OATH OF OFFICE

Chief Justice Barbara Madsen administered the Oath of Office to members of the House of Representatives. The Certificates of Election were distributed to the members.

RESOLUTION

HOUSE RESOLUTION NO. 4600, by Representatives Sullivan and Kretz

BE IT RESOLVED, That no later than Friday, February 1, 2013, the nineteenth legislative day, the House of Representatives shall meet to consider adoption of permanent House Rules for the Sixty-Third Legislature; and

BE IT FURTHER RESOLVED, That temporary House Rules for the Sixty-Third Legislature be adopted as follows:

TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES
SIXTY-THIRD LEGISLATURE 2013-2014

HOUSE RULE NO.

Rule 1	Definitions
Rule 2	Chief Clerk to Call to Order
Rule 3	Election of Officers
Rule 4	Powers and Duties of the Speaker
Rule 5	Chief Clerk
Rule 6	Duties of Employees
Rule 7	Admission to the House
Rule 8	Absentees and Courtesy
Rule 9	Bills, Memorials and Resolutions - Introductions
Rule 10	Reading of Bills
Rule 11	Amendments
Rule 12	Final Passage
Rule 13	Hour of Meeting, Roll Call and Quorum
Rule 14	Daily Calendar and Order of Business
Rule 15	Motions
Rule 16	Members Right to Debate
Rule 17	Rules of Debate
Rule 18	Ending of Debate - Previous Question
Rule 19	Voting
Rule 20	Reconsideration
Rule 21	Call of the House
Rule 22	Appeal from Decision of Chair
Rule 23	Standing Committees
Rule 24	Duties of Committees
Rule 25	Standing Committees - Expenses - Subpoena Power
Rule 26	Vetoed Bills
Rule 27	Suspension of Compensation
Rule 28	Smoking
Rule 29	Liquor
Rule 30	Parliamentary Rules
Rule 31	Standing Rules Amendment
Rule 32	Rules to Apply for Assembly
Rule 33	Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article 2 § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution, and also means any standing committee subcommittee.

"Fiscal committee" means the appropriations, capital budget, finance and transportation committees, and the appropriations subcommittees on education ((appropriations & oversight)), general government ((appropriations & oversight)), and health & human services ((appropriations & oversight, transportation, and ways & means committees)).

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

The governor or designees, or both;
 Members of the senate;
 State elected officials;
 Officers and authorized employees of the legislature;
 Former members of the house who are not advocating any pending or proposed legislation;
 Representatives of the press;
 Other persons with the consent of the speaker.

(B) Only members, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) **FIRST READING.** The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full. After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) **SECOND READING.** Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) **SUBSTITUTE BILLS.** When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) **THIRD READING.** Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) **SUSPENSION CALENDAR.** Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) **HOUSE RESOLUTIONS.** House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) **CONCURRENT RESOLUTIONS.** Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) **AMENDMENTS TO BE OFFERED IN PROPER FORM.** The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) **COMMITTEE AMENDMENTS.** When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) **SENATE AMENDMENTS TO HOUSE BILLS.** A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) **AMENDMENTS TO BE GERMANE.** No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) **SCOPE AND OBJECT NOT TO BE CHANGED.** No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) **NO AMENDMENT BY REFERENCE.** No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) **TITLE AMENDMENTS.** The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) **BUDGET BILLS.** No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) **RECOMMITMENT BEFORE FINAL PASSAGE.** A bill may be recommitted at any time before its final passage.

(C) **FINAL PASSAGE.** No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) **BILLS PASSED - CERTIFICATION.** When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) EXCEPTIONS. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn

Adjourn to a time certain

Recess to a time certain

Reconsider

Demand for division

Question of privilege

Orders of the day

(2) Subsidiary motions:

First rank:

Question of consideration

Second rank:	To lay on the table
Third rank:	For the previous question
Fourth rank:	To postpone to a day certain
	To commit or recommit
	To postpone indefinitely
Fifth rank:	To amend

- (3) Incidental motions:
- Points of order and appeal
 - Method of consideration
 - Suspension of the rules
 - Reading papers
 - Withdraw a motion
 - Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22. Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES. Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1.	Agriculture & Natural Resources.....	13
2.	Business & Financial Services.....	13
3.	Capital Budget	11
4.	Community & Economic Development & Housing	9
5.	Early Learning & Human Services.....	9
6.	Education	21
7.	Education Appropriations & Oversight	19

8.	Environment.....	17
9.	General Government Appropriations & Oversight.....	13
10.	Health & Human Services Appropriations & Oversight.....	11
11.	Health Care & Wellness.....	11
12.	Higher Education.....	17
13.	Judiciary.....	13
14.	Labor & Workforce Development.....	13
15.	Local Government.....	9
16.	Public Safety & Emergency Preparedness.....	11
17.	Rules.....	25
18.	State Government & Tribal Affairs.....	11
19.	Technology, Energy & Communications.....	19
20.	Transportation.....	29
21.	Ways & Means.....	27))
1.	Agriculture & Natural Resources.....	15
2.	Appropriations.....	31
	a. Appropriations Subcommittee on Education.....	10
	b. Appropriations Subcommittee on General Government.....	9
	c. Appropriations Subcommittee on Health & Human Services.....	10
3.	Business & Financial Services.....	15
4.	Capital Budget.....	11
5.	Community Development, Housing & Tribal Affairs.....	9
6.	Early Learning & Human Services.....	11
7.	Education.....	21
8.	Environment.....	13
9.	Finance.....	13
10.	Government Accountability & Oversight.....	9
11.	Government Operations & Elections.....	11
12.	Health Care & Wellness.....	17
13.	Higher Education.....	19
14.	Judiciary.....	13
15.	Labor & Workforce Development.....	9
16.	Local Government.....	9
17.	Public Safety.....	11
18.	Rules.....	25
19.	Technology & Economic Development.....	17
20.	Transportation.....	31

Committee members shall be selected by each party's caucus. Membership on appropriations subcommittees is restricted to the membership of the appropriations committee. The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

(a) The nature of the new rule-making powers; and

(b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Mailings

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative mailings at public expense are for legitimate legislative purposes.

Representative Sullivan moved the adoption of the resolution.

Representatives Sullivan and Wilcox spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4600 was adopted.

ELECTION OF THE SPEAKER

Representative Sullivan: “Thank you Madame Clerk, I rise to nominate Representative Frank Chopp. I want to start, there might be a little confusion, especially for those members who have only been here for a couple years or the people who have been watching TVW over the last couple years, the good gentleman from the 49th sitting next to me served as Speaker Pro-Tem for the last two years, the shorter guy with the moustache, that you don’t see as often, is Representative Frank Chopp, who has been nominated today. But in all seriousness, Madame Clerk, it really is an honor to rise today in support of this nomination of Speaker Chopp. I think if you talk to people around here, what they think of Representative Chopp, you will get a variety of opinions. They would all agree, I think, on a couple of different things. First and foremost is his passion. His passion for helping people. His passion for this institution that we represent. I think you would also get agreement about the success, his success in serving as the longest serving Speaker in the history of the State of Washington. But more importantly, his success in building agendas and moving those agendas through the process for the benefit of the State of Washington and to the people who live here. I know one of the things I’m most impressed with about Representative Chopp, is his sense of humility and his work ethic. A lot of us, after we pass bills, we’re all excited, we run to the press and we want the accolades, Representative Chopp actually runs from the press. But again, seriously, Representative Chopp is one of those people who just won’t accept the credit, he will give the credit to the people who are working on these issues, to the people he trusts here in this institution, which is all of us. He is also one who just simply after passing something that he has worked on, for sometimes years, simply rolls up his sleeves and goes to work on the next task at hand and that is just the type of leader that he is and why I have so much respect for him, and that’s why I’m honored to stand here today and ask for your support to elect Representative Frank Chopp as our Speaker for the next two years.”

Representative Kretz: “I’d like to nominate Representative DeBolt. Well I got here eight years ago and I remember when I first met Richard, I wasn’t too impressed. We didn’t really hit it off right away and it stayed that way for a while actually, but as the years went on and we spent more time together and got to know each other better, I was really struck. I think this is the best description of Richard DeBolt I could give. He is an honest, principled, compassionate, actually a kind person, he just hides it really well. After eight years of working together and seeing who he really is and seeing how much he cares about the people of this state and this institution, I’m proud to nominate Richard DeBolt.”

POINT OF PERSONAL PRIVILEGE

Representative DeBolt: “Well after a speech like that I should probably withdraw my name. I would like to withdraw my name from nomination for Speaker of the House.”

MOTIONS

Representative Sullivan moved that the nominations for the Office of Speaker of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative Frank Chopp be elected to the position of Speaker of the House of Representatives. The motion was carried. Representative Sullivan escorted Speaker Frank Chopp to the rostrum.

OATH OF OFFICE

Chief Justice Madsen administered the Oath of Office to Speaker Chopp.

Chief Clerk Baker congratulated the Speaker and turned the gavel over to him.

SPEAKERS’ REMARKS {xe “SPEAKER OF THE HOUSE: Opening Remarks”}

Mr. Speaker: “Welcome to the People’s House! Before I get rolling, I’d like to introduce my wife, Nancy. And let’s hear it for all the spouses and family members who sacrifice for us. Let us welcome back the Republican Leader, Richard DeBolt. And the Majority Leader, Pat Sullivan. Thanks Pat, for your kind words. The new members here today represent over 20 percent of our group. Will all the new members of the House please stand. Welcome! As part of the orientation for the new members, let me introduce myself. My name is Frank Chopp and I’m the Speaker of the House. I thought I might need to introduce myself more formally, because at the dinner for new House members last week with Governor Inslee, I was congratulating one new member on his recent election. He then asked me if I was one of the State Troopers protecting the new Governor. By the way, I took his question to be a compliment. Being considered part of a security detail, I thought that was pretty cool.

We all remember the learning curve of being a new member. But I want you to know that we greatly appreciate all the talent and experience you bring to this endeavor. We will also learn from you. In particular, we are fortunate to have two active public school teachers joining our ranks. With all the focus on basic education, it’s going to be great to have with us educators who understand the challenges of the classroom. I would also like to recognize the returning members for all that they have done. Just to mention one member, I hope he doesn’t mind, Gary Alexander. Last session, when we were facing a thorny proposal about balanced budgets, Gary came up with a new approach that solved the dilemma. I just want to say thanks Gary.

Thank you all, for serving in the House. We are elected to represent the people who are still experiencing the effects of the Great Recession brought on by the schemes and swaps of Wall Street. And despite the impact of the Great Recession on the state’s budget, we have the potential to advance a great agenda for our people. As we build a Great Recovery, let us work together to: Improve basic education for the one million students in our public schools. Extend health care to over 350,000 adults through our Basic Health Plan and cover 800,000 children with Apple Health. Strengthen the safety net to protect the most vulnerable, which, at some points in our lives, will include everyone. Promote opportunity for hundreds of thousands of college students, who are just asking for the same chances that we had when we were growing up. Create jobs for tens of thousands of the unemployed by investing in the infrastructure that will benefit all 6.8 million people in Washington state. That’s a lot of good we can do. Let’s start with Basic Education.

The McCleary decision is clear. We must make a significant down payment to support the students in our schools. Luckily, this House is leading the way. The reforms we championed in House Bills 2261 and 2776 were cited by the State Supreme Court as a guide for better meeting our constitutional mandate to provide a quality education for all students. You should be proud of the role that so many of you have played in leading the way long before the Court made its decision. As we fund education, let us always focus on the students. Let us start early in the lives of our students, since early learning is so critical to lifelong success. Let us all work towards equity in education. To close the opportunity gap, we must address poverty. Education involves more than just the classroom. Sick, hungry, or homeless children struggle in school. The health of our students is connected to the education of their minds. To succeed in school, kids need to be healthy and ready to learn. That's why we are so proud of our Apple Health for All Kids. 95 percent of all kids in Washington now have health coverage. But 95 percent isn't good enough. We must do better. By the way, Apple Health could also provide a way to help fund school nurses. But as we all know, the young are not the only ones who need health care.

Thanks to the President's Affordable Care Act, adults will be able to get the coverage they need. Let me ask a simple question. Does anyone here want to go without health care? Of course not. Health care is a fundamental human need. But we must ensure that health care is affordable, that the new Health Care Exchange is efficient, and that the Medicaid expansion is based on the proven success of our own Basic Health Plan. Health care is only one part of our safety net.

Everyone, on both sides of the aisle, says that we must protect the most vulnerable. We should turn that rhetoric into reality. Children who are victims of neglect and abuse. Foster kids without a home. Elders suffering from dementia. People with disabilities who are not able to work. The mentally ill. Those who need our compassion to help meet their basic needs of food, health, and shelter. In decades past, the mentally ill would suffer not just from their illness, but also from stigma and shame. Now, everyone has a friend or a family member who has experienced the despair of mental illness. Mental illness is not a lifestyle choice or the result of making bad decisions. We must leave the middle ages when thinking about the health of our brains. Every day, we see evidence of how mental illness affects not just individuals, but entire communities as well. We need to translate this awareness into action.

Another action we must take is to create opportunity for all. For a parent, there is no greater, heart-warming pride than to see our son or daughter graduate from college or complete a certificate or apprenticeship. That joy can turn to anguish when young people can't afford to attend, let alone graduate. When students are burdened with debt beyond hope. There are many challenges before us. For example: 30,000 students eligible for financial aid do not receive it for lack of funding of the state need grant. The downward direction for higher education must be reversed. With a new direction, we can: Deliver what our businesses need. Help our students become free of debt. Ensure equal opportunity. Reform our institutions, and invest in the next generation. As part of this new direction, we call upon those in the economy who directly benefit from higher education. There are many professions and industries that would not exist if not for higher education. With a new dynamic, we will not only change individual lives, but transform our entire society.

Another way to transform our society is to create jobs. We should be proud that last year, in the midst of a slow recovery, we enacted the Jobs Now Act of 2012. The result? Over 20,000 jobs that not only hired the unemployed, but built and renovated new schools, made public facilities more energy efficient, created new

homes for the disabled, and offered hope to businesses across the state. So much for the notion that government doesn't create jobs. We need to do that again, but on a larger scale, through our capital budget and new transportation improvements. Our state's businesses are counting on those investments. But those investments also depend on the public's perception of their government. That is why in every legislative session, there are calls for changing government to make it more responsive to the people.

Every year, we have enacted significant reforms. Simple majority for school levies. Performance audits. Insurance Fair Conduct. Mortgage foreclosure fairness. Apple Health for all Kids. Mental health parity. Medicaid fraud prevention. New evaluations for teachers. The health care exchange to implement the Affordable Care Act. Marriage equality. And much more.

You want more reform? Well, how about fully funding Basic Education? That's reform! How about Basic Health Plan coverage for 350,000 of the uninsured? That's reform! How about inspiring teachers with better professional development? That's reform! How about encouraging voter participation, not repressing it as other states have done? That's reform! And when we do reforms, we must always look out for the best interests of the people we represent. And as we go forward, there must be simplicity, transparency, and accountability in our efforts. We must track our progress. I call them, "Progress Points." Clear, simple goals that we set for ourselves, that are visible to everyone, and are easily understood. The percent of students graduating from high school, percent of children with health care coverage, percent of Washington jobs filled with Washington state residents. Those are just three Progress Points. We should have a Top Ten. And maybe we should have the Progress Points running across the bottom of our legislative computer screens, just like the scores of football games on your home TV. We should relentlessly innovate and support the efforts that work to meet those goals. For example, the College Success Foundation, which serves as the lead for Opportunity Scholarships, has raised hundreds of millions of dollars to help low-income college students all across Washington. And starting in Tacoma, the foundation has created a systematic approach of mentoring high school students, first to graduate from high school and then to succeed in college. They have already seen great progress. All those changes are great policy, looking out for the greater good.

In many cases, public policy is informed by our own personal experience. One of the reasons I care so much about education is the history of my own family. During the Great Depression, my Dad had to go to work at the age of 12 at the coal mines in Roslyn, and my Mom didn't finish high school, until she went back at age 69 and earned her high school diploma at the Green River Community College. From my parent's generation to mine, opportunity grew enormously. We cannot stand by and let those opportunities erode for the next generation. Sometimes, when we look at all that needs to be done, we can get exhausted. Sometimes, a small thing renews our faith in the future. Just a week ago, I attended an awards ceremony sponsored by the VFW: Patriot's Pen: a Youth Essay Writing Contest. The community hall was packed. The coffee was strong. The dessert, unfortunately, was not Hostess Cupcakes. But the spirit was festive, nonetheless. The young winners that day came from all different backgrounds; from all different parts of the world; of all different races, and of different ages, from 3rd grade to high school. In the young people there, I saw the faces of our future of a new America. A more diverse, and therefore, a stronger America. The kids defined their love of their country as contributing to the community and caring for each other. Let me quote from parts of one essay, entitled, "What I Would Tell America's Founding Fathers". Dear Founding Fathers, It was all worth something, all the hard work you did.

You made a difference: by taking a chance, by trusting a mere experiment, and by not giving up. You gave us a chance to make a difference. You gave us a chance to make America great, by creating representative government, and we did. I am proud to be an American, living in the America that you started. Thank you for giving me, and everyone else, a chance to make a difference, and change the world. Those were the words of my great niece, Oakley. Well, guess what, she won first place that day. Her essay brought tears to my eyes. Thanks Oakley, for making a difference in my life. Someday, I hope you will help us recognize the Founding Mothers of the future, not just the Founding Fathers from the past.

Each of us here has a story. There's one among us with a particularly inspiring story. He's part of a family of new Americans. And despite losing his sight at a young age, he could still envision a career as a lawyer and a campaign to get elected as a new lawmaker. It's a real American story. And it's part of the reason why we believe in One Nation and in One Washington. We are all in this together. We are all Americans striving to give our children a better world.

POINT OF PERSONAL PRIVILEGE

Representative DeBolt: "Thank you Mr. Speaker. Very nice speech, I enjoyed it a great deal, especially the opening remarks about your State Patrol background. I think it's the guns you carry with you everywhere you go, quite scary. As we stand here today and we stand before the body as the minority party, we are excited to get to work this year. We were able to pass and work on a budget in the past two years. We're a minority party that put out solutions in the way of the budget. We brought it to the table and we influenced policy, you heard it from the Speaker today. We made an un-winnable situation, where everybody thought we needed revenue, into a situation where we knew we didn't. We are excited to stand here today though, to solve more problems for Washington State. As I think about it, I think about the challenges ahead of us, and I think about our new Governor and what we need to do to support him. One of the things we have to support him in, is he said he didn't want to raise taxes. He said that we didn't need new revenue, we could solve the problem within the revenue we have. I agree Mr. Speaker. The thing that we have to do, as you talk about the great recession, we have to think about what is a great recession. What is the driver of the great recession? Is it that we need bigger government? Is that what a great recession is about? Or is it about we need jobs? Mr Speaker. When we talk about the great recovery, where do we sit as it is compared to our neighbors in Oregon and Idaho, even California. They are recovering, we have yet to begin. Why is that Mr. Speaker? Because we are not making the changes necessary to do what? Create jobs. This is a problem that we are having, opportunity gaps. As we talk about the opportunity gaps, Mr. Speaker, what is that opportunity gap? The opportunity gap is about poverty, it's about families that are struggling, that can't make it through their lives. They are sitting there looking at their checkbooks everyday wondering what they are going to sacrifice today because they don't have what Mr. Speaker? A job. It's not about Seattle jobs, it's about the entire States' jobs. The rural areas of Washington State are dying, Mr. Speaker, because we don't think of them. Whether it's a growth management act that is a cookie cutter government that has been placed upon us that worked for King County, maybe works for Pierce County, but it's strangling and killing rural Washington because we can't locate businesses there. If you don't have jobs, you don't have revenue, it's a simple equation. Socioeconomic woes are solved by a job and yet, Mr. Speaker, we hear that government is the way to create jobs to get out of this problem. We have picked winners and losers in the job

market for too long. We have to raise the whole ship. We have to make sure rural Washington has the same opportunities as urban Washington. We need to make sure that every child has an opportunity to an education. We need to make sure that every teacher has a safe environment to work in. How do we do that? How do we make people better environmentalists? Anybody know? When you are a better environmentalist, is when you are working. That's when you don't change your own oil and dump it down the drain. That's when you take precautions because you have a job to be able to pay for it, to do it right. That is when you can go out and get a new car that creates revenue for the State of Washington. Washingtonians don't feel empowered right now because they are not working. We have 13 percent unemployment in one of my counties, 13. Is there opportunity there? We can't get permits, Mr. Speaker that we need to build jobs. Is that government creating jobs or is that government hindering jobs? Mr. Speaker, we cannot tax our way out of the problems that we are facing today. Any time that we think that we can make it more expensive on those families of Washington to make decisions on what they are going to buy, because they're not sure if they can afford a gallon of gas anymore, or if they can afford their property taxes anymore, anything we do to make it more expensive on them or their companies, or their employers, or lack of employers, we're doing them a disservice. So we're committed to three things in our caucus, funding education first, making it a priority, giving it its own budget, and making sure the children of Washington know that they are a priority and that the court knows they are a priority. We are committed to jobs. More importantly, making personal incomes rise, giving people more disposable income, more opportunities, more chances to send their kids to college to do better for their families, to be better environmentalists and be better Washingtonians Mr. Speaker. And lastly, the thing that we need to focus on the most is a sustainable budget that focuses on the mental health and public safety of Washingtonians. That we can do this within the parameters that we have set if we make the right choices. We can't cave to special interests Mr. Speaker, we have to do what is right, we can't pick winners and losers, we can do this, we've done this before. We're only 900 million down folks, we did it with 2 billion down last time, this is a cake walk right? So Mr. Speaker, we have got to work within our means, and I'm here to commit to you, that any time you want solutions and suggestions; Gary is at your beck and call. Our caucus promises to you, to be open, honest and transparent. That we will give you everything we have to solve the problems in the State of Washington no matter who gets the credit, we want to bring our ideas forward, Mr. Speaker, and get us out on time. Thank you Mr. Speaker."

ELECTION OF SPEAKER PRO TEMPORE

Representative Wylie: "Thank you Mr. Speaker. I knew Jim for more than ten years before I came here the last couple of years and I know very well his integrity, his passion, his gentleness and his concern for the members of our state. But there is more. For those of you that are new to this body, the Speaker Pro Tem has a job that moves the process along. We come here because we have a lot of passion. Sometimes we disagree about what are the priorities and how we address those. The Speaker Pro Tem moves the process along. We listen to his voice. He pays attention to the process, he administers it fairly and he makes sure we can all use our voices on behalf of our constituents. We all know, most of us, that Jim can do this job, that Representative Moeller has done a good job, but he does better than a good job. His speed and clarity can help us get things done and he has got a voice that we listen to for long hours and it's a nice voice to listen to. I am proud to nominate my friend, Representative Jim Moeller."

MOTIONS

Representative Sullivan moved that the nominations for the Office of Speaker Pro Tempore of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative Jim Moeller be elected to the position of Speaker Pro Tempore of the House of Representatives. The motion was carried.

Representative Wylie escorted Speaker Pro Tempore Moeller to the rostrum.

OATH OF OFFICE

Chief Justice Madsen administered the Oath of Office to Speaker Pro Tempore Moeller.

SPEAKER PRO TEMPORES' REMARKS

Speaker Pro Tempore Moeller: "Thank you members, Sharon for your kind words! My fellow legislators, colleagues and friends; as we celebrated with family and friends over the holidays, our nation and state experienced the horrors of the shootings at Clackamas Mall in Oregon and the elementary school shooting in Sandy Hook, Connecticut. As the children were evacuated from their school, they were told, "close your eyes". Again, we have been reminded of the professionalism, decency and outstanding dedication to the people of this nation by our teachers, policemen, firemen and other first responders. In the midst of shock, they provide composure and protection for our children. They provide healing for the injured and protection for us all. They have set the standard for public service, and may we strive to match their commitment. But we should think about that command close your eyes and what it means for you and me. The children were asked to close their eyes, to protect them from horror but those who led them out, had to keep their eyes wide open. It made me ask, have we, the adults, and in this House, the people who pass laws, have we too often closed our eyes? You and I this morning are part of a great continuity. Hand to hand, generation-to-generation, and even from one continent to another, we hold in our hands a tremendous legacy, a high responsibility, and an historic responsibility connecting this house to assemblies and parliaments stretching back seven centuries. Along with this privilege comes this mandate, we cannot close our eyes, we must not close our eyes. In the days to come, we will study reports of slender resources, an economy healing slowly; even as we retire thousands of baby boomers every passing day, confront escalating health care costs, and must live within the discipline of global competition. We will live with limits, but limits and prudence must not be a formula for indifference or even apathy. It falls to you and me to look our challenges square in the eye. We cannot close our eyes to thousands of middle class families now cast down into genteel poverty. We cannot close our eyes to the ongoing needs of veterans returning from wars, wars that are still running, with injuries and many challenges as they struggle to come all the way home. We cannot close our eyes to the homeless and to vulnerable adults. We cannot close our eyes to our children, pride of our nation, the future of our country. And here's something we must look right in the eye, mental illness. We have ignored it, we have looked away and now our neglect has become lethal. All of us here have taken an oath before man and God in order to begin our formal service to the state and people of Washington. We swore an oath before God, and the eyes of God are not closed. He will surely witness our actions in this place, and whether we see our

brothers who sleep in the dust, or if we see our sisters who weep in mourning for the loss of children. He will see- and my friends- we must act! I pray that as your Speaker Pro Tem, that I will be worthy of your trust, that I will every day earn your confidence, and that together we will write a record of progress, meeting the needs of our time. President Kennedy once said that we choose to do the hard things, the challenging things because they are hard, and because it's our moment and our responsibility to take them on, with open eyes, full hearts, integrity and calm determination. So let it be with us. May God bless this House and the great State of Washington. Let's get to work. Thank you!"

ELECTION OF DEPUTY SPEAKER PRO TEMPORE

Representative Carlyle: "Mr. Speaker, it is with great pleasure that I rise to place in nomination the name of the distinguished, noble and honorable gentelady from the 33rd District, Representative Tina Orwall, for the position of Deputy Speaker Pro Tempore. It is well recognized Mr. Speaker that the 98 members of this distinguished institution have the gracious and dignified gentelady from the 33rd to thank for our fancy new voting machines. Due to her violent destruction of our previous machine in the previous session of this Legislature, we are relieved of the discomfort of those relics of a previous century. Due to this singular accomplishment alone, it is unimaginable that anyone else could conceivably cruise to victory against her candidacy this year. However, to ensure against this remote prospect, I offer to remind my colleagues of her firm grasp of parliamentary procedure, her fair and equitable approach to leading this Chamber and her straightforward command of the legislative tasks of the day. She is well versed in the nuance of respect for all and it is with unbridled hope for an easy victory that you will stand with me in voting for the indefatigable gentelady from the 33rd District. Thank you Mr. Speaker."

MOTIONS

Representative Sullivan moved that the nominations for the Office of Deputy Speaker Pro Tempore of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Representative Tina Orwall be elected to the position of Deputy Speaker Pro Tempore of the House of Representatives. The motion was carried.

Representative Carlyle escorted Deputy Speaker Pro Tempore Orwall to the rostrum.

OATH OF OFFICE

Chief Justice Madsen administered the Oath of Office to Deputy Speaker Pro Tempore Orwall.

DEPUTY SPEAKER PRO TEMPORES' REMARKS

Deputy Speaker Pro Tempore Orwall: "Thank you Mr. Speaker, and also thank the good gentleman from the 36th Legislative District for those kind words and his support. We work in a sacred institution. We come here all from all areas across this great state. We hold different perspectives and beliefs. But most importantly, we bring forward the voices of the people we represent. I have been serving in the legislature for four years, and I can tell you that it is full of people who are hard-working, dedicated, who care deeply about this state and the people they serve. We have some challenges ahead of us but I know that working together we can find solutions and move this state

forward. I want to say thank you to the members for your support and for allowing me this opportunity. I promise that I will work hard in my position to ensure that there is open and respectful debate and that all voices will be heard. I also promise that I will try not to break the voting machine.”

ELECTION OF THE CHIEF CLERK

Representative Ormsby: “Thank you Mr. Speaker. My reasons for nominating Barbara Baker for Chief Clerk are both personal and professional. The first day I arrived at the Capitol, one of the first folks that I met was Barbara in a different capacity, but who instilled in me the reverence of this institution and how we must conduct ourselves in fulfilling our obligation. We have seen moments of levity today but it is, as Chief Justice Madsen said, a just body and should be treated that way. It’s no mistake that the majesty and grandeur of this Chamber is as it should be so that we conduct ourselves. Barbara instilled in me on that very first day the importance of that and that is what she brings as Chief Clerk. The professional reasons for my nominating Barbara Baker for this position have to do with the job she does and I imagine that we could ask any number of members here what the job of the Chief Clerk is, and they wouldn’t know. I can tell you, that if it wasn’t being done, and done well, we would know what the job of the Chief Clerk was. That is why it’s important that they perform so well. The job of the Chief Clerk is to oversee all House employees and that includes the members. Barbara does it with great aplomb and does bring the sanctity and the reverence that this institution deserves. The way that Barbara goes about it, I would just describe in this way; a very communicative manner, she does it openly and transparently, she is accountable, she is fair, firm and consistent and for those reasons I ask you to support me in supporting Barbara Baker for Chief Clerk.”

Representative Orcutt: “Thank you Mr. Speaker. We got a new system here so I had to look somewhere else to find out when the mike was on. I also rise in support of Barb Baker, her nomination for Chief Clerk of the House of Representatives. When we took the oath of office, and I don’t have the oath of office for the Chief Clerk, but I’m sure there are some parts of that that are very similar to the ones we just took. The most important part that I want to focus on is the part that says I will faithfully and impartially discharge the duties. In her case it will be of the Chief Clerk of the House of Representatives. Faithfully and impartially. Let me take the faithfully part first. You heard a little about what the job entails. Facilities is a big part of it and we’ve had a lot of changes in facilities around here the last few years. We had construction on the John L. O’Brien building and a plan was put together to try and do the work over a four year period, try to do it during the interims and try to do it in a way that didn’t disturb staff. Well, the first year we found out that didn’t work. Barb went back to work on finding another way of doing it. She worked diligently, she worked with people on both sides of the aisle to come up with a solution that worked well for members, for staff, and I’m glad to report it saved the taxpayers money with the solution they came to as a result of the work that she did and we all should applaud her, if for nothing else, for that. Then, there are other issues that come up. As soon as she gets done with one, something else, that she had no idea was coming, pops up. We have had issues with the IRS who didn’t like the way that we were doing member reimbursements and she had to take that on. Then we just heard about the voting machine issue last year with the gentlelady from the 33rd, and that’s another issue that the Chief Clerk had to take on. Mr. Speaker, she faithfully discharges the duties of the office impartially. She works with members from both sides of the aisle, she listens to ideas from people from both

sides of the aisle. If somebody from the minority has a concern, they can and should feel confident that when they go and talk to Barbara Baker she will listen, and she will do her level best to be fair. In all of my experiences with Barb Baker, she has been fair and I feel confident that when she takes that oath of office, to faithfully and impartially discharge the duties of the Chief Clerk of the House of Representatives that she will do exactly that.”

MOTION

Representative Sullivan moved that the nominations for the Office of Chief Clerk of the House of Representatives be closed. The motion was carried.

Representative Sullivan moved that Barbara Baker be elected to the position of Chief Clerk of the House of Representatives. The motion was carried.

Representatives Ormsby and Orcutt escorted Chief Clerk Baker to the rostrum.

OATH OF OFFICE

Chief Justice Madsen administered the Oath of Office to Chief Clerk Baker.

CHIEF CLERKS’ REMARKS

Chief Clerk Barbara Baker: “Four years ago was the first time I had the honor of addressing this body. Then, I spoke a lot about the importance of institutional history and about a man named Si Holcomb, who served as Chief Clerk for 33 years – from 1933 until he died in office in 1965. It was kind of a long speech. I won’t be doing that today. But I do have two quick points that I want to make. The gist of that speech was that even though I didn’t (and still don’t) know much about him, I hoped that our work here for the House would also stand the test of time. What none of us knew then was how difficult these four years would be. Our method to get through them was to use as a decision-making benchmark a goal that every person who works here shares and that is to support all the members of the House in every decision that we make. We decided on two bedrock principles that guide every decision: to be fully respectful, and to be fair. Because I believe that if there is one thing that will raise emotion, that will make a person feel hurt or to be angry, it is to believe that you aren’t being treated fairly. So, unlike Si Holcomb, there will be no pictures of me in the halls as a little old lady. But I want to let you know that I am honored by the kind words expressed here today, and especially by your vote to elect me - and by extension the others who work here - because it is a vote of confidence and it signals that we are living up to your expectations. Please let me or Bernard Dean know directly if a situation ever arises in which that is not the case. The second thing I want to say is to thank the families of the members for loaning them to us and the people of this state both during campaign seasons and legislative sessions. Of course it is a great honor, but it can also get lonely for those who are left at home. We all know what it feels like, and we know there will be nights and weekends when spouses will be doing double duty and kids will receive a goodnight phone call instead of getting tucked in. If it’s any consolation, I raised two beautiful daughters as a legislative staffer and they turned out just fine. One of them is sitting here and I’d like to close by introducing her and telling her how proud I am. So, this is my daughter, Cadence. Welcome aboard or welcome back. It is going to be fun, and thanks again.”

Speaker Chopp thanked Chief Justice Madsen and called upon Representatives Johnson and Hansen to escort the Justice from the Chamber.

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

INTRODUCTIONS AND FIRST READING

HB 1000 by Representatives Moeller, Morrell, Wylie, McCoy, Ryu, Reykdal, Seaquist, Moscoso, Appleton, Green, Cody, Ormsby and Jinkins

AN ACT Relating to immunity for health care providers following directions contained in a form developed pursuant to RCW 43.70.480; and amending RCW 43.70.480.

Referred to Committee on Judiciary.

HB 1001 by Representatives Moeller, Pedersen, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton, Maxwell, Tharinger, Ormsby, Riccelli, Pollet and Jinkins

AN ACT Relating to beer and wine theater licenses; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1002 by Representatives Moeller, Blake, Morrell, Pedersen, Hunt, Clibborn, Fitzgibbon, Lytton, Tharinger and Ormsby

AN ACT Relating to establishing a yellow dot program for motor vehicles; adding a new section to chapter 46.16A RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 1003 by Representatives Moeller, Cody, Morrell, Pedersen, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton and Jinkins

AN ACT Relating to disciplinary actions against the health professions license of the subject of a department of social and health services' finding; amending RCW 18.130.050; adding a new section to chapter 18.130 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1004 by Representatives Moeller, Pedersen, Blake, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton, Stanford and Pollet

AN ACT Relating to payment of property taxes; amending RCW 84.56.020; and creating a new section.

Referred to Committee on Finance.

HB 1005 by Representatives Moeller, Wylie, Reykdal, Appleton, Ryu, Morrell, McCoy, Seaquist, Moscoso, Hudgins, Ormsby and Pollet

AN ACT Relating to the public disclosure commission concerning responsibilities and funding; amending RCW

42.52.320, 42.52.360, 42.52.390, 42.52.400, 42.52.410, 42.52.420, 42.52.425, 42.52.430, 42.52.440, 42.52.450, 42.52.460, 42.52.470, 42.52.480, 42.52.490, 42.52.500, 42.52.510, 42.52.530, 42.52.540, 42.17A.100, 42.17A.705, 42.40.020, and 43.15.020; reenacting and amending RCW 42.52.010 and 9.95.003; adding new sections to chapter 42.17A RCW; creating new sections; repealing RCW 42.52.310, 42.52.340, 42.52.350, 42.52.380, and 42.52.550; providing effective dates; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 1006 by Representatives Schmick and Cody

AN ACT Relating to removing the requirement that earnings from the Washington horse racing commission operating account be credited to the Washington horse racing commission class C purse fund account; amending RCW 67.16.280; and reenacting and amending RCW 43.79A.040.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1007 by Representatives Kagi, Clibborn, Stanford, Ryu, Moscoso, Hudgins, Reykdal, Fitzgibbon, Appleton, Maxwell, Green and Fey

AN ACT Relating to covering loads on public highways; amending RCW 46.61.655; and providing an effective date.

Referred to Committee on Transportation.

HB 1008 by Representatives Hunt, Appleton, Hurst, McCoy, Condotta, Fitzgibbon, Tharinger, Upthegrove, Reykdal and Magendanz

AN ACT Relating to allowing sales of growlers of cider; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1009 by Representatives Hunt, Appleton, McCoy and Johnson

AN ACT Relating to liquor self-checkout machines; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1010 by Representatives Appleton, Hunt and Haigh

AN ACT Relating to antifreeze products; and amending RCW 19.94.544.

Referred to Committee on Business & Financial Services.

HB 1011 by Representatives Appleton, Seaquist, Sells, Zeiger, Ryu, Lias, Hudgins, Morrell, Ormsby, Hansen, Bergquist, Reykdal, Haler, Klippert, Fey, Magendanz, Jinkins, MacEwen and Hayes

AN ACT Relating to removing the one-year waiting period for veterans or active members of the military for the purpose

of eligibility for resident tuition; and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

HB 1012 by Representatives Stanford, Kirby, Ryu and Hudgins

AN ACT Relating to maintenance of a surety bond for appraisal management companies; and amending RCW 18.310.040.

Referred to Committee on Business & Financial Services.

HB 1013 by Representatives Appleton, Seaquist, Ryu and Hansen

AN ACT Relating to authorizing regular meetings of county legislative authorities to be held at alternate locations within the county; and amending RCW 36.32.080.

Referred to Committee on Local Government.

HB 1014 by Representatives McCoy, Appleton, Hunt, Hurst, Moscoso, Ryu, Sells, Dahlquist, Johnson, Zeiger, Fitzgibbon, Wilcox, Stanford, Hudgins, Haigh, Tharinger, Van De Wege, Morrell, Ormsby, Upthegrove, Pollet, Bergquist, Reykdal, Kochmar, Jinkins, O'Ban and Santos

AN ACT Relating to recognizing "Native American Heritage Day"; amending RCW 1.16.050; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1015 by Representatives McCoy, Santos, Hunt, Appleton, Moscoso, Klippert, Ryu, Sells, Stanford, Haigh, Tharinger, Kirby, Ormsby and Pollet

AN ACT Relating to reducing costs by reducing state assessment requirements; amending RCW 28A.155.170, 28A.165.025, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.600.310, 28A.655.061, 28A.655.066, 28A.655.068, 28A.655.185, 28A.655.200, and 28A.655.070; reenacting and amending RCW 28B.15.067; creating a new section; and repealing RCW 28A.155.045, 28A.180.100, 28A.600.405, 28A.655.0611, 28A.655.063, 28A.655.065, and 28B.50.534.

Referred to Committee on Education.

HB 1016 by Representatives Angel, Takko, Zeiger, Johnson, Haigh and Magendanz

AN ACT Relating to designating facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements; and amending RCW 36.70A.030 and 36.70A.200.

Referred to Committee on Local Government.

HB 1017 by Representatives Morris, Fitzgibbon, Fey, Liias, McCoy, Hudgins, Farrell, Morrell, Ormsby, Upthegrove and Pollet

AN ACT Relating to creating new efficiency standards; amending RCW 19.260.030, 19.260.040, 19.260.050,

19.27.170, and 19.27.015; reenacting and amending RCW 19.260.020; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Environment.

HB 1018 by Representative Moeller

AN ACT Relating to expanding criminal penalties for assault; amending RCW 9A.36.011, 9A.36.021, and 70.24.140; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1019 by Representatives Haler, Tharinger and Reykdal

AN ACT Relating to identification of a requestor of public records; reenacting and amending RCW 42.56.080; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1020 by Representative Haler

AN ACT Relating to prohibiting level III sex offenders from residing in a community protection zone; and reenacting and amending RCW 9.94A.703.

Referred to Committee on Public Safety.

HB 1021 by Representative Haler

AN ACT Relating to educating parents of the harmful effects of parental abduction; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Judiciary.

HB 1022 by Representative Haler

AN ACT Relating to the sampling of wine and beer at specialty stores; amending RCW 66.28.040; reenacting and amending RCW 66.24.371; and creating a new section.

Referred to Committee on Government Accountability & Oversight.

HB 1023 by Representatives Moeller, Appleton, Stanford, Hudgins, Ormsby, Pollet and Reykdal

AN ACT Relating to extending apprenticeship utilization requirements; amending RCW 39.04.320, 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; and reenacting and amending RCW 82.63.010.

Referred to Committee on Labor & Workforce Development.

HB 1024 by Representatives Moeller, Appleton, Ryu, Haigh, Cody and Upthegrove

AN ACT Relating to service animals; amending RCW 49.60.218, 49.60.222, 49.60.223, 49.60.224, and 49.60.225; and reenacting and amending RCW 49.60.040.

Referred to Committee on Judiciary.

HB 1025 by Representatives Moeller, Appleton, Ormsby and Pollet

AN ACT Relating to extending the application of prevailing wage requirements; amending RCW 39.12.010, 39.12.030, 39.12.040, 39.12.042, 39.12.050, 39.12.065, 39.12.070, 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; reenacting and amending RCW 82.63.010; and adding a new section to chapter 39.12 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1026 by Representatives Moeller, Appleton, Stanford, Ormsby and Riccelli

AN ACT Relating to requiring use of resident workers on public works; amending RCW 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; reenacting and amending RCW 82.63.010; adding a new section to chapter 39.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1027 by Representatives Moeller and Appleton

AN ACT Relating to implementing changes to child support based on the child support schedule work group report; amending RCW 26.19.011, 26.19.020, 26.19.065, 26.19.075, and 26.19.090; adding a new section to chapter 26.19 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 1028 by Representatives Dahlquist, Hurst and Clibborn

AN ACT Relating to the scenic and recreational highway on state route number 410; and amending RCW 47.39.020.

Referred to Committee on Transportation.

HB 1029 by Representative Morris

AN ACT Relating to private road maintenance agreements; adding a new chapter to Title 64 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1030 by Representatives Morris, Fitzgibbon, Morrell and Fey

AN ACT Relating to adopting the electric transmission line siting compact; and adding a new chapter to Title 80 RCW.

Referred to Committee on Environment.

HB 1031 by Representatives Stanford and Nealey

AN ACT Relating to collection of debts by attorneys; amending RCW 19.16.100 and 19.16.250; and creating a new section.

Referred to Committee on Judiciary.

HB 1032 by Representatives Kirby, Chandler, Ryu and Hudgins

AN ACT Relating to portable electronics insurance; amending RCW 48.18.100, 48.19.030, and 48.120.015; and adding a new section to chapter 48.120 RCW.

Referred to Committee on Business & Financial Services.

HB 1033 by Representatives Stanford and Chandler

AN ACT Relating to the settling of certain insurer transactions; amending RCW 48.31.020; and adding a new section to chapter 48.31 RCW.

Referred to Committee on Business & Financial Services.

HB 1034 by Representatives Kirby and Ryu

AN ACT Relating to the licensing of escrow agents; and amending RCW 18.44.011 and 31.04.025.

Referred to Committee on Business & Financial Services.

HB 1035 by Representatives Kirby, Ryu and Nealey

AN ACT Relating to title insurance rate filings; amending RCW 48.03.010, 48.03.060, and 42.56.400; and adding new sections to chapter 48.29 RCW.

Referred to Committee on Business & Financial Services.

HB 1036 by Representatives Kirby, Ryu and Schmick

AN ACT Relating to service contracts; amending RCW 48.110.020; and adding a new section to chapter 48.110 RCW.

Referred to Committee on Business & Financial Services.

HB 1037 by Representatives Moeller, Fitzgibbon, Appleton, Hudgins, Morrell and Bergquist

AN ACT Relating to establishing a cost-recovery mechanism for public records sought for commercial purposes; amending RCW 42.56.120; reenacting and amending RCW 42.56.080; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1038 by Representatives Ryu, Kagi, Bergquist, Reykdal and Jinkins

AN ACT Relating to requiring the department of licensing to adopt rules to allow online learning for training in the areas of cosmetology, manicuring, barbering, esthetics, and instructor-training; amending RCW 18.16.020; adding a new section to chapter 18.16 RCW; and creating a new section.

Referred to Committee on Business & Financial Services.

HB 1039 by Representative Takko

AN ACT Relating to per diem compensation for flood control zone district supervisors; and amending RCW 86.15.055.

Referred to Committee on Local Government.

HB 1040 by Representatives Takko and Upthegrove

AN ACT Relating to real property valuation notices; and amending RCW 84.40.045.

Referred to Committee on Local Government.

HB 1041 by Representative Haler

AN ACT Relating to requiring proof of Washington residency for driver's license and identicard issuance; and amending RCW 46.20.035, 46.20.091, and 46.20.161.

Referred to Committee on Transportation.

HB 1042 by Representative Seaquist

AN ACT Relating to metropolitan park district property tax levies; amending RCW 84.52.010 and 84.52.120; creating a new section; and repealing 2011 1st sp.s. c 28 s 7 (uncodified).

Referred to Committee on Finance.

HB 1043 by Representatives Seaquist, Haler, Zeiger, Fagan, Fitzgibbon, Pedersen, Pollet, Magendanz and Stanford

AN ACT Relating to limiting differential tuition; and reenacting and amending RCW 28B.15.067.

Referred to Committee on Higher Education.

HB 1044 by Representatives Cody, Jinkins, Takko, Blake, Maxwell, Lytton, Moscoso, Fitzgibbon, Tharinger, Bergquist, Clibborn, Pollet, Goodman, Appleton, Reykdal, Kirby, Green, Van De Wege, Pettigrew, Sells, Springer, Hunt, Moeller, Carlyle, Ryu, Haigh, Liias, Kagi, Tarleton, Pedersen, McCoy, Stanford, Hunter, Hudgins, Farrell, Ormsby, Upthegrove, Riccelli, Stonier, Fey and Santos

AN ACT Relating to preserving health insurance coverage for the voluntary termination of a pregnancy by requiring health plans issued or renewed on or after January 1, 2014, that provide coverage for maternity care or services to provide a covered person with substantially equivalent coverage to permit the voluntary termination of a pregnancy, by prohibiting a health plan from limiting in any way a woman's access to services related to the voluntary termination of a pregnancy other than terms and conditions generally applicable to the health plan's coverage of maternity care or services including applicable cost sharing, by not limiting in any way a woman's constitutionally or statutorily protected right to voluntarily terminate a pregnancy, by clarifying that health plans are not required to cover abortions that would be unlawful under RCW 9.02.120, by providing an exemption for a multistate plan that does not cover the voluntary termination of pregnancies under federal law, by making the provisions of this act inapplicable to the minimum extent necessary to avoid noncompliance with federal requirements that are a prescribed condition to the allocation of federal funds to the state, and by clarifying that nothing in this act affects the statutory right of objection based on conscience or religion as set forth in RCW 48.43.065 or 70.47.160; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1045 by Representatives Ryu, Angel, Moscoso, Clibborn, Upthegrove, Fitzgibbon, Liias, Pedersen, Stanford, Farrell, Morrell, Pollet, Bergquist and Fey

AN ACT Relating to local authorities altering maximum speed limits; and amending RCW 46.61.415.

Referred to Committee on Transportation.

HB 1046 by Representatives Fey, Upthegrove, Takko, Seaquist, Zeiger, Walsh, Blake, Kochmar and Haigh

AN ACT Relating to uncontested rate modifications for utilities and transportation commission regulated water companies; and adding a new section to chapter 80.28 RCW.

Referred to Committee on Environment.

HB 1047 by Representatives Dahlquist, Hurst and Magendanz

AN ACT Relating to photographs, microphotographs, and electronic images from traffic safety cameras and toll systems; amending RCW 46.63.160; and reenacting and amending RCW 46.63.170.

Referred to Committee on Public Safety.

HB 1048 by Representatives Seaquist and Haler

AN ACT Relating to higher education governance; amending RCW 28A.150.510, 28B.10.630, 28B.50.903, 28B.67.010, 28B.76.335, 28B.76.340, 28B.76.670, 28B.77.003, 28B.77.005, 28B.77.010, 28B.77.020, 28B.77.070, 28B.105.020, 28B.105.030, 28B.115.100, 28B.115.150, 28B.117.020, 28B.117.030, 28B.118.040, 28B.145.010, 28B.145.030, 28B.145.050, 28B.145.060, and 28B.145.070; reenacting and amending RCW 28B.15.068, 28B.118.010, 43.88.230, and 44.04.260; reenacting RCW 43.330.310; adding new sections to chapter 28B.77 RCW; recodifying RCW 28B.76.335 and 28B.76.340; repealing RCW 44.04.360, 44.04.362, and 44.04.364; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1049 by Representative Takko

AN ACT Relating to the administration and operation of flood control districts; amending RCW 86.09.175, 86.09.178, 86.09.181, 86.09.259, 86.09.268, and 86.09.271; adding a new section to chapter 86.09 RCW; and repealing RCW 86.09.274, 86.09.277, and 86.09.280.

Referred to Committee on Local Government.

HB 1050 by Representative Angel

AN ACT Relating to authorizing government agencies to sell naming rights of public facilities; amending RCW 43.34.090; and adding a new chapter to Title 42 RCW.

Referred to Committee on Government Operations & Elections.

HB 1051 by Representatives Angel and Kochmar

AN ACT Relating to naming or renaming state transportation facilities; amending RCW 47.01.420; and creating a new section.

Referred to Committee on Transportation.

HB 1052 by Representative Angel

AN ACT Relating to local government selection of the appropriate sewer systems as part of growth management; amending RCW 36.70A.110; and creating a new section.

Referred to Committee on Local Government.

HB 1053 by Representative Angel

AN ACT Relating to notifying property owners of proposals to modify zoning requirements; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

HB 1054 by Representatives Angel, Dahlquist, Hayes, Johnson, Kristiansen and Pike

AN ACT Relating to the allocation of one-half of one percent of original public school construction for equipment and technology purposes; amending RCW 28A.335.210; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1055 by Representative Angel

AN ACT Relating to metropolitan park district property tax levies; amending RCW 84.52.010 and 84.52.120; creating a new section; and repealing 2011 1st sp.s. c 28 s 7 (uncodified).

Referred to Committee on Finance.

HB 1056 by Representatives Angel, Manweller and Sells

AN ACT Relating to not disqualifying certain corporate officers from receiving unemployment benefits; amending RCW 50.04.310; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workforce Development.

HB 1057 by Representative Hunter

AN ACT Relating to fiscal matters; amending RCW 41.26.802, 43.08.190, 43.09.475, 43.79.480, 43.101.200, 43.155.050, 43.330.250, 46.66.080, 70.93.180, 79.64.040, 82.14.310, 82.14.320, 82.14.330, 82.14.390, 82.14.500, and 86.26.007; reenacting and amending RCW 41.80.010, 41.80.020, 70.105D.070, 79.105.150, and 82.45.060; adding a new section to chapter 43.88 RCW; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1058 by Representative Hunter

AN ACT Relating to fiscal matters; amending 2012 2nd sp.s. c 7 ss 111, 112, 114, 115, 121, 127, 128, 129, 131, 136, 137, 139, 142, 143, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 218, 219, 220, 221, 303, 307, 308, 311, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 601, 602, 613, 615, 616, 617, 701, 702, 707, 801, 802, 803, and 804 (uncodified); amending 2011 2nd sp.s. c 9 ss 506, and 703 (uncodified); amending 2011 1st sp.s. c 50 s 804 (uncodified); repealing 2011 c 41 s 3 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1059 by Representative Goodman

AN ACT Relating to a proclamation of a state of emergency; and amending RCW 43.06.210.

Referred to Committee on Public Safety.

HB 1060 by Representative Goodman

AN ACT Relating to scoring an offense a class C felony equivalent if the offense was a felony under the relevant out-of-state statute when there is no clearly comparable offense under Washington law; amending RCW 9.94A.525; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1061 by Representative Goodman

AN ACT Relating to sentences involving aggravating circumstances; amending RCW 9.94A.537 and 9.94A.535; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1062 by Representatives Fitzgibbon, Pedersen, Carlyle, Pollet, Ryu, Hudgins, Ormsby, Upthegrove, Jinkins and Santos

AN ACT Relating to subversive activities; amending RCW 35A.42.020; and repealing RCW 9.81.010, 9.81.020, 9.81.030, 9.81.040, 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090, 9.81.110, and 9.81.120.

Referred to Committee on Judiciary.

HB 1063 by Representatives Fitzgibbon, Cody, Kagi, Ryu and Appleton

AN ACT Relating to senior center licenses; amending RCW 66.20.300 and 66.20.310; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1064 by Representative Goodman

AN ACT Relating to technical changes to form year designations; and amending RCW 6.21.040, 6.23.030, 6.27.100, 6.27.105, 6.27.265, 6.27.340, 6.27.370, 9.96.020,

10.14.085, 10.37.040, 11.28.090, 11.28.140, 11.68.110,
 11.88.127, 11.88.140, 11.96A.250, 11.98.005, 12.04.020,
 12.04.030, 12.04.100, 12.04.201, 12.04.203, 12.04.204,
 12.04.205, 12.04.206, 12.04.207, 12.40.110, 17.28.090,
 18.44.251, 19.120.040, 26.04.090, 26.18.100, 26.50.085,
 35.22.110, 35.58.090, 35A.08.120, 36.24.110, 36.60.020,
 36.68.470, 41.50.590, 43.20B.040, 58.09.080, 59.18.257,
 59.18.575, 60.08.020, 61.12.020, 61.24.045, 62A.3-522,
 62A.3-540, 64.04.030, 64.04.040, 64.04.050, 64.08.060,
 64.08.070, 65.12.035, 65.12.125, 65.12.230, 65.12.235,
 65.12.255, 65.12.270, 67.38.030, 84.40.320, 84.52.080,
 85.28.060, 88.32.070, 88.32.140, and 91.08.380.

Referred to Committee on Judiciary.

HB 1065 by Representative Goodman

AN ACT Relating to the applicability of statutes of limitation in arbitration proceedings; and amending RCW 7.04A.090.

Referred to Committee on Judiciary.

HB 1066 by Representatives Pollet, Ryu, Santos, Springer, Appleton, Cody, Green, Hudgins, Tharinger, Maxwell, Jinkins, Hunt, Freeman, Wylie, Sells, Kagi, Morrell and Ormsby

AN ACT Relating to requiring the advertised selling price of liquor to include liquor taxes; amending RCW 82.08.150; adding a new section to chapter 82.08 RCW; and providing an effective date.

Referred to Committee on Government Accountability & Oversight.

HB 1067 by Representatives Lytton, Ryu, Maxwell, Haigh, Tharinger, Stonier, Pollet, Bergquist and Reykdal

AN ACT Relating to enhancing the basic education allocation formula for principals, assistant principals, and other certificated building-level administrators to support the teacher evaluation program requirements of RCW 28A.405.100; amending RCW 28A.150.260; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 1068 by Representatives Manweller and Warnick

AN ACT Relating to the television reception improvement district excise tax; and amending RCW 36.95.100.

Referred to Committee on Finance.

HB 1069 by Representatives Stanford, Ormsby, Fitzgibbon and Green

AN ACT Relating to the fair debt buyers practices act; amending RCW 19.16.100, 19.16.250, 19.16.260, 19.16.270, 19.16.450, 4.16.040, 4.16.270, 4.56.110, and 4.84.330; adding new sections to chapter 19.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HJR 4200 by Representatives Haler, Dahlquist and MacEwen

Amending the state Constitution to require that hydroelectric generation be recognized as a renewable resource.

Referred to Committee on Environment.

HJR 4201 by Representatives Haler, Dahlquist, Kristiansen and Magendanz

Requiring a two-thirds majority vote for approval of tax increase legislation.

Referred to Committee on Finance.

HJR 4202 by Representatives Haler and Dahlquist

Requiring a balanced budget.

Referred to Committee on Appropriations.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4601, by Representatives Sullivan and Kretz

BE IT RESOLVED, That a committee consisting of two members of the House of Representatives be appointed by the Speaker of the House to notify the Governor that the House is organized and ready to conduct business.

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4601

Representative Sullivan spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4601 was adopted.

INTRODUCTION & FIRST READING

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4402 was read the first time, and under suspension of the rules was placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4402, by Representatives Sullivan and Kretz

Calling two joint sessions of the legislature.

The resolution was read the second time.

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

Representative Sullivan spoke in favor of the passage of the resolution.

The Speaker stated question before the house to be the final passage of House Concurrent Resolution No. 4402.

HOUSE CONCURRENT RESOLUTION NO. 4402 was declared passed.

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

INTRODUCTION & FIRST READING

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4401 was read the first time, and under suspension of the rules was placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4401, by Representatives Sullivan and Kretz

Establishing cutoff dates.

The resolution was read the second time.

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

Representative Sullivan spoke in favor of the passage of the resolution.

The Speaker stated question before the house to be the final passage of House Concurrent Resolution No. 4401.

HOUSE CONCURRENT RESOLUTION NO. 4401 was declared passed.

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

INTRODUCTION & FIRST READING

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4400 was read the first time, and under suspension of the rules was placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4400, by Representatives Sullivan and Kretz

Adopting joint rules.

The resolution was read the second time.

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

Representative Sullivan spoke in favor of the passage of the resolution.

The Speaker stated question before the house to be the final passage of House Resolution No. 4400.

HOUSE CONCURRENT RESOLUTION NO. 4400 was declared passed.

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

INTRODUCTION & FIRST READING

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

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

MESSAGE FROM THE SECRETARY OF STATE

The Honorable Frank Chopp
Speaker of the House of Representatives
Legislature of the State of Washington
Olympia Washington 98504

Dear Speaker Chopp:

We respectfully transmit for your consideration the following second special session bill which has been partially vetoed by the Governor, together with the official veto message setting forth her objection to the section or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Third Engrossed Substitute House Bill 2127

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the State of Washington this 16th day of November 2012

Sam S. Reed
Secretary of State

The Honorable Frank Chopp
Speaker of the House of Representatives
Legislature of the State of Washington
Olympia Washington 98504

Dear Speaker Chopp:

We respectfully transmit for your consideration the following first special session bill which has been partially vetoed by the Governor, together with the official veto message setting forth her objection to the section or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

House Bill 2834

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the State of Washington this 16th day of November 2012

Sam S. Reed
Secretary of State

The Honorable Frank Chopp

Speaker of the House of Representatives
Legislature of the State of Washington
Olympia Washington 98504

Dear Speaker Chopp:

We respectfully transmit for your consideration the following regular session bills which have been partially vetoed by the Governor, together with the official veto message setting forth her objection to the section or items of the bill, as required by Article III, section 12, of the Washington State Constitution:

Engrossed Substitute House Bill 2190
Second Engrossed Substitute House Bill 2319
Engrossed Substitute House Bill 2692
Substitute House Bill 2657
Second Engrossed Substitute House Bill 2483
Third Substitute House Bill 2585
Engrossed Substitute House Bill 2570

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the State of Washington this 16th day of November 2012.

Sam S. Reed
Secretary of State

**PROVISIONAL CERTIFICATION OF INITIATIVE TO
THE LEGISLATURE NO.517**

Pursuant to Article II, Section 1 of the Washington State Constitution and RCW 29A.72.230, prior to the deadline of January 4, the Office of the Secretary of State received signature petitions submitted in support of initiative to the Legislature No. 517, "Protect the Initiative Act."

The Office of the Secretary of State is currently examining the signatures. 241,153 valid signatures are required by Article II, Section 1 of the Washington State Constitution.

I hereby attach a true and correct copy of Initiative to the Legislature No. 517

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 41st day of January 2013.

Sam S. Reed
Secretary of State

**PROVISIONAL CERTIFICATION OF INITIATIVE TO
THE LEGISLATURE NO.522**

Pursuant to Article II, Section 1 of the Washington State Constitution and RCW 29A.72.230, prior to the deadline of January 4, the Office of the Secretary of State received signature petitions submitted in support of initiative to the Legislature No. 522, "The People's Right to Know Genetically Food Act."

The Office of the Secretary of State is currently examining the signatures. 241,153 valid signatures are required by Article II, Section 1 of the Washington State Constitution.

I hereby attach a true and correct copy of Initiative to the Legislature No. 522.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 41st day of January 2013.

Sam S. Reed
Secretary of State

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

COMMITTEE APPOINTMENTS

The Speaker announced the following committee appointments:

Alexander, Gary *Appropriations; Government Accountability & Oversight; Government Operations & Elections

Angel, Jan *Community Development, Housing & Tribal Affairs; Health Care & Wellness; Transportation

Appleton, Sherry Community Development, Housing & Tribal Affairs, Vice Chair; Capital Budget; Public Safety

Bergquist, Steve Government Operations & Elections, Vice Chair; Education; Transportation

Blake, Brian Agriculture & Natural Resources, Chair; Business & Financial Services; Government Accountability & Oversight

Buys, Vincent *Government Operations & Elections; Agriculture & Natural Resources; Appropriations; Appropriations Subcommittee on General Government; Local Government

Carlyle, Reuven Finance, Chair; Appropriations; Appropriations Subcommittee on Education; Government Operations & Elections

Chandler, Bruce *Agriculture & Natural Resources; **Appropriations; Appropriations Subcommittee on General Government; Business & Financial Services

Chopp, Frank Rules, Chair

Clibborn, Judy Transportation, Chair; Health Care & Wellness

Cody, Eileen Health Care & Wellness, Chair; Appropriations; Appropriations Subcommittee on Health & Human Services

Condotta, Cary *Government Accountability & Oversight; **Labor & Workforce Development; Finance

Crouse, Larry **Technology & Economic Development; Environment; Local Government

Dahlquist, Cathy *Education; Appropriations; Appropriations Subcommittee on Education; Rules; Technology & Economic Development

DeBolt, Richard *Rules

Dunshee, Hans Capital Budget, Chair; Agriculture & Natural Resources; Appropriations; Appropriations

Subcommittee on General Government	Hunter, Ross	Appropriations, Chair
Fagan, Susan *Appropriations Subcommittee on Education; Appropriations; Education; Higher Education; Rules	Hurst, Christopher	Government Accountability & Oversight, Chair; Agriculture & Natural Resources; Business & Financial Services
Farrell, Jessyn Early Learning & Human Services; Environment; Transportation	Jinkins, Laurie	Health Care & Wellness, Vice Chair; Appropriations; Appropriations Subcommittee on Health & Human Services; Judiciary
Fey, Jake Transportation, Vice Chair; Capital Budget; Environment	Johnson, Norm	**Community Development, Housing & Tribal Affairs; Higher Education; Rules; Transportation
Fitzgibbon, Joe Local Government, Vice Chair; Finance; Government Operations & Elections; Transportation	Kagi, Ruth	Early Learning & Human Services, Chair; Appropriations; Appropriations Subcommittee on Health & Human Services; Environment
Freeman, Roger Early Learning & Human Services, Vice Chair; Technology & Economic Development; Transportation	Kirby, Steve	Business & Financial Services, Chair; Government Accountability & Oversight; Judiciary
Goodman, Roger Public Safety, Chair; Early Learning & Human Services; Judiciary	Klippert, Brad	*Public Safety; Education; Judiciary; Transportation
Green, Tami Appropriations; Appropriations Subcommittee on Health & Human Services; Health Care & Wellness; Labor & Workforce Development; Rules	Kochmar, Linda	**Local Government; Business & Financial Services; Rules; Technology & Economic Development; Transportation
Habib, Cyrus Technology & Economic Development, Vice Chair; Business & Financial Services; Transportation	Kretz, Joel	Agriculture & Natural Resources; Rules; Transportation
Haigh, Kathy Appropriations Subcommittee on Education, Chair; Agriculture & Natural Resources; Appropriations; Education	Kristiansen, Dan	Government Operations & Elections; Transportation
Haler, Larry *Higher Education; Appropriations; Appropriations Subcommittee on Education; Community Development, Housing & Tribal Affairs	Liias, Marko	Transportation, Vice Chair; Environment; Local Government; Rules
Hansen, Drew Judiciary, Vice Chair; Finance; Higher Education	Lytton, Kristine	Agriculture & Natural Resources, Vice Chair; Education; Finance
Hargrove, Mark **Transportation; Education; Higher Education	MacEwen, Drew	**Agriculture & Natural Resources; Business & Financial Services; Capital Budget; Early Learning & Human Services
Harris, Paul *Appropriations Subcommittee on Health & Human Services; Appropriations; Health Care & Wellness	Magendanz, Chad	**Education; Higher Education; Rules; Technology & Economic Development
Hawkins, Brad **Capital Budget; Business & Financial Services; Education	Manweller, Matt	*Labor & Workforce Development; Government Operations & Elections; Health Care & Wellness
Hayes, Dave **Public Safety; Education; Transportation	Maxwell, Marcie	Appropriations; Appropriations Subcommittee on Education; Education; Rules; Technology & Economic Development
Holy, Jeff **Government Accountability & Oversight; Labor & Workforce Development; Public Safety; Rules	McCoy, John	Community Development, Housing & Tribal Affairs, Chair; Environment, Vice Chair; Education
Hope, Mike **Health Care & Wellness; Judiciary; Public Safety	Moeller, Jim	Health Care & Wellness; Labor & Workforce Development; Rules; Transportation
Hudgins, Zack Appropriations Subcommittee on General Government, Chair; Appropriations; Business & Financial Services; Technology & Economic Development	Morrell, Dawn	Appropriations Subcommittee on Health & Human Services, Chair; Appropriations; Health Care & Wellness; Technology & Economic Development
Hunt, Sam Government Operations & Elections, Chair; Appropriations; Appropriations Subcommittee on General Government; Education	Morris, Jeff	Technology & Economic Development, Chair; Environment; Transportation

Moscoso, Luis Transportation, Vice Chair; Government Accountability & Oversight; Public Safety
 Nealey, Terry *Finance; Environment; Judiciary; Rules

O'Ban, Steve **Judiciary; Business & Financial Services; Transportation

Orcutt, Ed *Transportation; **Finance; Agriculture & Natural Resources

Ormsby, Timm Appropriations, Vice Chair; Appropriations Subcommittee on Health & Human Services; Labor & Workforce Development

Orwall, Tina Education; Government Operations & Elections; Judiciary; Rules

Overstreet, Jason **Transportation; Early Learning & Human Services; Environment

Parker, Kevin *Appropriations Subcommittee on General Government; *Business & Financial Services; Appropriations; Education

Pedersen, Jamie Judiciary, Chair; Appropriations; Appropriations Subcommittee on General Government; Higher Education

Pettigrew, Eric Agriculture & Natural Resources; Appropriations; Appropriations Subcommittee on Education; Public Safety; Rules

Pike, Liz **Environment; Appropriations; Appropriations Subcommittee on Health & Human Services; Community Development, Housing & Tribal Affairs; Education

Pollet, Gerry Higher Education, Vice Chair; Education; Finance

Reykdal, Chris Labor & Workforce Development, Vice Chair; Finance; Higher Education; Rules

Riccelli, Marcus Capital Budget; Health Care & Wellness; Higher Education; Transportation

Roberts, Mary Helen Public Safety, Vice Chair; Early Learning & Human Services; Judiciary; Rules

Rodne, Jay *Judiciary; Health Care & Wellness; Transportation

Ross, Charles **Appropriations; Appropriations Subcommittee on Health & Human Services; Health Care & Wellness; Public Safety

Ryu, Cindy Business & Financial Services, Vice Chair; Community Development, Housing & Tribal Affairs; Rules; Transportation

Santos, Sharon Tomiko Education, Chair; Business & Financial Services; Community Development, Housing & Tribal Affairs

Sawyer, David Community Development, Housing & Tribal Affairs; Early Learning & Human Services; Higher Education; Rules

Schmick, Joe *Health Care & Wellness; Agriculture & Natural Resources; Appropriations; Appropriations Subcommittee on Health & Human Services

Scott, Elizabeth **Early Learning & Human Services; Capital Budget; Higher Education

Sequist, Larry Higher Education, Chair; Appropriations; Appropriations Subcommittee on Education; Education

Sells, Mike Labor & Workforce Development, Chair; Higher Education; Transportation

Shea, Matt Government Accountability & Oversight; Judiciary; Transportation

Short, Shelly *Environment; Health Care & Wellness; Labor & Workforce Development

Smith, Norma *Technology & Economic Development; Capital Budget; Higher Education

Springer, Larry Appropriations; Appropriations Subcommittee on General Government; Finance; Local Government; Rules

Stanford, Derek Capital Budget, Vice Chair; Agriculture & Natural Resources; Business & Financial Services

Stonier, Monica Education, Vice Chair; Capital Budget; Technology & Economic Development

Sullivan, Pat Appropriations; Appropriations Subcommittee on Education; Rules

Takko, Dean Local Government, Chair; Public Safety; Transportation

Tarleton, Gael Higher Education; Rules; Technology & Economic Development; Transportation

Taylor, David *Local Government; **Government Operations & Elections; Appropriations; Appropriations Subcommittee on General Government

Tharinger, Steve Finance, Vice Chair; Environment; Health Care & Wellness

Upthegrove, Dave Environment, Chair; Local Government; Transportation

Van De Wege, Kevin Agriculture & Natural Resources; Government Operations & Elections; Health Care & Wellness; Rules

Vick, Brandon **Business & Financial Services; Finance; Technology & Economic Development

Walsh, Maureen *Early Learning & Human Services; Higher Education; Technology & Economic Development

Warnick, Judy *Capital Budget; Agriculture & Natural Resources; Education

Wilcox, J.T. **Appropriations; Appropriations
Subcommittee on Education; Finance; Rules

MOTION

Wylie, Sharon Government Accountability & Oversight, Vice
Chair; Higher Education; Technology & Economic Development

On motion of Representative Sullivan, the House adjourned
until 10:00 am, January 15, 2013 the 3rd Day of the Regular
Session.

Zeiger, Hans **Higher Education; Early Learning & Human
Services; Technology & Economic FRANK CHOPP, Speaker
Development; Transportation

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

SECOND DAY

House Chamber, Olympia, Tuesday, January 15, 2013

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

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

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

INTRODUCTIONS AND FIRST READING

HB 1070 by Representatives Hurst and Dahlquist

AN ACT Relating to commercial driver's license suspension; amending RCW 46.25.090; and providing an effective date.

Referred to Committee on Transportation.

HB 1071 by Representatives Blake and Chandler

AN ACT Relating to state and private partnerships for managing salmonid hatcheries; and amending RCW 77.95.320.

Referred to Committee on Agriculture & Natural Resources.

HB 1072 by Representatives Chandler, Sells, Ormsby, Reykdal, Freeman, Fagan and Morrell

AN ACT Relating to the agricultural labor skills and safety grant program; adding a new section to chapter 43.330 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Workforce Development.

HB 1073 by Representatives Johnson, Blake, Chandler, Haigh, Takko, Ross and Schmick

AN ACT Relating to payments to counties in lieu of property taxes on state-owned land; amending RCW 77.12.203; and repealing RCW 77.12.201.

Referred to Committee on Agriculture & Natural Resources.

HB 1074 by Representatives Angel, Takko, Buys and Pike

AN ACT Relating to requirements governing and associated with plat approvals; and amending RCW 58.17.140 and 58.17.170.

Referred to Committee on Local Government.

HB 1075 by Representatives Lytton, Blake, Chandler, Haigh and Morris

AN ACT Relating to the number of Puget Sound Dungeness crab fishery licenses that one vessel may be designated to carry; and amending RCW 77.65.100 and 77.65.130.

Referred to Committee on Agriculture & Natural Resources.

HB 1076 by Representatives Haigh, Johnson, Takko, Fagan, Lytton, Short and Dahlquist

AN ACT Relating to expanding participation in innovation academy cooperatives; and amending RCW 28A.340.080 and 28A.225.225.

Referred to Committee on Education.

HB 1077 by Representatives Haigh, Lytton, Takko and Johnson

AN ACT Relating to authorizing the educational service district board to fill vacancies on the board of directors in second-class school districts with an at-large appointment if after one hundred twenty days a candidate from the director district cannot be recruited; and amending RCW 28A.343.370.

Referred to Committee on Education.

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

MESSAGES FROM THE SENATE

January 14, 2013

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400

HOUSE CONCURRENT RESOLUTION NO. 4401

HOUSE CONCURRENT RESOLUTION NO. 4402

and the same are herewith transmitted.

Hunter Goodman, Secretary

January 14, 2013

MR. SPEAKER:

The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 8400 and the same is herewith transmitted.

Hunter Goodman, Secretary

The Sergeant at Arms of the House announced the arrival of the Senate at the Chamber doors. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senator Ed Murray and Senator Mark Schoesler to the rostrum. The Senators were invited to seats within the Chamber.

JOINT SESSION

Pursuant to House Concurrent Resolution 4402, the Speaker (Representative Moeller presiding) called the Joint Session to order. The Clerk called the roll of the House members. The Clerk called the roll of the Senate members. The Speaker (Representative Moeller presiding) declared a quorum of the Legislature was present.

The Speaker (Representative Moeller presiding) "The first purpose of this Joint Session is to comply with the constitutional requirement of canvassing the vote for and against referenda and initiatives and for the constitutional elective officers."

The Speaker (Representative Moeller presiding) called on the Clerk to read the message from the Secretary of State.

MESSAGE FROM THE SECRETARY OF STATE**CANVASS OF THE RETURNS
OF THE GENERAL ELECTION
HELD ON NOVEMBER 6, 2012**

I, Sam Reed, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.260, I have canvassed the returns of the 3,172,939 ballots cast by the 3,904,959 registered voters of the state for and against the initiatives, referenda, constitutional amendments, and advisory measures which were submitted to the vote of the people at the state general election held on the 6th day of November, 2012, as received from the County Auditors.

Initiative Measure No. 1185

Initiative Measure No. 1185 concerns tax and fee increases imposed by state government. This measure would restate existing statutory requirements that legislative actions raising taxes must be approved by two-thirds legislative majorities or receive voter approval, and that new or increased fees require majority legislative approval.

Yes 1,892,969
No 1,069,083

Initiative Measure No. 1240

Initiative Measure No. 1240 concerns creation of a public charter school system. This measure would authorize up to forty publicly-funded charter schools open to all students, operated through approved, nonreligious, nonprofit organizations, with government oversight; and modify certain laws applicable to them as public schools.

Yes 1,525,807
No 1,484,125

Referendum Measure No. 74

The legislature passed Engrossed Substitute Senate Bill 6239 concerning marriage for same-sex couples, modified domestic-partnership law, and religious freedom, and voters have filed a sufficient referendum petition on this bill.

This bill would allow same-sex couples to marry, preserve domestic partnerships only for seniors, and preserve the right of clergy or religious organizations to refuse to perform, recognize, or accommodate any marriage ceremony.

Approved 1,659,915
Rejected 1,431,285

Initiative Measure No. 502

Initiative Measure No. 502 concerns marijuana. This measure would license and regulate marijuana production, distribution, and possession for persons over twenty-one; remove state-law criminal and civil penalties for activities that it authorizes; tax marijuana sales; and earmark marijuana-related revenues.

Yes 1,724,209
No 1,371,235

Engrossed Senate Joint Resolution No. 8221

The Legislature has proposed a constitutional amendment on implementing the Commission on State Debt recommendations regarding Washington's debt limit.

This amendment would, starting July 1, 2014, phase-down the debt limit percentage in three steps from nine to eight percent and modify the calculation date, calculation period, and the term general state revenues.

Approved 1,748,436
Rejected 1,031,039

Senate Joint Resolution No. 8223

The Legislature has proposed a constitutional amendment on investments by the University of Washington and Washington State University.

This amendment would create an exception to constitutional restrictions on investing public funds by allowing these universities to invest specified public funds as authorized by the legislature, including in private companies or stock.

Approved 1,258,969
Rejected 1,602,785

Advisory Vote No. 1, Engrossed Senate Bill 6635

The legislature eliminated, without a vote of the people, a business and occupation tax deduction for certain financial institutions' interest on residential loans, costing \$170,000,000 in its first ten years, for government spending.

Repealed 1,552,134
Maintained 1,175,863

Advisory Vote No. 2, Substitute House Bill 2590

The legislature extended, without a vote of the people, expiration of a tax on possession of petroleum products and reduced the tax rate, costing \$24,000,000 in its first ten years, for government spending.

Repealed 1,476,491
Maintained 1,207,812

I further certify that according to the provisions of RCW 29A.60.250, I have canvassed the returns of the ballots cast for all federal and statewide offices, and those legislative and judicial offices whose jurisdiction encompasses more than one county in the General Election held on the 6th day of November, 2012, as received from the County Auditors, and that the votes cast for candidates for these offices are as follows:

U.S. President/Vice President

Barack Obama/Joe Biden	Democratic Party	1,755,396
Mitt Romney/Paul Ryan	Republican Party	1,290,670
Gary Johnson/James P. Gray	Libertarian Party	42,202
Virgil Goode/James N. Clymer	Constitution Party	8,851
Jill Stein/Cheri Honkala	Green Party	20,928
Peta Lindsay/Yari Osorio	Socialism & Liberation Party	1,318
James Harris/Alyson Kennedy	Socialist Workers Party	1,205
Ross C. (Rocky) Anderson/Luis J. Rodriguez	Justice Party	4,946

U.S. Senator

Maria Cantwell	(Prefers Democratic Party)	1,855,493
Michael Baumgartner	(Prefers Republican Party)	1,213,924

Congressional District 1 - U.S. Representative

John Koster	(Prefers Republican Party)	151,187
Suzan DelBene	(Prefers Democratic Party)	177,025

Congressional District 2 - U.S. Representative

Rick Larsen	(Prefers Democratic Party)	184,826
Dan Matthews	(Prefers Republican Party)	117,465

Congressional District 3 - U.S. Representative

Jaime Herrera Beutler	(Prefers Republican Party)	177,446
Jon T. Haugen	(Prefers Democratic Party)	116,438

Congressional District 4 - U.S. Representative

Doc Hastings	(Prefers Republican Party)	154,749
Mary Baechler	(Prefers Democratic Party)	78,940

Congressional District 5 - U.S. Representative

Cathy McMorris Rodgers	(Prefers Republican Party)	191,066
Rich Cowan	(Prefers Democratic Party)	117,512

Congressional District 6 - U.S. Representative

Derek Kilmer	(Prefers Democratic Party)	186,661
Bill Driscoll	(Prefers Republican Party)	129,725

Congressional District 7 - U.S. Representative

Jim McDermott	(Prefers Democratic Party)	298,368
Ron Bemis	(Prefers Republican Party)	76,212

Congressional District 8 - U.S. Representative

Dave Reichert	(Prefers Republican Party)	180,204
Karen Porterfield	(Prefers Democratic Party)	121,886

Congressional District 9 - U.S. Representative

Adam Smith	(Prefers Democratic Party)	192,034
Jim Postma	(Prefers Republican Party)	76,105

Congressional District 10 - U.S. Representative

Denny Heck	(Prefers Democratic Party)	163,036
Richard (Dick) Muri	(Prefers Republican Party)	115,381

Congressional District 1 One Month Short Term - U.S. Representative

John Koster	(Prefers Republican Party)	141,591
Suzan DelBene	(Prefers Democratic Party)	216,144

Governor

Jay Inslee	(Prefers Democratic Party)	1,582,802
Rob McKenna	(Prefers Republican Party)	1,488,245

Lieutenant Governor

Brad Owen	(Prefers Democrat Party)	1,575,133
Bill Finkbeiner	(Prefers Republican Party)	1,359,212

Secretary of State

Kim Wyman	(Prefers Republican Party)	1,464,741
Kathleen Drew	(Prefers Democratic Party)	1,442,868

State Treasurer

Jim McIntire	(Prefers Democratic Party)	1,695,401
Sharon Hanek	(Prefers Republican Party)	1,192,150

State Auditor

James Watkins	(Prefers Republican Party)	1,344,137
Troy Kelley	(Prefers Democratic Party)	1,512,620

Attorney General

Bob Ferguson	(Prefers Democratic Party)	1,564,443
Reagan Dunn	(Prefers Republican Party)	1,361,010

Commissioner of Public Lands

Peter J. Goldmark	(Prefers Democratic Party)	1,692,083
Clint Didier	(Prefers Republican Party)	1,188,411

Superintendent of Public Instruction

Randy I. Dorn	2,164,163
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Insurance Commissioner

Mike Kreidler	(Prefers Democratic Party)	1,662,555
John R. Adams	(Prefers Republican Party)	1,188,926

Legislative District 1 - State Senator

Rosemary McAuliffe	(Prefers Democratic Party)	37,316
Dawn McCravey	(Prefers Republican Party)	29,932

Legislative District 1 - State Representative Pos. 1

Derek Stanford	(Prefers Democratic Party)	37,824
Sandy Guinn	(Prefers Republican Party)	27,559

Legislative District 1 - State Representative Pos. 2

Luis Moscoso	(Prefers Democratic Party)	38,346
Mark T. Davies	(States No Party Preference)	24,373

Legislative District 2 - State Senator

Randi Becker	(Prefers Republican Party)	31,946
Bruce L. Lachney	(Prefers Democratic Party)	24,286

Legislative District 2 - State Representative Pos. 1

Gary Alexander	(Prefers Republican Party)	32,174
Greg Hartman	(Prefers Democratic Party)	23,291

Legislative District 2 - State Representative Pos. 2

J.T. Wilcox	(Prefers Republican Party)	44,770
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Legislative District 7 - State Representative Pos. 1

Shelly Short	(Prefers Republican Party)	50,821
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Legislative District 7 - State Representative Pos. 2

Joel Kretz (Prefers Republican Party) 36,747
 Robert (Bob) Wilson (Prefers Republican Party) 20,337

Legislative District 9 - State Senator

Mark G. Schoesler (Prefers G.O.P. Party) 39,390

Legislative District 9 - State Representative Pos. 1

Susan Fagan (Prefers Republican Party) 39,428

Legislative District 9 - State Representative Pos. 2

Joe Schmick (Prefers Republican Party) 39,620

Legislative District 10 - State Senator

Barbara Bailey (Prefers Republican Party) 37,810
 Mary Margaret Haugen (Prefers Democratic Party) 33,778

Legislative District 10 - State Representative Pos. 1

Norma Smith (Prefers Republican Party) 42,581
 Aaron Simpson (Prefers Democratic Party) 27,061

Legislative District 10 - State Representative Pos. 2

Dave Hayes (Prefers Republican Party) 36,086
 Tom Riggs (Prefers Democratic Party) 32,885

Legislative District 12 - State Senator

Linda Evans Parlette (Prefers Gop Party) 44,318

Legislative District 12 - State Representative Pos. 1

Cary Condotta (Prefers Republican Party) 32,767
 Stan Morse (Prefers Republican Party) 17,736

Legislative District 12 - State Representative Pos. 2

Mike Armstrong (Prefers Republican Party) 25,253
 Brad Hawkins (Prefers Republican Party) 26,186

Legislative District 13 - State Representative Pos. 1

Judith (Judy) Warnick (Prefers Republican Party) 37,557

Legislative District 13 - State Representative Pos. 2

Manweller (Prefers Republican Party) 31,880
 Kaj Selmann (Prefers Democratic Party) 14,627

Legislative District 14 - State Senator

Curtis King (Prefers Republican Party) 40,394

Legislative District 14 - State Representative Pos. 1

Norm Johnson (Prefers Republican Party) 32,930
 Paul Spencer (Prefers Democratic Party) 18,583

Legislative District 14 - State Representative Pos. 2

Charles Ross (Prefers Republican Party) 33,676
 Mathew K.M. Tomaskin (Prefers Democratic Party) 17,669

Legislative District 16 - State Senator

Mike Hewitt (Prefers Republican Party) 32,717
 Scott Nettles (Prefers Democratic Party) 14,197

Legislative District 16 - State Representative Pos. 1

Maureen Walsh (Prefers Republican Party) 25,503
 Mary Ruth Edwards (Prefers Republican Party) 18,307

Legislative District 16 - State Representative Pos. 2

Terry R. Nealey (Prefers Republican Party) 37,331

Legislative District 19 - State Senator

Brian Hatfield (Prefers Democratic Party) 34,590
 Rick Winsman (Prefers Republican Party) 21,056

Legislative District 19 - State Representative Pos. 1

Dean Takko (Prefers Democratic Party) 33,981
 Dixie Kolditz (Prefers Republican Party) 21,212

Legislative District 19 - State Representative Pos. 2

Brian E. Blake (Prefers Democratic Party) 31,266
 Tim Sutinen (Prefers Independent Party) 22,740

Legislative District 20 - State Senator

Dan Swecker (Prefers Republican Party) 24,075
 John E. Braun (Prefers Republican Party) 29,943

Legislative District 20 - State Representative Pos. 1

Richard DeBolt (Prefers Republican Party) 45,137

Legislative District 20 - State Representative Pos. 2

Ed Orcutt (Prefers Republican Party) 34,548
 John Morgan (Prefers Republican Party) 15,755

Legislative District 24 - State Senator

Jim Hargrove (Prefers Democratic Party) 44,417
 Larry Carter (Prefers Independent Party) 23,455

Legislative District 24 - State Representative Pos. 1

Kevin Van De Wege (Prefers Democratic Party) 43,085
 Craig Durgan (States No Party Preference) 23,980

Legislative District 24 - State Representative Pos. 2

Steve Tharinger (Prefers Democratic Party) 40,045
 Steve Gale (Prefers Republican Party) 28,470

Legislative District 26 - State Representative Pos. 1

Jan Angel (Prefers Republican Party) 39,234
 Karin Ashabraner (Prefers Democratic Party) 27,164

Legislative District 26 - State Representative Pos. 2

Larry Seaquist (Prefers Democratic Party) 35,384
 Doug Richards (Prefers Republican Party) 30,675

Legislative District 30 - State Representative Pos. 1

Linda Kochmar (Prefers Republican Party) 24,142
 Roger Flygare (Prefers Democratic Party) 23,487

Legislative District 30 - State Representative Pos. 2

Katrina Asay (Prefers Republican Party) 21,454
 Roger Freeman (Prefers Democratic Party) 26,155

Legislative District 31 - State Representative Pos. 1

Cathy Dahlquist (Prefers Republican Party) 37,187
 Brian L. Gunn (Prefers Democratic Party) 22,018

Legislative District 31 - State Representative Pos. 2

Christopher Hurst (Prefers Independent Dem. Party) 32,462
 Lisa Connors (Prefers Republican Party) 26,237

Legislative District 32 - State Representative Pos. 1

Cindy Ryu (Prefers Democratic Party) 45,276
 Randy J. Hayden (Prefers Republican Party) 17,429

Legislative District 32 - State Representative Pos. 2

Ruth Kagi (Prefers Democratic Party) 45,495
 Robert Reedy (Prefers Republican Party) 16,917

Legislative District 35 - State Representative Pos. 1

Kathy Haigh (Prefers Democratic Party) 33,263
 Dan Griffey (Prefers Republican Party) 31,439

Legislative District 35 - State Representative Pos. 2

Drew C. MacEwen (Prefers Republican Party) 32,975
 Lynda Ring-Erickson (Prefers Democratic Party) 30,638

Legislative District 39 - State Senator

Kirk Pearson (Prefers Republican Party) 33,449
 Scott Olson (Prefers Democratic Party) 24,603

Legislative District 39 - State Representative Pos. 1

Dan Kristiansen (Prefers Republican Party) 32,044
 Linda Wright (Prefers Democrat Party) 25,799

Legislative District 39 - State Representative Pos. 2

Eleanor Walters (Prefers Democratic Party) 26,705
 Elizabeth Scott (Prefers Republican Party) 30,667

Legislative District 40 - State Senator

Kevin Ranker (Prefers Democratic Party) 40,677
 John Swapp (Prefers Independent-Gop Party) 23,959

Legislative District 40 - State Representative Pos. 1

Kristine Lytton (Prefers Democratic Party) 44,113
 Brandon Robinson (States No Party Preference) 15,810

Legislative District 40 - State Representative Pos. 2

Jeff Morris (Prefers Democratic Party) 43,868
 Howard A. Pellett (Prefers Green Party) 14,333

Supreme Court - Justice Position 2

Susan Owens 2,098,447

Supreme Court - Justice Position 8

Steve Gonzalez 2,082,194

Supreme Court - Justice Position 9

Sheryl Gordon McCloud 1,355,144
 Richard B. Sanders 1,097,846

Court of Appeals, Division 1, District 3 - Judge Position 1

Mary Kay Becker 132,652

Court of Appeals, Division 2, District 2 - Judge Position 2

Pamela (Pam) Loginsky 135,034
 Thomas Bjorgen 148,088

Court of Appeals, Division 2, District 3 - Judge Position 1

Joel Penoyar 188,183

Court of Appeals, Division 3, District 1 - Judge Position 1

Laurel Siddoway 181,130

Court of Appeals, Division 3, District 3 - Judge Position 2

Teresa C. Kulik 102,499

Asotin, Columbia, Garfield Superior Court - Judge Position 1

William D. (Bill) Acey 10,807

Ferry, Pend Oreille, Stevens Superior Court - Judge Position 1

Patrick A. Monasmith 20,669

Ferry, Pend Oreille, Stevens Superior Court - Judge Position 2

Allen Nielson 20,340

Klickitat, Skamania Superior Court - Judge Position 1

Brian Altman 9,732

Pacific, Wahkiakum Superior Court - Judge Position 1

Mike Sullivan 8,002
 Dennis Gordon 2,942

The total number of votes cast for the office of Governor in the November 6, 2012, General Election equals 3,079,639. In accordance with Article II, Section 1 of the Washington State Constitution and RCW 29A.72.150, the number of signatures of legal voters on a petition measure is determined by the total votes cast for the office of Governor at the preceding election. Signature petitions for initiatives must be equal to or exceed eight percent of and four percent of the votes cast for a referendum. To meet the eight percent requirement during the next four years, sponsors of initiative measures must submit a minimum of 246,372 valid signatures and to meet the four percent requirement, sponsors of referendum measures must submit a minimum of 123,186 valid signatures.

In testimony whereof, I have hereunto set my hand and affixed the seal of the State of Washington on this 8th day of January, 2013, at Olympia, the State Capital.

SAM REED

Secretary of State

The Speaker (Representative Moeller presiding): "In view of the election results previously read, certified to by the Secretary of State, the Joint Session now declares the following qualified citizens to be duly elected constitutional officers of the State of Washington:

Jay Inslee, Governor
 Brad Owen, Lieutenant Governor
 Kim Wyman, Secretary of State
 Jim McIntire, State Treasurer
 Troy Kelley, State Auditor
 Bob Ferguson, Attorney General
 Randy Dorn, Superintendent of Public Instruction
 Mike Kreidler, Insurance Commissioner
 Peter Goldmark, Commissioner of Public Lands."

The Speaker of the House and the President of the Senate signed the Certificates of Election for the duly elected constitutional officers.

The Speaker (Representative Moeller presiding), having discharged the constitutional requirement imposed upon the Speaker of the House, called upon President Owen to preside over the Joint Session.

President Owen: "This joint session has been convened to receive the State of the State message from Her Excellency, Governor Christine Gregoire."

The President appointed a committee of honor to escort the Chief Justice and the Justices of the State Supreme Court to the House Chamber: Representatives Hawkins and Roberts; and Senators Billig and Pearson.

The President appointed a committee of honor to escort the statewide elected officials to the House Chamber: Representatives Hope and Takko; and Senators Dammeier and Hasegawa.

The President appointed a committee of honor to advise Her Excellency, Governor Christine Gregoire, that the joint session had assembled and to escort her to the House Chamber: Representatives Morrell and Kochmar; and Senators Tom and Darneille.

The Sergeant at Arms of the House announced the arrival of the Chief Justice and the Justices of the Supreme Court at the Chamber doors. The committee of honor escorted the Chief Justice and the Justices of the Supreme Court to seats on the floor of the House Chamber and they were introduced: Chief Justice Barbara Madsen, Justice Charles Johnson, Justice Susan Owens, Justice Mary Fairhurst, Justice James Johnson, Justice Debra Stephens, Justice Charlie Wiggins, Justice Steven Gonzalez and Justice Sheryl Gordon-McCloud.

The Sergeant at Arms of the House announced the arrival of the statewide elected officials at the Chamber doors. The committee of honor escorted the statewide elected officials to the floor of the House Chamber and they were introduced: Secretary of State Sam Reed, State Treasurer Jim McIntire, State Auditor Brian Sonntag, State Attorney General Rob McKenna, Insurance Commissioner Mike Kreidler and Commissioner of Public Lands Peter Goldmark.

The President introduced the special guests present in the House gallery: former Governor Mike Lowry, former Secretary of State Ralph Munro and King County Executive Dow Constantine.

The President welcomed and introduced Ms. Gina Miller who was present in the gallery and is the surviving fiancée of Washington State Trooper Tony Radulescu who was killed in the line of duty on February 23, 2012.

The President introduced the members of the State of Washington Consular Association who were present in the rear of the Chamber. The members of the Consular Association were joined by Consul General Gao Zhansheng of the Consulate General of the People's Republic of China in San Francisco and Consul General Priya Guha of the British Consulate General of the United Kingdom of Great Britain and Northern Ireland in San Francisco. The President introduced: Career Consul General Kiyokazu Ota of Japan; Consul General Denis Stevens of Canada; Consul General Young Wan Song of the Republic of Korea; Consul General Andrey Yushmanov of the Russian Federation; Career Consul-Head of Mission Alejandro Garcia Moreno of the United States of Mexico; Consul Jessica Maria Reyes of the Republic of El Salvador; Honorary Consul General John Gokcen of the Republic of Turkey; Honorary Consul General Gary Furlong of the Republic of Uzbekistan; Honorary Consul General Helen Szablya of the Republic of Hungary; Honorary Consul General Miguel Angel Velasquez of the Republic of Peru; Honorary Consul H. Ronald Masnik of the Kingdom of Belgium; Honorary Consul Enid Dwyer of Jamaica; Honorary Consul Vytautas V. Lapatinskas of the Republic of Lithuania; Honorary Consul Daravuth Huoth of the Kingdom of Cambodia; Honorary Consul Frank Brozovich, DDS, of the Republic of Croatia; Honorary Consul Philippe Goetschel of the Swiss Confederation; Honorary Consul Lars Jonsson of the Kingdom of Sweden; Honorary Consul Kim Nesselquist of the Kingdom of Norway; Honorary Consul Stephen Zirschky of the Republic of Latvia; Honorary Consul Petra Walker of the Federal Republic of Germany; Honorary Consul Luis Fernando Esteban of the Kingdom of Spain, Honorary Consul Jack Cowan of the French Republic; Honorary Consul Pedro Costa of the Federative Republic of Brazil, Honorary Consul Franco Tesorieri of the Italian Republic and Honorary Consul

Wayne Jehlik of the Czech Republic; Honorary Vice Consul Kristina Hiukka of the Republic of Finland and Director General, Chin (Andy) Hsing of the Taipei Economic and Cultural Office in Seattle.

The Sergeant at Arms of the House announced the arrival of Her Excellency Governor Christine Gregoire and her family at the Chamber doors. The committee of honor escorted Governor Gregoire and family to the rostrum and the family was introduced: First Gentleman Mike Gregoire, Michelle and Courtney Gregoire, Scott Lindsay and Audrey Christine Lindsay.

The President welcomed state officials and representatives from the State of Nevada, as well as, representatives from the Republic of Uzbekistan who were also present in the House gallery.

The flags were escorted to the rostrum by the Veterans of Foreign Wars (VFW) Post 318 Honor Guard, commanded by Ken Wojczynski. The President led the Chamber in the Pledge of Allegiance. The National Anthem was performed by the Auburn High School Choir Chamber Quartet, comprised of Linda Karout, Morgan Warren, Marcos Antonio Garcia and Ethan Hinze, Directed by Kandy Gilbert. The prayer was offered by Father Michael J. Ryan, formerly of St. Michaels Parish, Olympia, Washington.

Father Michael J. Ryan: "My friends, we read in the Hebrews Scriptures from the Prophet Micah, "This is all that I ask of you, to do justice, to love tenderly and to walk humbly with your God." My sisters and brothers, let us pray. Good and gracious God, we gather this day to ask your continual blessings on Governor Christine Gregoire as she passes the baton on to Governor Elect Jay Inslee. As she leaves after eight years of service, may she know our gratitude for the selfless ways in which she has led amidst great and unforeseen obstacles in our economy. She stood tall and continued to work tirelessly for the entire human family of the State of Washington. In her quiet wisdom, gentle care and compassion for the vulnerable, and those who were made to feel they are on the fringe of society, she gave them a sense of inclusion in the one human family. Her concern was for all the precious people of God that she was elected to serve. Bless her for the ways she insisted, from the young to the elders among us, would have opportunities to grow through education and public service. As a tribute to Christine Gregoire may all of us here strive to protect the beautiful creation that surrounds us and it is another sign that you, our God, is generous and gracious. Thanks too, today, to Secretary of State Sam Reed, State Auditor Brian Sonntag and Attorney General Rob McKenna and we conclude now with a blessing for Chris and for First Mike and for their daughters and for their son in law Scott and this beautiful granddaughter, and for those that would like, I invite you extend an arm of blessing as we pray. May the Lord bless you and keep you, may the Lord let Gods' face shine upon you and be gracious to you and the Lord look upon you kindly and give you peace, Amen."

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

HONORING STATE ELECTED OFFICIALS LEAVING OFFICE

The President: "As Washington's 17th Attorney General, Rob McKenna served as the state's chief legal officer, directing more than 500 attorneys and 700 professional staff providing legal services to state agencies, the Governor and Legislature. He served

two terms, with clear priorities: making communities safer by leading the state in fighting meth and prescription drug abuse, gang violence, human trafficking, sexual predators and domestic violence; protecting consumers and businesses from identity theft, internet predators, fraud and high-tech crimes, and promoting integrity in government by defending the state's laws; and implementing new performance management initiatives in his office and encouraging open access to government. Prior to being elected attorney general, Rob was a Metropolitan King County Councilman from 1995-2007. He practiced business and regulatory law at Perkins Coie from 1988-1996, after receiving his J.D. from the prestigious University of Chicago Law School in 1988, where he was a member of the Law Review. He earned a B.A. in Economics and a B.A. in International Studies, both with honors, from the University of Washington. Rob and his wife Marilyn have four beautiful children."

Rob McKenna: "Madam Governor, Mr. President, Mr. Speaker of the House, Members of the House and Senate, I am honored to be here today with so many distinguished and dedicated public servants. I am also honored by the presence here today of a number of outstanding legal professionals from the Washington Attorney General's Office who are with us in the gallery. It has been a tremendous privilege to serve for the past eight years as Attorney General for our great state, and as the leader of the best public law office in America. As all of us do, we in the Attorney General's Office stand on the shoulders of those who came before us, building on the tradition of excellence in the provision of legal services to this state government, and to the people of Washington State. The 1100 attorneys, professional staff and support staff in our office handle over 20,000 court cases per year, including thousands of cases involving severely abused and neglected children, vulnerable adults, and victims of crime. We represent every agency of state government, from the largest DSHS, L&I, Ecology and Transportation, to the smallest. We provide them with legal counsel every day, and represent them in court thousands of times every year. The Washington AGO is recognized nationally as an outstanding law office, thanks to the tireless efforts of our staff. Over the past eight years, for example, we have won over 90 percent of our appellate cases, including all seven of the cases we have argued in the United States Supreme Court. We also represent the people of the State of Washington more directly in our role as the state's Consumer Protection agency and anti-trust enforcement agency. In my two terms alone, we have successfully handled over 200,000 consumer complaints, brought enforcement actions against hundreds of companies that have unfairly and deceptively treated their customers, and gone after scammers of all descriptions from across the country. Thanks to the legislature's adoption of laws we have proposed, we have deployed new legal tools against 21st Century forms of fraud, going after spyware and malware purveyors, tackling identity theft, and teaching other state attorneys general offices how to do the same. We also have taken very seriously our role in protecting the public's safety. We have successfully sought and obtained the legal commitment of sexually violent predators, including some of the most notorious in our state's recent history. We have prosecuted dozens of violent felonies, stepping in where our county prosecutors have needed the state's help, and we have assisted in solving many other new and cold-case crimes through our Homicide Investigations Tracking Unit. When four Lakewood police officers were brutally gunned down just after Thanksgiving a few years ago, our senior criminal investigator was on the scene that same morning, bringing to bear the resources of the HITS Unit. When a state trooper was the victim of an attempted murder in Grays Harbor County, our Chief Deputy was in the local prosecutor's office within 24 hours, and our office prosecuted the

shooter to conviction in what proved to be a very challenging case. We also have sought to protect consumers, to enhance the public's safety, and to support our law enforcement community, by offering our office's ideas for strengthening our state's laws in all those areas. Thanks to members of the legislature from both parties, and to Governor Gregoire, we have seen 45 bills written in the Attorney General's Office become law, giving hope to survivors of domestic violence, providing new tools to consumers to avoid identity theft, and protecting children from the scourge of methamphetamine and from predators, among other measures. In these and in many other ways as well, all of us in the Attorney General's Office have sought to accomplish what all of you seek to accomplish every day when you come to work as leaders and public servants: To make a difference, to improve the lives of our fellow citizens, to leave this wonderful Evergreen State a little better than how we found it. I would like to thank all of you with whom I have been privileged to serve these past eight years, and especially the women and men of the Attorney General's Office. It has been an extraordinary journey. Thank you very much".

The President: "We say farewell today to one of our state's longest-standing elected officials, State Auditor Brian Sonntag. Mr. Sonntag was first elected to public office way back in 1978 as Pierce County Clerk, working as the administrative officer for the Superior Courts. He was elected to the office of Pierce County Auditor in 1986, an office his father, Jack W. Sonntag, had held for 21 years, from 1948 to 1969. Mr. Sonntag was elected Washington State Auditor on November 3, 1992. He has been re-elected every four years since then, most recently in 2008 with 70 percent of the vote. He has served our state with distinction and honor. We now turn Mr. Sonntag to private life, where he can have more time with his wife, Jann, their five sons and three grandchildren.

Brian Sonntag: "I'd first like to introduce my wife Jann, and a few other family members here today. Sister-in-law Alison Sonntag, sons Michael and Joey and my Granddaughter, Jade. You know, our state's founders were a bunch of populists who didn't trust government very much. They created an independent check and balance on state and local government, the Office of State's Auditor, and put it right smack in the Constitution. For this office, the only issue is accountability. I define that as government being open, accessible, responsive and responsible, a government that listens to people and when it talks to them and tells the truth. President Kennedy called public service, "a noble profession and a high calling." Those of us who the voters have hired are the holders of a trust, a fragile trust. We have an opportunity to serve the public, and that opportunity comes with a responsibility, a responsibility to make a difference. I believe after 20 years as State Auditor, we have made a difference. We raised the visibility of this office so citizens could independently assess the stewardship of their government officials. We advocated for state employee whistleblowers and supported all state employees who are trying to make state government work better. We truly listened to citizens and helped connect them with their government. I'm proud that Governing Magazine credited us with what they described as a "one-of-a-kind effort to bring citizens in the decision-making fold". Open government is a deeply held value of mine and it must be for all of us in public office. Citizens must have clear and direct access to government meetings, actions and information. It's the foundation of our state government and government at all levels. When government's doors are open and elected officials remember who they work for citizens' trust and confidence in government will increase. I'm proud of the work of our office the financial compliance and performance audits we have done and also some of the broader issues we've looked at and

reported on. Issues like underfunded liabilities, the state's financial system, local governments at risk of financial sustainability and resizing state government's footprint. We've been able to do the work we do because of the talents and commitment of the employees in the State Auditor's Office, some of whom are here today and I'd like to recognize them. I'm so very blessed and thankful for the opportunity to serve the citizens of Washington, to have served with colleagues like these and others over the years and to have worked with some wonderful people. Good luck to all of you and thanks for your service to our state".

The President: "And last but not least, we thank Sam Sumner Reed for his public service. Sam became Washington's 14th Secretary of State in 2000, and has certainly made his mark in elections history. Sam and Rob McKenna took the people's case for a wide open, Top Two Primary to the United States Supreme Court, and won. Sam also is widely recognized for sweeping improvements to the voting process following Washington's contested 2004 gubernatorial race, the closest in U.S. history. Throughout Reed's past two terms in office, the Secretary has worked diligently to make Washington a more business-friendly state by allowing corporations to file electronically. Also in 2004, he launched the nation's first state government digital archives to rescue disappearing electronic history. Prior to his service as Secretary of State, Reed was elected Thurston County Auditor five times and served as the Assistant Secretary of State. Governor Dan Evans appointed Reed Director of the Urban Affairs Commission and the Constitutional Reform Commission. Sam, whose family lived in Washington in territorial days, grew up in Wenatchee and later moved to Spokane. He attended Washington State University where he earned a Bachelor's Degree in Social Studies and Master's Degree in Political Science. Secretary of State Sam Reed and his wife Margie make their home in Olympia and are looking forward to spending more time traveling and working on their backhand in tennis. They have two adult children, David and Kristen, and two grandchildren."

Sam Reed: "Mr. Speaker, Mr. President, Governor Gregoire, distinguished statewide elected officials, Chief Justice Madsen and members of the Supreme Court, legislators, family and friends, people of Washington, I thank you and I bid you farewell today. It has been an amazing ride for Margie and me – 45 years in public life, including 35 years in county and state government! Nearly a lifetime ago, it seems, we came to Olympia from the apple orchards and the Palouse of Eastern Washington to teach and to serve in government. We stayed to raise our family here and to heed to call to service. On our hardest days, we never regretted that decision. My heart is full today as this Wenatchee boy reflects on the opportunity to be of service and to work with many of you in this room to make Washington a better, more responsive and just government worthy of her people. Whenever we saw a problem to fix or an opportunity to grasp, we went to work. In our better moments, we worked collaboratively, across the aisle, with common purpose and with civility. Together, we saved the State Library and created the nation's first ground-up Digital Archives. Together, we handled the closest governor's race in America and rebuilt public confidence in our elections process by reforms that continue to this day and are the envy of the nation. Together, we ramped up service to our job-creating corporations. We honored our history including women in government and the Suffrage Centennial. And we continue to look forward to the day when we have a Heritage Center right here on campus that welcomes and educates our visitors and provides a proper home for the public's Archives and Library services. That was a shameless plug, in case you didn't notice. And so, in closing, I thank my

family and friends for the support that made public service possible and enjoyable all these years. I brought my grandfather's briefcase along today as a poignant reminder of how we and our families influence each other. Sam Sumner, for whom I am named, was sworn in 100 years ago as a freshman member of the Washington State House of Representatives and his legacy later lived on in our community and in me personally. Politics is, and should be, a noble calling. I believe that. Although I am leaving public life, I am not leaving public service. I expect to be deeply engaged in volunteer working, mentoring and working as a private citizen on my signature issues of civility, bipartisanship and moderation. Together, I feel confident we can look forward to bright and creative days ahead. I wish you well in your new session, House, Senate and new statewide elected officials. I know you are up to the challenges that await, and I will be supporting from the sideline. Thank you."

The President introduced Governor Christine Gregoire.

STATE OF THE STATE

Governor Christine Gregoire: "Thank you. Before I begin, join me in remembering two distinguished legislators no longer with us. Senator Sid Snyder of Long Beach was an institution a great and effective leader. He taught us how to listen, how to come together and how to get things done for the people of Washington. We will always remember Sid. Senator Lorraine Wojahn of Tacoma was a woman who laid a path for all women to follow. She listened to the voiceless among us and she helped them: our children, the poor, the mentally ill and the disabled. We will always thank her. Let us remember Eva Santos, our Director of Human Resources, who brought so much to a life of public service: skill, compassion and integrity. We will miss her. Let us also remember and honor Washington State Patrol Trooper Tony Radulescu. Last February, on a dark, rural road, Tony gave his life protecting all of us. We will never forget his sacrifice. And this morning, let us remember the brave military men and women who gave their lives in service to our nation in the past year. We owe them and their families a debt of gratitude for their sacrifice that can never be repaid. Let's take a moment to remember. Thank you. Good morning. Thank you, Father Mike, for starting us off with such an inspiring prayer. And thank you to the talented young singers from the Auburn High School Chamber Quartet. Linda Karout, Morgan Warren, Marcos Antonio Garcia and Ethan Hinze, that was a beautiful rendition of our national anthem! Mr. President, Mr. Speaker, Madame Chief Justice, distinguished justices of the court, honored officials, members of the Washington State Legislature, former governors, tribal leaders, local government officials, members of the Consular Association of Washington, my fellow citizens: Please join me in thanking Secretary of State Sam Reed, Attorney General Rob McKenna and State Auditor Brian Sonntag. Gentlemen, it has been a privilege to serve the people of the state with you. Thank you for your years of dedicated service. Let me introduce my family my husband, Mike. How about a round of applause for Mike's eight years of volunteer work to better the lives of our military service men and women and our veterans. Who's the fellow in the gray suit? Why, that's former Gov. Mike Lowry, watching from the gallery. Also, my daughter, Michelle, a third-year law student at the University of Washington; my daughter, Courtney, and son-in-law, Scott Lindsay. And of course, my two-month-old grandbaby, Audrey Christine Lindsay. It's true. We've already opened her GET account, and as a family of lawyers, we've found the perfect way to lull her to sleep. Turns out reading the Revised Code of Washington to babies does wonders in putting both parent and child to bed. As one chapter of our lives ends, another begins with the arrival of Audrey Christine.

And let me tell you, there's nothing like changing diapers again to bring perspective to life. Being a grandmother is a great gift ... to fall in love again and to remember what really matters. You know, the Executive Mansion was our home for eight years, and when I could, I slipped out the door and down the steps for a walk around our beautiful Capitol Campus. That was one time of my day that I could reflect. So today my last full day as Governor I invite you to come with me on my last walk to reflect on the state of the State of Washington what we accomplished this past eight years, and what we still must do to keep the state of our state strong. This particular morning, I see a woman in Beijing or Hyderabad, or Paris or Seoul. She works on a laptop that runs on Microsoft software. She sips a cup of Starbucks coffee. Her laptop ordered from Amazon was delivered to an airport via a Boeing 747. It was hauled to a warehouse on a Kenworth 18-wheeler built by our own Paccar. This woman happens to be a bio scientist. She's working with hundreds of others on a global health project maybe a malaria vaccine led by the Bill & Melinda Gates Foundation and PATH and our two great research universities, the University of Washington and Washington State University. Or maybe she just started a small life sciences company and is working with another start-up down in Vancouver on gene therapy for a rare disease. She also is a healthy, discerning consumer, and in her bag is an apple, or bag of cherries, or bread made from Washington wheat or a bottle of fine wine for after work, all shipped through our ports from the orchards and fields of Eastern Washington, the refrigerator of the world. On our walk this morning, I want to pause and say to you: Ladies and gentlemen, there is no other state in the nation not one that has what the Great State of Washington has. There is no other state with our diversity of riches and the promise they bring to our children and grandchildren. A booming aerospace industry. Boeing just keeps winning orders for the 787, 737-MAX, the 737 and the 777. We landed the Air Force tanker contract and now let's make sure we do the same for the 777X! Today we have the strongest, most integrated aerospace supply chain on earth with 50 percent more suppliers in the past eight years 740 and rising. The aerospace sector puts 128,000 Washingtonians to work every day. But we won't rest on our laurels. Washington will always be the home to aerospace and the good-paying jobs that those companies bring. Along with aerospace, we have a software and IT presence that begins with Microsoft, Amazon, Real Networks and T-Mobile, but in no way ends there. We are home to more than 4,000 companies all across Washington. The fact is, our software and IT sector encompasses a broader range of products and services than just about any state in the United States, and brings more than \$30 billion in business a year. Along with software and IT, a life sciences sector that took off in Seattle but now stretches to the Tri-Cities, Spokane, Snohomish County and Vancouver. About 70 Washington cities are home to 480 life sciences companies and research organizations, including biotech, pharma and medical devices. All relieve suffering here and around the world, and today they provide nearly 35,000 good-paying Washington jobs. Along with life sciences, a global health presence powered by the Bill & Melinda Gates Foundation, PATH, our research universities and nonprofits. Thank you for establishing the Life Sciences Discovery Fund. It has proven to be an essential tool in growing the industry, and I ask you to continue to support it. Along with global health, agriculture. Apples, potatoes, wheat, wine and dozens of other products are shipped all over the world, making agriculture our second-largest export after transportation equipment. This \$46 billion industry exported \$8.6 billion in products in the past 12 months. That's a record! I've handed out cherries in South Korea, french fries in Vietnam and Almond Roca in Beijing. I've enjoyed being Promoter-in-Chief but I have to admit I won't miss being called the French Fry Lady! And along with all this, we have the

Hanford Nuclear Reservation, the one-of-its-kind incubator not just for cleanup technology for the world, but for breakthroughs in everything from cancer treatment to an energy-saving electricity grid to scientists and engineers who are following the innovation of their Hanford forebears and inventing first-time technology, this time to be used to clean up not just the Hanford site, but sites from England to Russia to Japan. It's very clear. No other state has what we have. So this morning, part way through our walk, I'm ready to report. The state of Washington is coming out of the Great Recession as a world leader in the economies of the 21st century industries that provide good jobs from Spokane to Seattle and from Bellingham to Vancouver. And despite the challenges ahead, I can say today that the state of our state is strong! We can say with confidence that in the past eight years, we have built the future of the Great State of Washington a future of promise and opportunity. On our walk, we now can see the magnificent Capitol dome in the distance and the marble building where you and I have worked together for the past eight years. I think everybody in this chamber will agree: History will reflect that this was not just any eight years. You were not just any Legislature. And these were not just any times. You and I witnessed a historic economic crisis and with it, wrenching change in our economy and in our social fabric. But we didn't just witness it. We were called to confront it every day. And we did. Together, we served in good times and bad. And whatever the challenge, we took it on for the people of Washington State. Our biggest challenge started in 2008 when trouble hit trouble not seen since the Great Depression with revenue plunging quarter after quarter after quarter as if there were no bottom. In fact, revenue fell almost every quarter 13 of 16 until it finally stabilized last February. That was the longest string of revenue drops since the Economic and Revenue Forecast Council was created 28 years ago. You were tested. I was tested. This was not what I expected. It wasn't what anybody expected. But we stepped up. And together, we guided the state of Washington through the worst economic calamity since the Great Depression and we did it with our heads and our hearts. We did it with compassion. And we did it with our Washington values. So today, I thank you. You have much to do in the months ahead, but let's pause this morning and be grateful to each other for all we've accomplished together to build the future of Washington state. When I came into office in 2005, we were at the tail end of a recession. We were on the road to recovery from the impact of Initiative 695, the dot-com bust and 9/11. There was pent-up need for services, education, health care, our social safety net, the environment, transportation. Money is never unlimited. Even then, we had to make hard choices. Everybody was banging at the door. From the start, we said that just getting by isn't good enough. We wanted to do better for the people of our state. And we made the best decisions to build the future of Washington. The best decisions for our schoolchildren and our college students. I'm proud that in my first term, we invested more in education than at any other time in our history. We created the Department of Early Learning. The impact we make on our children will benefit our state for generations to come. Harvard has named our early learning program as the most innovative in the country. And we are one of just nine states to receive an Early Learning Race to the Top \$60 million grant. We made the best decisions for our K-12 system, and despite the challenges we still face, our public schools are serving our kids in ways that this century demands if they are to succeed in the world economy. We put more money and muscle into science, technology, engineering and math or STEM so our children are ready for the jobs of the future. We are implementing a model evaluation system so our teachers can excel and win the confidence of parents. We have innovative schools with targeted, creative approaches to learning. We have Launch Year to prepare seniors for jobs or college. We have College Bound scholarships to give

kids who do well in school and stay out of trouble a path to college. Let's build more schools and fewer prisons! We made the best decisions for our two- and four-year colleges to keep the doors open to more students and more opportunity. We increased enrollment in our community and technical colleges by 31,000 students and launched online learning. Today, we are building the workforce of tomorrow: Twenty-four of our colleges provide training for aerospace jobs. We provided branch campuses to serve more Washingtonians, and today the UW has campuses in Tacoma and Bothell. WSU has campuses in Vancouver, the Tri-Cities and Spokane, and offers four-year degrees at Everett Community College. We expanded enrollment at our universities, and today we are educating 12,000 more students a year. The bottom line: 50,000 more students are getting a college education because we believe in them and our future. We significantly increased financial aid for all our college students even in tough times. We created the Student Achievement Council to focus on our students' success from high school to higher education. We created a public-private partnership the Opportunity Scholarship so smart young people can afford a college education. The Great Recession has severely tested our higher education system. We had tuition increases because we had to. We had no choice. We had to maintain our values, quality and access. And we did. Now the challenge is clear. Our future is at stake. We must fully fund a seamless education system from early learning through higher education. We made the best decisions for transportation. In 2005, we passed a historic construction package, and voters ratified it because we made our case. And we have delivered on our promise. From the 2005 voter-endorsed gas tax we are close to completing all 421 statewide projects. Eighty-eight percent have been completed early or on time, and 91 percent are on or under budget. Those projects provided thousands of good-paying jobs at a time we needed them most. And importantly, those projects move millions of people every single day. They move moms and dads to work, their kids to school and soccer practice, and products to and from our thriving ports. We are building a world-class infrastructure. In 2015, we will open the two-mile-long tunnel under the heart of Seattle to replace the crumbling, dangerous Alaskan Way Viaduct and give Seattle a world-class waterfront. I'll be at the ribbon cutting with my granddaughter! We are building the new 520 Bridge across Lake Washington to replace the 50-year-old structure that could fall in the next bad windstorm. I'll be at that ribbon cutting too maybe with two grandchildren! Today, that part of our future that relies on passage over Snoqualmie Pass is faster and safer for freight and motorists. We have built half of Spokane's critical North-South Freeway. And we are on our way to building the new Columbia River Crossing to replace the current one built for horse and buggy. Ladies and gentlemen, within the past eight years, we undertook the largest transportation construction package in state history: more than \$16 billion. And we not the next big earthquake or windstorm are knocking down the old Viaduct, the 520 Bridge and the Columbia River Crossing Bridge and building for our future. We made difficult decisions for our social safety net and health care. We were tested, but I believe we maintained the health and safety of our most vulnerable our seniors, our mentally ill, our developmentally disabled, and our abused and neglected children. We made sure every child in Washington has access to health care, certainly one of our proudest accomplishments. We have built one of the best long-term care systems in the nation, a system of choices for our seniors to live out their lives in dignity. AARP rates our system the second best in the country. We just became the second state in the nation to assure better, safer health care for our poorest seniors and disabled. We will merge and manage their care under Medicare and Medicaid for better-quality care at a lower cost. In 2005, we set out to cut costs, increase access and provide higher-quality health care. We did, we are, and we lead the

nation. While the vast majority of other states are struggling with rising Medicaid-inflation costs, our growth rate is projected to be minus 1 percent. You heard me right: minus 1 percent. We are employing evidence-based medicine to ensure better health outcomes for Washingtonians. And because we were already reforming health care, we are among the first states in the nation to implement the Affordable Care Act! This morning I ask you to embrace this historic opportunity to give every Washingtonian the health care coverage they deserve and you will save \$140 million in the next biennium. Every Washingtonian deserves an open door to the doctor when they need one! We made the best decisions for public safety. Washingtonians have a right to be safe in their homes and on the streets. We took action in good times and bad, and the crime rate has fallen every year since I took office. Every jurisdiction now has the resources to verify that sex offenders are living where they say they are. We closed three prisons to make better use of space, and did it without letting the serious offenders walk free. We strengthened community supervision and now we concentrate on the offenders who are high risk to reoffend. And I'm proud to say the Washington State Patrol is ranked the best state law enforcement agency in the country. We made the best decisions for our economy. One in three jobs in our state depends on international trade. We sold, traded and created innovative partnerships through 12 trade missions. This fall, we became the first state to establish a sister-state relationship with an Indian state, Andhra Pradesh. China is now our number one trading partner, with Canada, Japan and Korea close behind. Trade with China alone has grown at an average rate of nearly 20 percent a year since 2000, even during the global downturn. In the past eight years, we have recruited and retained shippers at our ports, most recently Hanjin, Korea's largest container line, at the Port of Seattle. Our export of goods has grown 119 percent, from about \$30 billion to \$65 billion. Export of services is up by an additional \$29 million. Make no mistake. Our trade economy kept us going through the hard times and it is our future. It unites Eastern and Western Washington, impacts every community and provides the jobs we need. We are the most trade-dependent state in the nation, and the fact is our work knows no boundaries. Like never before, we trade with the world! We made the best decisions for clean, renewable energy now and in the future. Our base is legacy hydropower. When I took office, we produced no wind power. Today we are among the top-five wind energy producers. We are pioneering the smart grid and have a strong presence in the solar power supply chain. Clean, renewable energy has been our unique history for 80 years. Today, we are number one in the nation in renewable energy. We made the best decisions for water. I believe a new era is finally here, when bitter wars over water are finally surrendering to partnerships that bring good, clean and new water to our farms, our fish and our growing cities. We've made the most progress with water in our history: more water to the Yakima Basin and our growing west side cities, innovative tools through water markets and banking to create flexibility, and protection for our fish-critical basins. Mark Twain said that whiskey's for drinking and water's for fighting. Well, no longer will our water policy be defined by who won and who lost. It's high time that we all win and we will! We made the best decisions for broadband. Today, 99 percent of Washingtonians have access to high-speed internet. We had a plan when the American Recovery and Reinvestment Act was looking to invest in broadband. Today we've been named the most-wired state in the nation. We made the best decisions to save the jewel and economic engine of Western Washington, our Puget Sound. We created a partnership among local, state and federal governments, tribes and stakeholders to get it done. We must meet our goal to make Puget Sound fishable, swimmable and diggable by 2020. Let's be the generation that saves Puget Sound! We made the best decisions to support our

brave military men and women and veterans. In fact, you passed, and I signed, more legislation to help veterans than at any other time in our history! We are a step ahead in our efforts to make sure we keep Washington's second-largest employer, our United States military. I urge you to support our Washington Military Alliance and fund our proposal to maintain our military presence that adds \$13 billion a year to our economy. We made the best decisions to reset and reform state government. Our challenges in the past eight years were unprecedented. We said we would not waste this crisis, and we did not. Together, we achieved landmark pension and debt service reforms that will lead to billions of dollars in future savings. Ladies and gentlemen, we are the envy of states around the country. Our public pension system is now rated one of the strongest in the nation. We helped employees and employers weather the recession. Together, we reformed our workers' compensation and unemployment insurance systems. We saved our businesses including small businesses billions of dollars in the years to come. We held workers' comp rates flat again this year. And over the past eight years, we had little or no increases in workers' comp premiums. In two of those years, the Department of Labor and Industries returned \$350 million. At the same time, we reformed the way we serve injured workers, and we're getting them back on the job faster or trained for new careers. While 36 states' funds are bankrupt, we have the most stable unemployment insurance trust fund in the nation and record-low UI rates. Together, we ripped out the walls and pulled up the floors to remodel our 123-year-old house of government. We consolidated and merged all or part of five agencies' back-office operations under one director at the new Department of Enterprise Services. This has already saved taxpayers \$18 million and is expected to save another \$27 million in the next biennium. We closed six institutions. The last time even one was closed was four decades ago. Since 2008, our general government workforce has shrunk by nearly 11 percent. The number of state employees is the lowest since 1996, and they serve 1 million more people. Our public servants have met the challenge and they have sacrificed with furloughs and pay cuts, with higher health care premiums and pension payments. They helped make my favorite four-letter word GMAP, for Government Management Accountability and Performance successful. Now they're doing Lean management to serve Washingtonians in better and more efficient ways. Today let's recognize the caseworker called out at midnight to save a battered child the snowplow driver clearing Snoqualmie Pass at 3 a.m. the agriculture inspector making sure our food is safe ... the legislative lawyer who works through the night to get the bills just right ... the person at the front desk whose phone is lit up all day long. Today I ask you to stand and join me in well-deserved recognition for our dedicated state employees! Finally, we made the best decision for our gay and lesbian citizens, and the people of Washington agreed. We clearly saw that separate but equal is not equal. We gave all couples the right to marry and to help us build a better Washington and a better world. I'm proud that our gay and lesbian couples became the first in the country to marry because their friends and neighbors stood up at the ballot box and said they should have that right. I'm proud that our citizens passed marriage equality by the widest margin of any state. And I'm proud of my daughters for showing the way and helping me realize that their generation understands that who you are is not about who you love. Thank you. So thanks for taking this walk with me today. It's my last one, and I appreciate your company. Tomorrow at noon, I will be the former Governor of the Great State of Washington. And you will be writing new history with Governor Jay Inslee. Before I go, I have two recommendations for you about the future of the Great State of Washington. First, this Legislature must give our children what we were given good schools, good teachers and the chance to be part of the world economy. We cannot falter.

Education is the heart of everything we do and it is our future. Second, if education is the heart of our economic future, transportation is the backbone. Our state will remain strong only if our roads, highways, bridges and ferries are effectively getting our people to work and our goods to market. Remember our competition. China isn't waiting. India isn't waiting. Korea isn't waiting. We can't wait either. There is no free lunch! The decision of the Supreme Court in McLeay told us we are failing in our paramount duty. Our moral and legal responsibility is to give every child in Washington the chance for a good basic education, the same one you and I got. We cannot cut our way out of this. We cannot save our way out of this. We cannot grow our way out of this. To meet the McLeay ruling, we will need at least a \$1 billion down payment in the next biennium, and \$3.4 billion by 2018. Today is the day. Now is the time to invest in our children and their future! We must also have the transportation infrastructure for our economic corridors to get employees to work and goods to market if we want to remain a vibrant economic competitor in the years to come. These projects and more demand funding: The Columbia River Crossing. Spokane's North-South Freeway. Snoqualmie Pass. State Route 167 between Tacoma and Puyallup. The 40-mile I-405 corridor. A new 144-car ferry. And I-5 at Joint Base Lewis-McChord. Freight-dependent businesses account for nearly 45 percent of our jobs. Companies move nearly \$40 million worth of freight on our roads every single hour. We must maintain our very valuable transportation system, from highways and bridges to ferries and city streets. I urge you to come together find a way to make sure we continue to make transportation improvements and build the future of Washington. If we step up to our commitment to build a new Columbia River Crossing with Oregon this year, the federal government will too. I urge you to invest the \$450 million to make certain that this critical West Coast economic corridor moves forward. Now is the time to build the future of Washington! In the end, these two challenges are only that challenges. You've met tougher ones in the past eight years, and you delivered for the people of Washington. I know you will deliver again. You will do what you always do. You will keep the state of our state strong! Finally, today, in my last appearance as governor, I still feel the need to pinch myself a little to make sure the past eight years weren't just a dream maybe my mother's dream too, the short-order cook at the Rainbow Café in Auburn for all those years the single mom who worked so hard and kept a watchful eye on her daughter, Chris O'Grady, sitting on a stool in the kitchen doing her homework. I always believed what my mom said. You can make it in America if you work hard enough. If you respect yourself and serve those around you. If you keep the faith and don't give up. That's what I did. I was just a Washington girl who loved to play basketball, pick blueberries, ride horses in the summer. I was just a young Washington woman who became the first in her family to graduate from college. I was just a Washington woman who got that gift of education, who admired John F. Kennedy and who chose a career of public service as a clerk typist, a caseworker, an Assistant Attorney General, Director of Ecology, an Attorney General and then the ultimate privilege: to serve as Governor of the state I love, the Great State of Washington. And on my last full day as Governor, I can speak from experience and say we still live in the greatest state in the nation and the greatest country in the world. Thank you, people of Washington, for the pleasure of serving you. And thank you, ladies and gentlemen of the Legislature, for hearing me one last time. I appreciate it. I will miss governing and I will miss all of you. Please accept my deepest thanks for your public service. Farewell, God bless you and God bless the great State of Washington."

President Owen: "Thank you Governor for you very, very profound remarks. I can see why you are such an excellent

politician, emphasized by a couple of our colleagues. For instance, Auditor Sonntag pulls out a grocery list during his remarks, as a prop. Okay. Sam Reed? A used up old briefcase. The Governor? A two-month old baby. Nice going. Governor you have been proven to be a very skilled mediator, a tough negotiator, and extremely effective leader in the toughest of times. We thank you very much and wish you all the best. Personally, I would like to thank you for your tremendous accessibility, your guidance and your friendship over the years that we've had. Thank you very much. We would also like to present you with a little remembrance of your time serving the great State of Washington."

On behalf of the people of the State of Washington and the Legislature, the President presented Governor Christine Gregoire with a gift of artwork created by Ms. Kim Merriman in gratitude for and recognition of her public service.

The President asked the committee of honor to escort Governor Gregoire and the Gregoire family from the House Chamber.

The President asked the committee of honor to escort the statewide elected officials from the House Chamber.

The President asked the committee of honor to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Moeller presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senator Ed Murray and Senator Mark Schoesler from the Chamber.

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

There being no objection, the House adjourned until 10:00 a.m., January 16, 2013, the third day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRD DAY

House Chamber, Olympia, Wednesday, January 16, 2013

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

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

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

INTRODUCTION & FIRST READING

HB 1078 by Representative Appleton

AN ACT Relating to requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election; and amending RCW 53.12.175.

Referred to Committee on Government Operations & Elections.

HB 1079 by Representatives Appleton and Freeman

AN ACT Relating to economic revitalization in urban growth areas; amending RCW 43.160.010, 43.160.020, 43.160.070, 43.160.076, and 43.160.080; and adding new sections to chapter 43.160 RCW.

Referred to Committee on Technology & Economic Development.

HB 1080 by Representative Appleton

AN ACT Relating to rendering criminal assistance; and amending RCW 9A.76.050 and 9.94A.535.

Referred to Committee on Public Safety.

HB 1081 by Representative Appleton

AN ACT Relating to annual reviews of commitment under chapter 71.09 RCW; and amending RCW 71.09.070 and 71.09.090.

Referred to Committee on Public Safety.

HB 1082 by Representative Appleton

AN ACT Relating to the reduction of Washington state ferries' fares; and amending RCW 46.68.090 and 47.60.315.

Referred to Committee on Transportation.

HB 1083 by Representatives Appleton, Roberts, Jinkins, Freeman and Hunt

AN ACT Relating to solemnizing marriages; and amending RCW 26.04.050.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1084 by Representative Appleton

AN ACT Relating to the medical use of cannabis; amending RCW 69.51A.010, 69.51A.030, 69.51A.040, 69.51A.047, 69.51A.050, 69.51A.055, 69.51A.060, 69.51A.085, and 69.51A.110; creating a new section; and repealing RCW 69.51A.043.

Referred to Committee on Government Accountability & Oversight.

HB 1085 by Representative Appleton

AN ACT Relating to the Washington health security trust; amending RCW 41.05.130, 66.24.290, 82.24.020, 82.26.020, 82.08.150, 43.79.480, and 41.05.220; reenacting and amending RCW 41.05.120; adding new sections to chapter 82.02 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing RCW 82.04.260, 82.04.260, and 48.14.0201; providing contingent effective dates; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1086 by Representative Appleton

AN ACT Relating to the vacation of certain driving-related convictions under limited circumstances; reenacting and amending RCW 9.96.060; and adding a new section to chapter 9.96 RCW.

Referred to Committee on Public Safety.

HB 1087 by Representatives Appleton, Roberts and Freeman

AN ACT Relating to allowing for more than one vacation of a misdemeanor and gross misdemeanor conviction; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1088 by Representatives Dunshee and Warnick

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99G.162; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1089 by Representatives Dunshee and Warnick

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 28B.15.210, 28B.20.725, 28B.15.310, 28B.30.750, 28B.35.370, 28B.50.360, 79.17.010, and 79.17.020; reenacting and amending RCW 70.105D.070 and 79.105.150; creating new sections; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1090 by Representatives Shea, Reykdal, Crouse, Holy, Springer and Dahlquist

AN ACT Relating to increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act; and reenacting and amending RCW 90.58.030.

Referred to Committee on Local Government.

HB 1091 by Representatives Shea, Overstreet, Taylor, Condotta and MacEwen

AN ACT Relating to presidential electors; amending RCW 29A.56.310, 29A.56.320, and 29A.56.340; repealing RCW 29A.56.300; and repealing 2009 c 264 s 1 (uncodified).

Referred to Committee on Government Operations & Elections.

HB 1092 by Representatives Shea, Overstreet and Hargrove

AN ACT Relating to providing a right of first repurchase for surplus transportation property; amending RCW 47.12.063; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1093 by Representatives Shea, Overstreet and Taylor

AN ACT Relating to state agencies' lobbying activities; amending RCW 42.17A.635 and 42.17A.750; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Government Operations & Elections.

HB 1094 by Representatives Shea, Overstreet, Taylor, Condotta, MacEwen and Pollet

AN ACT Relating to reporting agreements between state agencies and the federal government; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1095 by Representatives Green, Cody, Morrell, Reykdal, Appleton, Ryu, McCoy, Bergquist and Pollet

AN ACT Relating to nursing staffing practices at hospitals; amending RCW 70.41.420; adding new sections to chapter 70.41 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1096 by Representatives Hurst, Hope, Takko, Hayes, Klippert, Dahlquist, Holy, Sullivan, Haigh, Blake and Parker

AN ACT Relating to juvenile firearms and weapons crimes; and amending RCW 13.40.0357, 13.40.127, 13.40.193, and 13.40.160.

Referred to Committee on Judiciary.

HB 1097 by Representatives Hurst, Condotta, Takko, Hope, Clibborn, Dahlquist, Haigh, Parker, Morris and Fagan

AN ACT Relating to amending provisions governing structured settlements by removing age barriers and clarifying legislative intent; amending RCW 51.04.063; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1098 by Representatives Hope and Hurst

AN ACT Relating to adopting certain unanimous recommendations of the bail practices work group created in section 2, chapter 256, Laws of 2010; amending RCW 10.19.090, 10.19.100, 10.19.160, 18.185.010, 18.185.020, 18.185.040, 18.185.070, and 18.185.110; and adding a new section to chapter 10.19 RCW.

Referred to Committee on Public Safety.

HB 1099 by Representatives Overstreet, Taylor, Shea, Condotta, Rodne, Buys, Zeiger, Scott, Fagan and Hargrove

AN ACT Relating to repealing the state estate tax; creating a new section; repealing RCW 83.100.040; and providing an effective date.

Referred to Committee on Finance.

HB 1100 by Representatives Overstreet, Shea, Taylor and Scott

AN ACT Relating to reducing the state sales and use tax rate; amending RCW 82.08.020; and providing an effective date.

Referred to Committee on Finance.

HB 1101 by Representatives Ryu, McCoy, Pedersen, Jinkins, Green, Morrell, Bergquist and Farrell

AN ACT Relating to designating July 25th as patient safety day; and adding a new section to chapter 1.20 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1102 by Representatives Van De Wege, Hunt, Stanford, Lias, Morrell, Appleton, Fitzgibbon, Hudgins, Riccelli and Bergquist

AN ACT Relating to processing ballots; and amending RCW 29A.60.160.

Referred to Committee on Government Operations & Elections.

HB 1103 by Representatives Van De Wege, Hunt, Stanford, Liias, Hayes, Morrell, Appleton, Fitzgibbon, Hudgins, Reykdal and Bergquist

AN ACT Relating to uniform ballot design; and amending RCW 29A.12.101 and 29A.36.111.

Referred to Committee on Government Operations & Elections.

HB 1104 by Representatives Fitzgibbon, Upthegrove, Springer, Green, Ryu, Maxwell, Roberts, Jinkins, Morrell, Pollet and Fey

AN ACT Relating to incentivizing up-front environmental planning and review; amending RCW 82.02.020; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

HB 1105 by Representatives McCoy, Morris, Wylie, Ryu and Pollet

AN ACT Relating to modifying the renewable energy cost recovery program; amending RCW 82.16.110, 82.16.120, and 82.16.130; and adding new sections to chapter 82.16 RCW.

Referred to Committee on Environment.

HB 1106 by Representatives McCoy, Morris, Ryu and Hudgins

AN ACT Relating to net metering of electricity; and amending RCW 80.60.010, 80.60.020, and 80.60.030.

Referred to Committee on Environment.

HB 1107 by Representatives McCoy, Shea, Appleton, Orwall, Jinkins, Morrell, Ryu, Green and Freeman

AN ACT Relating to residential provisions for children of parents with military duties; amending RCW 26.09.260; reenacting and amending RCW 26.09.004; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Judiciary.

HB 1108 by Representatives Goodman, Jinkins, Wylie, Pedersen, Green, Roberts, Pettigrew, Maxwell, Orwall, Appleton, Ryu, Morrell and Bergquist

AN ACT Relating to rape in the third degree and indecent liberties; and amending RCW 9A.44.060 and 9A.44.100.

Referred to Committee on Public Safety.

HB 1109 by Representatives Hansen, Haler, Magendanz, Shea, Klippert, Smith, Green, Ormsby, Morrell, Van De Wege, Ryu, Maxwell, Zeiger, Wilcox, Jinkins, Springer, Scott, Freeman, Bergquist, Hargrove and Parker

AN ACT Relating to early registration at institutions of higher education for eligible veterans and national guard members; adding a new section to chapter 28B.15 RCW; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1110 by Representatives Taylor and Manweller

AN ACT Relating to respirator requirements for asbestos abatement projects; and adding a new section to chapter 49.17 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1111 by Representatives Taylor, Overstreet, Short and Shea

AN ACT Relating to managing the real property assets of the state; amending RCW 77.12.210, 79A.05.175, 79.11.010, and 79.11.090; adding a new section to chapter 79.02 RCW; adding a new section to chapter 79.11 RCW; adding a new section to chapter 43.33A RCW; and adding a new section to chapter 8.04 RCW.

Referred to Committee on Capital Budget.

HB 1112 by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Zeiger and Wilcox

AN ACT Relating to standards for the use of science to support public policy; adding a new section to chapter 34.05 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1113 by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Smith, Fagan, Dahlquist and Fey

AN ACT Relating to standards for the use of science to support public policy; adding a new section to chapter 34.05 RCW; and creating a new section.

Referred to Committee on Environment.

HB 1114 by Representatives Pedersen, Rodne, Morrell, Nealey, Green and Jinkins

AN ACT Relating to criminal incompetency and civil commitment; amending RCW 10.77.086, 10.77.0845, 10.77.088, 10.77.270, 71.05.235, 71.05.280, 71.05.320, 71.05.425, and 71.05.360; and creating a new section.

Referred to Committee on Judiciary.

HB 1115 by Representatives Pedersen and Rodne

AN ACT Relating to the Uniform Commercial code; amending RCW 62A.4A-108, 62A.4A-103, 62A.4A-104, 62A.4A-105, 62A.4A-106, 62A.4A-202, 62A.4A-203, 62A.4A-204, 62A.4A-205, 62A.4A-206, 62A.4A-207, 62A.4A-208, 62A.4A-209, 62A.4A-210, 62A.4A-211, 62A.4A-212, 62A.4A-301, 62A.4A-302, 62A.4A-303, 62A.4A-304, 62A.4A-305, 62A.4A-402, 62A.4A-403, 62A.4A-404, 62A.4A-405, 62A.4A-406, 62A.4A-501, 62A.4A-502, 62A.4A-503, 62A.4A-504, 62A.4A-506, and 62A.4A-507; and creating a new section.

Referred to Committee on Judiciary.

HB 1116 by Representatives Pedersen, Hansen, Rodne and Nealey

AN ACT Relating to collaborative law; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

HB 1117 by Representatives Hansen, Rodne and Pedersen

AN ACT Relating to the transfer of real property by deed taking effect at the grantor's death; amending RCW 11.07.010, 11.11.010, 11.18.200, 11.86.011, 11.86.031, 11.94.050, 82.45.010, 82.45.197, 82.45.150, and 84.33.140; reenacting and amending RCW 11.02.005 and 84.34.108; adding a new chapter to Title 64 RCW; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 1118 by Representatives Fitzgibbon, Nealey, Goodman, Rodne, Pedersen, Hansen and Ryu

AN ACT Relating to revising the uniform interstate family support act; amending RCW 26.21A.010, 26.21A.015, 26.21A.020, 26.21A.100, 26.21A.110, 26.21A.115, 26.21A.125, 26.21A.130, 26.21A.135, 26.21A.140, 26.21A.150, 26.21A.200, 26.21A.215, 26.21A.220, 26.21A.225, 26.21A.230, 26.21A.235, 26.21A.245, 26.21A.250, 26.21A.260, 26.21A.275, 26.21A.280, 26.21A.285, 26.21A.290, 26.21A.350, 26.21A.415, 26.21A.420, 26.21A.430, 26.21A.500, 26.21A.505, 26.21A.510, 26.21A.515, 26.21A.520, 26.21A.525, 26.21A.530, 26.21A.535, 26.21A.540, 26.21A.545, 26.21A.550, and 26.21A.570; adding new sections to chapter 26.21A RCW; repealing RCW 26.21A.105, 26.21A.145, and 26.21A.600; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 1119 by Representatives Goodman, Ryu and Santos

AN ACT Relating to fees associated with service of writs of habeas corpus; and adding a new section to chapter 7.36 RCW.

Referred to Committee on Judiciary.

HB 1120 by Representatives Van De Wege, Ryu, Appleton, Roberts, Green, Fitzgibbon, Morrell and Freeman

AN ACT Relating to volunteer fire department and law enforcement chaplains membership in the volunteer firefighters' and reserve officers' retirement system; and reenacting and amending RCW 41.24.010.

Referred to Committee on Appropriations.

HB 1121 by Representatives Dunshee, Zeiger and Morrell

AN ACT Relating to the election of members of the house of representatives from house districts within each legislative district; and amending RCW 44.05.080 and 44.05.090.

Referred to Committee on Government Operations & Elections.

HB 1122 by Representatives Carlyle, Jinkins, Hunt and Pollet

AN ACT Relating to increasing revenues dedicated to basic education purposes; amending RCW 66.24.290 and 82.04.29002; adding a new section to chapter 82.08 RCW; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1123 by Representatives Hurst and Dahlquist

AN ACT Relating to state agency debt collection; adding a new section to chapter 43.17 RCW; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1124 by Representatives Hurst and Condotta

AN ACT Relating to recommendations for streamlining reporting requirements for taxes and fees on spirits; adding a new section to chapter 66.08 RCW; and creating a new section.

Referred to Committee on Government Accountability & Oversight.

HB 1125 by Representatives Hurst and Dahlquist

AN ACT Relating to adult family homes; amending RCW 9.94A.843 and 70.128.230; adding a new section to chapter 9.94A RCW; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Public Safety.

HB 1126 by Representatives Goodman, Klippert, Hurst, Van De Wege, Warnick, Ryu and Smith

AN ACT Relating to state fire service mobilization; and amending RCW 43.43.960 and 43.43.961.

Referred to Committee on Public Safety.

HB 1127 by Representatives Klippert, Goodman, Warnick, Kristiansen, Van De Wege and Ryu

AN ACT Relating to prefire mitigation; amending RCW 43.43.934; and creating a new section.

Referred to Committee on Public Safety.

HB 1128 by Representatives Takko, Rodne, Appleton, Johnson, Klippert, Fitzgibbon, Sullivan, Green, Clibborn, Nealey, Ryu, Walsh, Jinkins, Wylie, Moscoso, Sells, Angel, Seaquist, Hunt, Springer, Maxwell, Riccelli, Morrell, Hudgins, Bergquist and Fey

AN ACT Relating to public record request response actions by counties, cities, towns, special purpose districts, and other local agency entities; and adding new sections to chapter 42.56 RCW.

Referred to Committee on Local Government.

HB 1129 by Representative Morris

AN ACT Relating to ferry vessel replacement; amending RCW 47.60.322; adding a new section to chapter 46.17 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1130 by Representatives Hurst and Dahlquist

AN ACT Relating to the redemption of impounded vehicles; and amending RCW 46.55.120.

Referred to Committee on Transportation.

HB 1131 by Representatives Takko, Klippert, Moscoso, Pettigrew, Goodman and Ryu

AN ACT Relating to adding persons who serve legal process to assault in the third degree provisions; reenacting and amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1132 by Representatives Hayes, Seaquist, Smith, Van De Wege, Kristiansen, Takko, Haler, Rodne, Sells, McCoy, Dunshee, Moscoso, Tharinger, Ryu, Zeiger, Green, Wilcox, Jinkins, Riccelli, Hurst, Morrell, Scott, Freeman, Dahlquist, Bergquist, Hargrove and Parker

AN ACT Relating to gold star license plates; and amending RCW 46.18.245.

Referred to Committee on Transportation.

HB 1133 by Representatives Hunt, Hurst, Appleton and Ryu

AN ACT Relating to allowing beer and/or wine specialty shop licensees to have an endorsement to sell craft distillery products; and reenacting and amending RCW 66.24.371.

Referred to Committee on Government Accountability & Oversight.

HB 1134 by Representatives McCoy, Santos, Appleton, Lytton, Ryu, Stanford, Roberts, Jinkins, Haigh, Freeman and Hunt

AN ACT Relating to state-tribal education compact schools; amending RCW 49.60.400; adding a new section to chapter 28A.642 RCW; adding a new section to chapter 43.215 RCW; adding a new chapter to Title 28A RCW; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1135 by Representatives Overstreet, Moeller, Taylor, Shea, Condotta, Buys, Dahlquist, Hargrove and Warnick

AN ACT Relating to the annual gross sales limits for cottage food operations; amending RCW 69.22.070; and repealing RCW 69.22.050.

Referred to Committee on Agriculture & Natural Resources.

HB 1136 by Representatives Van De Wege, Hope, Goodman, Fitzgibbon, Ryu, Freeman and Fey

AN ACT Relating to providing for increased funding for emergency medical services by adjusting the emergency medical services' levy cap; and amending RCW 84.52.069.

Referred to Committee on Finance.

HB 1137 by Representatives Green, Takko, Springer, Moscoso, Walsh, Ryu and Hudgins

AN ACT Relating to the local government issuance of a certificate of stillbirth; adding a new section to chapter 70.58 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1138 by Representatives Morris, Ryu, Hudgins and Freeman

AN ACT Relating to creating clean energy jobs in Washington through renewable energy incentives; amending RCW 82.16.110, 82.16.120, and 82.16.130; and adding a new section to chapter 82.16 RCW.

Referred to Committee on Environment.

HB 1139 by Representatives Roberts, Walsh, Green, Moscoso, Jinkins, Liias, Fitzgibbon, Morrell, Ryu, Riccelli and Santos

AN ACT Relating to public notification of local health conditions; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 70.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1140 by Representatives Roberts, Pedersen, Moscoso, Reykdal, Rodne, Appleton, Kagi, Walsh, Warnick, Ryu, Jinkins, Freeman and Fagan

AN ACT Relating to sibling visitation after a dependency has been dismissed or concluded; adding a new section to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1141 by Representatives Smith, Tharinger, Short, Hunt, Stanford, Warnick and Ryu

AN ACT Relating to establishing a water pollution control revolving loan administration charge; amending RCW 90.50A.010; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new section to chapter 90.50A RCW; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Capital Budget.

HB 1142 by Representatives Dahlquist, Hurst, Haigh, Moeller, Orwall, Kochmar and Nealey

AN ACT Relating to establishing a pilot program for payment of past due property taxes; amending RCW 84.56.020; and creating a new section.

Referred to Committee on Finance.

HB 1143 by Representatives Dahlquist, Hurst and Buys

AN ACT Relating to providing accountability to procurement policy; amending RCW 39.26.020, 39.26.050, 39.26.080, 39.26.090, 39.26.125, 39.26.140, and 43.19.011; and reenacting and amending RCW 39.26.010.

Referred to Committee on Government Operations & Elections.

HB 1144 by Representatives Dahlquist, Lytton, Fagan, Haigh, Moscoso, Magendanz, Liias, Ryu and Santos

AN ACT Relating to qualifications for educational interpreters; adding a new section to chapter 28A.410 RCW; and creating a new section.

Referred to Committee on Education.

HJR 4203 by Representatives Shea, Overstreet, Taylor, Holy, Kristiansen, MacEwen, Condotta, Crouse, Scott, Buys, Rodne and Parker

Requiring a balanced budget.

Referred to Committee on Appropriations.

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

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

COMMITTEE APPOINTMENTS

The Speaker announced the following changes to committee assignments: Representative Fagan and Representative Magendanz were appointed to the Committee on Rules and Representative Schmick was removed from the Committee on Rules.

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senators Rodney Tom and Ed Murray to seats at the rostrum. The Senators were invited to sit within the Chamber.

JOINT SESSION

Pursuant to House Concurrent Resolution 4402, the Speaker (Representative Moeller presiding) called the Joint Session to order. The Clerk called the roll of the House members. The Clerk called the roll of the Senate members. The Speaker (Representative Moeller presiding) declared a quorum of the Legislature present.

The Speaker (Representative Moeller presiding) called upon the President of the Senate, Lt. Governor Brad Owen, to preside over the Joint Session.

President Owen: "The purpose of the Joint Session is to administer the oaths of office to statewide elected officials and to

receive the inaugural address from His Excellency, Governor Jay Inslee."

The President appointed a committee of honor to escort the Chief Justice and the Justices of the State Supreme Court Justices to the House Chamber: Representatives Freeman and O'Ban; and Senators Fain and Mullet.

The President appointed a committee of honor to escort the statewide elected officials to the House Chamber: Representatives Appleton and Magendanz; and Senators Conway and Rivers.

The President appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the joint session had assembled and to escort him to the House Chamber: Representatives Hunt and Zeiger; and Senators Cleveland and Parlette.

The Sergeant at Arms of the House announced the arrival of the Chief Justice and the Justices of the State Supreme Court at the Chamber doors. The committee of honor escorted the Chief Justice and the Justices of the Supreme Court to seats on the floor of the House Chamber and they were introduced: Chief Justice Barbara Madsen, Justice Charles W. Johnson, Justice Susan Owens, Justice Mary E. Fairhurst, Justice James M. Johnson, Justice Debra L. Stephens, Justice Charlie Wiggins, Justice Steven Gonzalez and Justice Sheryl Gordon-McCloud.

The Sergeant at Arms of the House announced the arrival of the statewide elected officials at the Chamber doors. The committee of honor escorted the statewide elected officials to the floor of the House Chamber and they were introduced: Secretary of State elect Kim Wyman, State Treasurer Jim McIntire, State Auditor elect Troy Kelley, State Attorney General elect Bob Ferguson, Superintendent of Public Instruction Randy Dorn, Insurance Commissioner Mike Kreidler and Commissioner of Public Lands Peter Goldmark.

The President introduced the special guests present in the Chambers: former Governor Mike Lowry; Secretary of State Sam Reed; Ms. Virginia Cross, Tribal Chairman, Muckleshoot Tribal Council; Mr. Melvin R. Sheldon, Jr., Chairman, Board of Directors, Tulalip Tribes; Mr. Harry Smiskin, Chairman, Yakama Nation Tribal Council; and Mr. Brian Cladoosby, Chairman, Swinomish Indian Tribal Community. The President introduced members of the Suquamish Tribe. The President introduced the Honorable Lyle Stewart, Minister of Agriculture and minister responsible for Saskatchewan Crop Insurance Corporation, of Saskatchewan province of Canada, Member of the Legislative Assembly (MLA) for Thunder Creek, Saskatchewan, and president of the Pacific NorthWest Economic Region (PNWER) executive committee; the Honorable Alana DeLong, Member of the Legislative Assembly of Alberta for Calgary-Bow, Alberta and representative to PNWER; the Honorable Douglas Horne, the Member of the Legislative Assembly for Coquitlam-Burke Mountain, Province of British Columbia and representative to PNWER; the Honorable Deborah Boone of Canon Beach, Oregon, a member of the Oregon State House of Representatives serving the 32nd Legislative District, and a representative to PNWER.

The President welcomed members and representatives of the State of Washington Consular Association who were present in the Gallery. The members of the Consular Association were joined by Consul General Gao Zhansheng of the Consulate General of the People's Republic of China in San Francisco and Consul General Priya Guha of the British Consulate General of the United

Kingdom of Great Britain and Northern Ireland in San Francisco. The President introduced: Career Consul General-Head of Mission Kiyokazu Ota of Japan; Consul General Denis Stevens of Canada; Consul General Young Wan Song of the Republic of Korea; Consul General Andrey Yushmanov of the Russian Federation; Career Consul-Head of Mission: Alejandro Garcia Moreno of the United States of Mexico; Consul Jessica Maria Reyes of the Republic of El Salvador; Honorary Consul General John Gokcen of the Republic of Turkey; Honorary Consul General Gary Furlong of the Republic of Uzbekistan; Honorary Consul General Helen Szablya of the Republic of Hungary; Honorary Consul General Miguel Angel Velasquez of the Republic of Peru; Honorary Consul H. Ronald Masnik of the Kingdom of Belgium; Honorary Consul Enid Dwyer of Jamaica; Honorary Consul Vytautas V. Lapatinskas of the Republic of Lithuania; Honorary Consul Daravuth Huoth of the Kingdom of Cambodia; Honorary Consul Frank Brozovich, DDS, of the Republic of Croatia; Honorary Consul Philippe Goetschel of the Swiss Confederation; Honorary Consul Kim Nesselquist of the Kingdom of Norway; Honorary Consul Stephen Zirschky of the Republic of Latvia; Honorary Consul Petra Walker of the Federal Republic of Germany; Honorary Consul Luis Esteban Fernandez of the Kingdom of Spain; Honorary Consul Jack Cowan of the French Republic; Honorary Consul Pedro Augusto Leite Costa of the Federative Republic of Brazil; Honorary Consul Franco Tesorieri of the Italian Republic; Honorary Consul Wayne Jehlik of the Czech Republic; Honorary Vice Consul: Kristiina Hiukka of the Republic of Finland; and Director General Chin Hsing of the Taipei Economic and Cultural Office in Seattle.

The Sergeant at Arms of the House announced the arrival of His Excellency Governor-elect Jay Inslee at the Chamber doors. The committee of honor escorted Governor-elect Inslee to his seat at the rostrum and he was introduced.

The flags were escorted to the rostrum by the Washington State Patrol Honor Guard, commanded by Trooper Pete Stock. The President led the Joint Session in the Pledge of Allegiance. The National Anthem was performed by Miss Lena Hou, a fourth grade student at Sierra Heights Elementary School in Renton. The prayer was offered by Reverend Doctor Dee Eisenhauer, Eagle Harbor Congregational Church, Bainbridge Island, Washington.

Reverend Doctor Dee Eisenhauer: "Holy One whom we call by many names. Out of our separate paths we have converged in this place on this day of new beginnings. Call us out of our separateness, out of our parties and caucuses, out of our interest groups and districts, help us for this moment to transcend all that divides us. Give us in these moments of prayer a spirit of true unity as we attune our souls to a Higher Power. God of grace, we come to this day of new beginnings with joy, celebrating the hard work, deep convictions and good intentions that brought all those who have run for public office into this temple of democracy. We thank you for inspiring Governor Inslee and all of his colleagues in government with a will to serve, and we celebrate their Yes! to the call to service, and the people's Yes! to their abilities. We come to this day and this place with excitement and with some trepidation as well, mindful of the difficult tasks ahead for all those who hold public office. The complexities of the problems we undertake to solve are mind-boggling. The choices we are called upon to make are so often heart-wrenching as we juggle competing interests while struggling to discern greater goods and lesser evils. We do this juggling and struggling as imperfect beings. Creator, you know us to be creatures with speckled hearts. We long to do good and we relish being right. We are suitably proud of our skills and accomplishments, and at the same time often blind to our own

faults and weaknesses. Keep all who lead vigilant against the powers and temptations that would corrupt the heart and cripple our democracy. Keep each one humble enough to confess a mistake and hopeful enough to begin again with the fresh insight that only failure can teach. We need your aid to see beyond our own narrow interests to a broad vision of the common good. We ask that you, champion of the poor and vulnerable, keep the voices of the voiceless heard in the ears of the heart. Kindle compassion for those whose ability to take care of themselves is compromised by unemployment, disability, illness, injury, or age. Especially we ask you to keep the future of our children and youth in minds and hearts as we strive to leave a better world for those who follow us. You have blessed Governor Inslee with a passion for preserving this green earth. Use his passion and vision to advance our state's stewardship of the magnificent natural resources entrusted to us, that present and future generations might benefit from this term of leadership. Amidst the cacophony of conflict we anticipate as those elected set out to govern, we pray that you would provoke peace. Help each one seek the common ground that welcomes both conviction and compromise. Help us find the dynamic balance between continuity and change. Where we cannot reach unanimity, steer us away from futile dissonance and stir us instead to creative harmony. We lift your servant Jay Inslee into your light. Give him wisdom. Give him courage. Give him strength and patience. Nudge him to seek help when help is needed, from You, and from his community of friends and colleagues. Help him to listen as well as he speaks, to learn as well as he teaches, to follow as well as he leads. Guard his health, and protect him from all who would seek to harm him with weapons or words. Bless and strengthen his marriage to his best friend, confidant and partner, Trudi, as they walk this new road together. May the words of our mouths, the meditations of all of our hearts, the fruits of our labor, the effects of our policies, the legacy of our laws, the dynamics of our decisions be acceptable in your sight, O Lord, our Strength and our Redeemer. Amen."

The Washington State Patrol Honor Guard retired from the Chamber.

OATHS OF OFFICE

The President called Commissioner of Public Lands Peter Goldmark to the rostrum of the House to receive the Oath of Office. Justice Charlie Wiggins thereupon administered the Oath of Office to Commissioner Goldmark. The President presented Commissioner Goldmark a certificate of election and he retired to his seat on the floor of the House.

The President called Insurance Commissioner Mike Kreidler to the rostrum of the House to receive the Oath of Office. Justice Charles Johnson thereupon administered the Oath of Office to Commissioner Kreidler. The President presented Commissioner Kreidler a certificate of election and he retired to his seat on the floor of the House.

The President called Superintendent of Public Instruction Randy Dorn to the rostrum of the House to receive the Oath of Office. Justice Debra Stephens thereupon administered the Oath of Office to Superintendent Dorn. The President presented Superintendent Dorn a certificate of election and he retired to his seat on the floor of the House.

The President called Mr. Bob Ferguson, State Attorney General-elect, to the rostrum of the House to receive the Oath of Office. Justice Steven Gonzales thereupon administered the Oath of Office to Mr. Ferguson, State Attorney General-elect. The

President presented State Attorney General Ferguson a certificate of election and he retired to his seat on the floor of the House.

The President called Mr. Troy Kelley, State Auditor-elect, to the rostrum of the House to receive the Oath of Office. Justice Sheryl Gordon-McCloud thereupon administered the Oath of Office to Mr. Kelley, State Auditor-elect. The President presented State Auditor Kelley a certificate of election and he retired to his seat on the floor of the House.

The President called Treasurer Jim McIntire to the rostrum of the House to receive the Oath of Office. Justice Mary Fairhurst thereupon administered the Oath of Office to Treasurer McIntire. The President presented Treasurer McIntire a certificate of election and he retired to his seat on the floor of the House.

The President called Ms. Kim Wyman, Secretary of State-elect, to the rostrum of the House to receive the Oath of Office. Justice Susan Owens thereupon administered the Oath of Office to Ms. Wyman, Secretary of State-elect. The President presented Secretary Wyman a certificate of election and she retired to her seat on the floor of the House.

The Speaker (Representative Moeller presiding) assumed the Chair.

The Speaker (Representative Moeller presiding) called Lt. Governor Brad Owen to the rostrum of the House to receive the Oath of Office. Justice James Johnson thereupon administered the Oath of Office to Lt. Governor Owen. The Speaker (Representative Moeller presiding) presented Lt. Governor Owen a certificate of election.

The President of the Senate resumed the Chair.

The President called Mr. Jay Inslee, Governor-elect, to the rostrum of the House to receive the Oath of Office. Chief Justice Barbara Madsen thereupon administered the Oath of Office to Mr. Inslee, Governor-elect. The President presented Governor Inslee a certificate of election and the Joint Session received the Governor's inaugural address.

GOVERNOR'S INAUGURAL ADDRESS

Governor Inslee: "Mr. President, Mr. Speaker, Madam Chief Justice, distinguished justices of the court, my fellow statewide elected officials, members of the Washington State Legislature, members of our armed forces and National Guard, members of the Consular Corps, Governor Christine Gregoire and my fellow Washingtonians. Our world is changing faster and more dramatically than ever before. Once-in-a-lifetime events now seem to happen with startling regularity. We've seen the greatest financial crisis since the Great Depression, natural disasters fueled by climate change and unimaginable human tragedies like Sandy Hook Elementary. But we also bear witness to rapid breakthroughs in technology, medicine and the fundamental understanding of our universe. Every day I am left in awe at how much we are able to achieve and heartbroken over the tragedies that we have had to endure. We truly live in extraordinary times. We also live in an extraordinary state, filled with extraordinary people. Where the world sees uncertainty, we see opportunity. And we all feel a profound responsibility to our children and our grandchildren. We have a spirit of innovation here in Washington that has changed the world, from aerospace to software to e-commerce. And you know what? We are not done. A new world economy is emerging from the depths of this recession. While its

contours and relationships are not fully understood to us, we do know two things: One: With our uniquely powerful fusion of values and talents, Washington state has the potential to lead the next wave of world changing innovations. Two: The world will not wait for us. We face fierce and immediate global competition for the jobs of tomorrow. Leading this next wave of growth is our opportunity, not our entitlement. We must move, swiftly and boldly, to put this recession behind us and bring forward a unique economic strategy that brings the best of Washington state to the world. As Franklin Delano Roosevelt said, "Never before have we had so little time in which to do so much." Today, I'd like to share my vision of the path ahead. I know that to achieve this vision we must all work together. Democrat and Republican, House and Senate, East and West, to answer the challenges of our age. I have represented both sides of our state, first as a state representative from the Yakima Valley, then in Congress representing both Eastern and Western Washington. I want to thank the people of Washington for electing me your governor. I am truly humbled to represent all of Washington, and to deliver the change in Olympia you asked for last November. Now I would like to do something very difficult to do as a University of Washington Husky, and that is to honor a Washington State Cougar. I would like to introduce all of you to my wife of 40 years, Trudi Inslee. We met at Ingraham High School and raised our family in a century-old farmhouse in the Yakima Valley. I'd also like you to meet my three boys and their families: Connor; Joe; Jack and his wife, Megan; our grandson, Brody; and the newest Inslee, Zoe Ann. This is a very special day for my family. And this is a very special time in history for many other families. People all across Washington stood up for fairness and family in approving marriage equality last November. We should all be proud. The vote on Referendum 74 represents the best of who we are as a state. It should be an inspiration for the progress we can make toward equality, fairness and justice across all of Washington. It has been an amazing journey over the past year and a half, as I've traveled to all corners of the state. I am a fifth generation son of the state of Washington, and am proud to have roots in this state that are as wide as they are deep. My family came to this state as fishermen and gold miners. My grandmother raised four boys as a single mother working at Bartell drugstore. My uncles built the best airplanes in the world at Boeing, my dad was a biology teacher and I am proud that my mom and dad worked to restore the alpine meadows of Mount Rainier. I am proud of the working people of Washington, and I know their work, having driven bulldozers in Bellevue, painted houses in Burien, run the business end of a jackhammer, prosecuted drunk drivers and raised hay in the Yakima Valley. Washington has welcomed many people to our great state from all points of the compass, but no matter when you and your family arrived here, in our souls all of us in Washington are pioneers. That is what makes us unique. We push the world forward. We take risks. We take pride in what we do and who we are. I look forward to a true partnership with Senate Majority Leader Rodney Tom and Minority Leader Ed Murray, and with House Speaker Frank Chopp and Minority Leader Richard DeBolt. I want us to collaborate early and often on a legislative agenda that benefits all of Washington. I want to work with every member of the Legislature too. Our economy draws its strength from a marketplace of ideas, and so should our state. I have called all 146 of you already to begin this partnership. If you received a message from me, that wasn't a robocall. I need to talk to you about the future of our state. When the people of Yakima sent me here to Olympia more than two decades ago, Washington had just completed its first century. I sat and listened as former Governor Booth Gardner presented us with a challenge heading into Washington's second century. He said, "Either we respond to international competition, or we doom ourselves and our children to a dramatic slide to second-rate status

in the world.” We chose to answer this challenge with a unique formula for international success that has made us who we are today: businesses, entrepreneurs, state government, all working together. Now it’s 24 years later. I have a new job, a new vantage point, and the world looks much different. A once-vibrant and growing state economy was brought low by the gross irresponsibility of those on Wall Street. As a result we have suffered four years of recession, with almost 300,000 people in Washington looking for work. Too many of our families are on the brink of losing their home. Parents lie awake at night wondering how they can provide for their children’s future. But we remain an optimistic state, a visionary state and an innovative state. Time has not dimmed and the recession has not diminished our thirst for innovation and our talent for technological growth. We are the most creative, entrepreneurial group of businessmen and women, scientists, educators and workers on the planet. Companies such as Silicon Energy in Marysville are leading the world with some of the most durable solar cells ever built. Janicki Industries in Sedro Woolley is driving innovation in aerospace. Valve, a software company in Bellevue, has grown into a worldwide leader in interactive entertainment. And an across-the-board effort led to the re-opening of Grays Harbor Paper last year, putting 175 people back to work making 100 percent recycled paper. Innovation is in our genes. We create. We invent. We build. So now we must go forward, with both high ambition and a recognition that the power of innovation will fuel the next wave of job growth in Washington. Make no mistake: Our top priority today, tomorrow, and every day for the next four years, is jobs. We must build a working Washington, capable of sustained economic leadership in a rapidly changing world. During the campaign I put out a plan to get Washington back to work that grew to more than 100 points of action. My plan focuses on job growth in seven industry clusters: aerospace, life sciences, military, agriculture, information technology, clean energy technology and the maritime trades. These clusters represent both the present and the future key drivers of economic growth and job creation in our state. We must support innovators in these areas with incentives to take risks and bring ideas from dream to reality. I have proposed a tradable research and development tax credit to help early-stage companies to develop and commercialize their idea. It’s worked in other states, and it’s something we can do this session. I will work with the Legislature to make it more desirable for small and medium-size businesses to hire more people in Washington. We must also do a better job commercializing the technologies developed in our world-class research institutions, connecting the dots from the classroom to the laboratory to the marketplace. No economic strategy would be complete without a transportation plan that facilitates this growth. This session I expect to work with stakeholders who have already committed to a bipartisan plan to build an infrastructure for the next generation. In the next 10 years, our population will grow by approximately three-quarters of a million people, but we will not be adding one more square inch of dirt. To honestly address our infrastructure, we have to recognize that creativity is as important as concrete. I want us to turn our innovative spirit toward crafting a transportation package that includes roads, trains, light rail, buses, bike routes and other modes of transportation. We need ways to free capacity for freight and commerce, and rethink how we do the business of transportation in our state and how we use our transportation infrastructure. If we’re serious about long-term economic growth, innovation must become part of the culture of Olympia. I heard a clear and powerful message on Election Day. The people of Washington State are tired of a state government that doesn’t change with the times. They expect me, and all of us here, to be as innovative as the people we represent. Since the recession, the debate over the state budget seems to be stuck in the movie “Groundhog Day.” We

have the same arguments and we revisit the same untenable options. It’s time we made it to a new day. Today we begin a multi-year effort to bring disruptive change to Olympia, starting with the very core of how we do business. With authentic, courageous leadership, we will bring the principles of Lean management to all of state government, following the lead of Boeing, Virginia Mason and a growing number of state and local governments. We will provide efficiency, effectiveness and transparency. We will introduce performance metrics where it counts, giving us the data we need to fix what’s broken, cut what we don’t need and replace rhetoric with quantifiable results. But this effort is about more than measurement. It’s about instituting a culture shift that will endure well beyond my administration. Moving forward, all state agencies will be rooted in the same three principles: First, we will measure success by the results we produce, not the money we put in. Second, we will know our customers and what they value. Third, every agency will adopt a unique process for continual improvement that engages our state employees. Change is coming to Olympia, and I want all state employees to be active partners in it. I know how much you have sacrificed. You are on the front lines, figuring out how to do more with less just like every family in Washington right now. You will be empowered as change agents, and we will need your ingenuity and dedication more than ever. I am serious about reform. In the weeks to come, I will be taking action to transition to a results- and data-driven government, with continuous quality improvement, employee engagement and clear accountability. And to honestly address our budget problems, we must admit the difficult truth that the road to a balanced budget and a fully funded educational system runs directly through health care reform. This means investing in preventive care and aligning incentives with patients to encourage healthy lifestyle choices. King County is already doing this, and it is working. We’ll improve the health of all of us in Washington as we move from “sick care” to the true health care system we deserve. We need to leverage our Medicaid and state employee health systems, and engage providers, carriers and community clinics, to find innovative payment models and health care delivery systems that incentivize quality over quantity. Effectively implementing the Affordable Care Act will save us money by removing the hidden tax of hundreds of dollars paid monthly by all our state’s insured citizens. We can do this for the health of our family and the health of our economy. When we make our health care system more efficient, we lower the cost of doing business in our state. The states that get this right will have a clear advantage in recruiting and retaining the jobs of tomorrow. This session, we must make sure Washington gets this right, first. We must also protect the quality and choice that we expect from a health care system that works. Washington women need the freedom and privacy to make the health care decisions that are best for themselves and their families. That’s why I look forward to the Legislature sending the Reproductive Parity Act to my desk, which I will sign. Let’s get this done. For Washington to be successful, our economy, our government and our schools must all work together, but before we continue, I want to take a moment to honor the courage and heroism of public school teachers, educators and all our public employees. The tragedy at Sandy Hook Elementary School in Connecticut showed us all that our nation’s educators put the welfare of their students above everything, even their own lives. You may have heard the story about the parent who was in the principal’s office when the sounds of gunshots began. That parent said she ran to get under the nearest desk, as most people would have done, but the educators in the room ran another way. They ran toward the sound of the gunfire. They did not return. It is my fervent hope that the country sees the sacrifices made at this one school, in this one state, as entirely consistent with what teachers and educators do every day, in every school, protect the

children in their care. The tragedy at Sandy Hook was unimaginable, but not unfamiliar. We have lost too many loved ones in Washington state: in a Seattle café, in Lakewood, at the Seattle Jewish Federation, in a house in Carnation, all victims of a lethal combination of untreated mental illness, evil intent and easy access to deadly weapons. Any failure to address the issue of violence in our communities and our schools will be intolerable, and in the coming weeks I will work with the Legislature to address this crisis responsibly. I don't have all the answers, but I know the sooner we reject the extremes and embrace common sense, the sooner we'll be able to get a public health solution to this public health problem. And common sense tells us that this solution will involve mental health and keeping guns out of the wrong hands while respecting the right of my son to hunt and my uncle to defend his home. All of us have an obligation to provide for the well-being of our families, to ensure their safety and to make sure our children are prepared for the world. I am proud to live in a state where the education of our children is enshrined as the paramount duty of state government. I got my start in politics as a concerned parent, when Trudi and I led the effort to fund the construction of a new high school. I'm inspired by the pockets of excellence I have seen in schools all across Washington. In Pasco, they improved high school graduation rates through intervention teams they created. In Renton, they closed achievement gaps with a world-class approach that demands continuous quality improvement in how we educate our children. I visited TAF Academy where, thanks to a unique public-private partnership, young students are applying the latest technological tools to solve real-world problems. Across our state we need this kind of real innovation, real reform using proven models and real accountability. We need to increase the emphasis on STEM education. Science, technology, engineering and math are just as important to the next generation as the three R's were to my generation. They are the essential tools for success in this new economy. We need to invest more where we get the biggest return, in high-quality early learning programs. We need a system that aligns from early learning to kindergarten to 12th grade to our universities. Accountability must be present at every level. We should continue the progress we are making on improving the teacher and principal evaluation system, and make it a significant part of personnel decisions. And yes, we need to meet the funding obligations set out by the McCleary decision, but we cannot continue to allow funding debates to mask deeper problems in our schools that demand innovation and reform. I want us to be able to look our children in the eyes, knowing that we honored our commitment to provide them a world-class education, not through gimmicks or blind allocation of money but through systemic, sustainable reform of our schools. It's also critical for us to preserve the leading role our research institutions play in inventing the future, growing our economy and creating jobs. While we do this, we can no longer accept the misalignment between what our schools teach and what skills our employers need. This is something I will act on immediately to sharpen the relationship between our schools and the economy they are preparing our young people to enter. It will be hard work, but it is required work if we want Washington to rise to the challenges the world will present us. There is no challenge greater for Washington, with more opportunity for job growth and more suited to our particular brand of genius and ingenuity, than leading the world's clean energy economy. It is clear to me that we are the right state, at the right time, with the right people. It's also clear to me that we face grave and immediate danger if we fail to act. Nine of 10 of the hottest years on record happened in the past decade. We've had epic flooding, searing drought and devastating wildfires, including last summer's fires in Central Washington and the rising tides along our coast. Our Pacific Northwest waters, especially in Puget

Sound, are becoming too acidic, forcing parts of our shellfish industry to move last year. In Eastern Washington, our long tradition in agriculture could be threatened if snowpack declines. Water stored as snow is money in the bank for Washington's rural economies, but the bank could fail if we don't act. As a parent and a grandparent, I cannot consciously accept the dangers of climate change for my family or yours. As a Governor I can't afford to look the other way or point fingers or deny these realities, and I cannot allow our state to miss the moment we are destined for. All of us in Washington will have to square up to both our responsibility and our opportunity on climate change, and when we do, I'd like us to remember what Dr. Martin Luther King once said: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." On climate change, we have settled the scientific controversy. What remains is how we respond to the challenge. Now I know Washington can't solve this global problem alone, but we must embrace our role as first responders as our children's health is in clear and immediate danger. We must also embrace our role as entrepreneurs and pioneers, ensuring that economic solutions to climate change begin here. Companies in this state are already moving forward, and we will not hand over our destiny to lead the world in clean energy to any state or to any nation. We don't deny science in Washington; we embrace it. We do not follow technological innovation; we lead it. And we will not pass up a golden opportunity to create jobs. We need these clean energy jobs that work for the long haul. They will be in Bellingham at the Itec solar company, in Seattle at MacDonald-Miller, a great efficiency company, in Spokane at the McKinstry Company and at Boeing where we are making the world's most fuel efficient jet. These jobs won't just fall into our lap. Washington has what it takes to win, but the clean energy race is highly competitive. Germany, China and California are not waiting. Neither should we. Over the next four years, we need to show our commitment with policies to promote economic growth, research and development on clean energy, to lock in the next wave of growth and opportunity for the next generation. I look forward to having a real dialogue with the Legislature in the coming weeks on how we best put our ingenuity to work to meet the challenges before us — on creating jobs, educating our children, changing how we do business in state government and creating a culture of leading the world in energy independence. But as we move forward to determine what we will do, we must also remember who we are as a state. Washington is a state that embraces all people for who they are. A state that allows all to love who they will. A state that is never content with today, but is always leading the world in inventing tomorrow. A state whose very name commits itself to the preservation of its own beauty for its own grandchildren and its own great-grandchildren. The Evergreen State. Thank you. Now let's get to work. Thanks a lot."

The President thanked Governor Inslee for his remarks and called upon the committee of honor to escort Governor Inslee from the House Chamber and the Governor retired from the Chamber.

The President called upon the committee of honor to escort the statewide elected officials from the House Chamber and they retired from the Chamber.

The President called upon the committee of honor to escort the Chief Justice and the Justices of the Supreme Court from the House Chamber and they retired from the Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Moeller presiding) assumed the chair.

MOTION

The Speaker (Representative Moeller presiding) called upon the Sergeant at Arms of the House and the Sergeant at Arms of the Senate to escort President of the Senate Brad Owen, President Pro Tempore Tim Sheldon, Senator Ed Murray and Senator Mark Schoesler and the Senate from the House Chamber and the Senate retired from the Chamber.

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

On motion of Representative Sullivan, the House adjourned until 9:55 a.m., January 17, 2013, the 4th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTH DAY

House Chamber, Olympia, Thursday, January 17, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1145 by Representatives Goodman, Klippert, Roberts, Orwall, Moscoso and Liias

AN ACT Relating to providing credit towards child support obligations for veterans benefits; and amending RCW 26.18.190.

Referred to Committee on Judiciary.

HB 1146 by Representatives Nealey, Blake, Chandler, Lytton, Warnick, Schmick and Walsh

AN ACT Relating to certified water right examiner bonding requirements; and amending RCW 90.03.665.

Referred to Committee on Agriculture & Natural Resources.

HB 1147 by Representatives Goodman, Klippert, Moscoso and Hope

AN ACT Relating to unlawful possession of a firearm in the first degree; amending RCW 9.41.040; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1148 by Representatives Pedersen, Rodne and Goodman

AN ACT Relating to dissenters' rights under the Washington business corporation act; amending RCW 23B.13.220 and 23B.13.230; and reenacting and amending RCW 23B.13.020.

Referred to Committee on Judiciary.

HB 1149 by Representative Hurst

AN ACT Relating to increasing the volume of spirits that may be sold per day to a customer of a craft distillery; and amending RCW 66.24.145.

Referred to Committee on Government Accountability & Oversight.

HB 1150 by Representatives Condotta, Manweller, Holy and Short

AN ACT Relating to preventing the curtailment of employment opportunities by allowing employers to pay a training wage for a specified period of time; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1151 by Representatives Goodman, Liias, Habib and Orwall

AN ACT Relating to ordering offenders convicted of vehicular homicide due to alcohol or drugs to pay child support for the victims' minor children; and amending RCW 9.94A.753.

Referred to Committee on Public Safety.

HB 1152 by Representatives Morrell, Sells, Cody, Fitzgibbon, Moscoso, Green and Dunshee

AN ACT Relating to meal and rest breaks for hospital employees; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1153 by Representatives Reykdal, Sells, Green, Moscoso and Dunshee

AN ACT Relating to mandatory overtime for employees of health care facilities; and amending RCW 49.28.130 and 49.28.140.

Referred to Committee on Labor & Workforce Development.

HB 1154 by Representative Upthegrove

AN ACT Relating to modifying the definition of nonpower attributes in the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HB 1155 by Representatives Cody and Schmick

AN ACT Relating to prescription information; amending RCW 69.41.010, 69.50.308, and 69.50.312; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care & Wellness.

HB 1156 by Representatives Blake and Orcutt

AN ACT Relating to consolidating designated forest lands and open space timber lands for ease of administration; amending RCW 84.33.035, 84.33.130, 84.33.140, 84.33.145, 84.34.030, 84.34.041, 84.34.070, 84.34.330, 84.34.340, and 84.34.370; and adding a new section to chapter 84.34 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1157 by Representatives Hunt and Taylor

AN ACT Relating to making nonsubstantive changes to election laws; amending RCW 29A.04.008, 29A.04.013, 29A.04.079, 29A.04.086, 29A.04.097, 29A.04.169, 29A.04.216, 29A.04.321, 29A.04.330, 29A.04.410, 29A.04.420, 29A.08.020, 29A.08.220, 29A.08.230, 29A.08.260, 29A.08.330, 29A.08.340, 29A.08.350, 29A.08.820, 29A.12.005, 29A.12.080, 29A.12.120, 29A.12.150, 29A.20.021, 29A.20.111, 29A.20.121, 29A.20.161, 29A.20.191, 29A.24.020, 29A.24.031, 29A.24.101, 29A.24.320, 29A.28.041, 29A.28.050, 29A.28.061, 29A.32.100, 29A.32.210, 29A.36.010, 29A.36.060, 29A.36.101, 29A.36.121, 29A.36.131, 29A.36.161, 29A.36.201, 29A.40.010, 29A.52.112, 29A.52.210, 29A.52.321, 29A.52.355, 29A.56.040, 29A.56.210, 29A.56.320, 29A.56.360, 29A.56.490, 29A.60.010, 29A.60.060, 29A.60.110, 29A.60.160, 29A.60.165, 29A.60.240, 29A.60.250, 29A.64.021, 29A.64.030, 29A.64.050, 29A.64.061, 29A.64.090, 29A.68.011, 29A.68.020, 29A.72.080, 29A.72.130, 29A.72.250, 29A.72.290, 29A.76.020, 29A.76.030, 29A.80.020, 29A.84.210, 29A.84.261, 29A.84.510, 29A.84.520, 29A.84.711, 29A.88.020, 29A.88.040, 42.12.040, 42.12.070, 46.20.155, 29A.24.311, and 29A.36.040; reenacting and amending RCW 29A.36.170, 29A.40.070, 29A.40.091, and 35.17.020; reenacting RCW 29A.08.520; adding a new section to chapter 29A.08 RCW; adding new sections to chapter 29A.24 RCW; adding new sections to chapter 29A.60 RCW; adding new sections to chapter 29A.56 RCW; adding a new section to chapter 29A.80 RCW; adding a new section to chapter 29A.16 RCW; recodifying RCW 29A.04.240, 29A.20.010, 29A.20.021, 29A.20.030, 29A.20.040, 29A.20.111, 29A.20.121, 29A.20.131, 29A.20.151, 29A.20.161, 29A.20.171, 29A.20.181, 29A.20.191, 29A.28.071, and 29A.76.030; repealing RCW 7.16.370, 29A.04.225, 29A.08.250, 29A.08.785, 29A.12.170, 29A.20.141, 29A.20.201, 29A.24.030, 29A.24.120, 29A.28.011, 29A.28.021, 29A.32.036, 29A.32.050, 29A.36.050, 29A.36.104, 29A.36.106, 29A.36.171, 29A.36.191, 29A.52.011, 29A.52.106, 29A.52.111, 29A.52.116, 29A.52.130, 29A.52.141, 29A.52.151, 29A.53.010, 29A.53.020, 29A.53.030, 29A.53.040, 29A.53.050, 29A.53.060, 29A.53.070, 29A.53.080, 29A.53.090, 29A.53.900, 29A.53.901, 29A.53.902, 29A.80.011, 44.04.015, and 49.28.120; and repealing 2009 c 369 s 27.

Referred to Committee on Government Operations & Elections.

HB 1158 by Representatives Kirby, Green, Pettigrew and Sawyer

AN ACT Relating to the annexation of property owned by the state for military purposes; and amending RCW 38.12.020, 35.13.130, and 35.13.125.

Referred to Committee on Local Government.

HB 1159 by Representatives Lytton, Buys and Morris

AN ACT Relating to increasing the number of superior court judges in Whatcom county; amending RCW 2.08.063; and creating a new section.

Referred to Committee on Judiciary.

HB 1160 by Representatives Warnick, Seaquist, Haler, Manweller, Nealey and Buys

AN ACT Relating to excise taxation of required college instructional materials; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Finance.

HB 1161 by Representatives Hunter, Alexander, Hurst and Condotta

AN ACT Relating to sales for resale by retail licensees of liquor; adding a new section to chapter 66.24 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Government Accountability & Oversight.

HB 1162 by Representatives Overstreet, Shea, Taylor and Short

AN ACT Relating to requiring state agencies to determine whether compliance with a rule will result in a specific economic impact; adding a new section to chapter 34.05 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

HB 1163 by Representatives Taylor, Shea, Overstreet, Short and Manweller

AN ACT Relating to administrative procedures to promote accountability and economic relief; amending RCW 34.05.310, 34.05.313, 34.05.320, 34.05.570, 28A.300.040, 41.50.050, 43.06A.030, 43.19.011, 43.21A.064, 43.24.016, 43.27A.090, 43.30.215, 43.31C.060, 43.33.040, 43.33A.110, 43.59.070, 43.61.040, 43.63A.475, 43.70.580, 43.101.085, 43.115.040, 43.117.050, 43.155.040, 43.160.050, 43.163.100, 43.180.040, 43.200.070, 43.210.060, 43.250.090, 43.320.040, 43.330.040, 47.01.071, 48.02.060, 48.44.050, 48.46.200, 66.08.0501, 77.04.055, 80.01.040, 70.94.181, 76.09.060, 77.55.021, 78.44.081, 86.16.025, 70.95.205, 15.54.820, 43.21C.033, 77.115.040, 16.65.030, 70.119A.110, 90.03.350, 90.03.370, 90.58.140, 70.118B.030, and 36.70B.030; reenacting and amending RCW 34.05.328; adding new sections to chapter 34.05 RCW; adding a new section to chapter 43.17 RCW; adding a new section to chapter 77.12 RCW; adding a new section to chapter 79.02 RCW; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 70.94 RCW; adding a new section to chapter 90.48 RCW; adding a new section to chapter 90.76 RCW; adding a new section to chapter 18.104 RCW; adding a new section to chapter 69.30 RCW; adding a new section to chapter 90.64 RCW; adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; adding a new section to chapter 70.95J RCW; adding a new section to chapter 90.66 RCW; adding new sections to chapter 36.70A

RCW; adding a new section to chapter 43.21H RCW; adding a new chapter to Title 1 RCW; adding a new chapter to Title 36 RCW; adding a new chapter to Title 34 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 1164 by Representatives Taylor, Overstreet, Shea and Rodne

AN ACT Relating to prohibiting the use of international law to infringe on property rights; adding new sections to chapter 42.04 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 90.58 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1165 by Representatives Rodne, Overstreet, Shea and Taylor

AN ACT Relating to prohibiting the state of Washington and its political subdivisions from adopting and developing environmental and developmental policies that would infringe or restrict private property rights without due process; adding a new section to chapter 42.04 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Judiciary.

HB 1166 by Representatives Overstreet, Shea, Taylor and Short

AN ACT Relating to compensation for government required actions on private property; amending RCW 36.70B.030; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1167 by Representatives Taylor, Overstreet, Shea, Short and Rodne

AN ACT Relating to repealing growth management planning requirements in chapter 36.70A RCW; creating new sections; and repealing RCW 36.70A.010, 36.70A.011, 36.70A.020, 36.70A.030, 36.70A.035, 36.70A.040, 36.70A.045, 36.70A.050, 36.70A.060, 36.70A.070, 36.70A.080, 36.70A.085, 36.70A.090, 36.70A.100, 36.70A.103, 36.70A.106, 36.70A.108, 36.70A.110, 36.70A.115, 36.70A.120, 36.70A.130, 36.70A.1301, 36.70A.131, 36.70A.140, 36.70A.150, 36.70A.160, 36.70A.165, 36.70A.170, 36.70A.171, 36.70A.172, 36.70A.175, 36.70A.177, 36.70A.180, 36.70A.190, 36.70A.200, 36.70A.210, 36.70A.215, 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, 36.70A.280, 36.70A.290, 36.70A.295, 36.70A.300, 36.70A.302, 36.70A.305, 36.70A.310, 36.70A.320, 36.70A.3201, 36.70A.330, 36.70A.335, 36.70A.340, 36.70A.345, 36.70A.350, 36.70A.360, 36.70A.362, 36.70A.365, 36.70A.367, 36.70A.368, 36.70A.370, 36.70A.380, 36.70A.385, 36.70A.390, 36.70A.400, 36.70A.410, 36.70A.420, 36.70A.430, 36.70A.450, 36.70A.460, 36.70A.470, 36.70A.480, 36.70A.481, 36.70A.490, 36.70A.500, 36.70A.510, 36.70A.520, 36.70A.530, 36.70A.540, 36.70A.550, 36.70A.570, 36.70A.695, 36.70A.700, 36.70A.702, 36.70A.703, 36.70A.705, 36.70A.710,

36.70A.715, 36.70A.720, 36.70A.725, 36.70A.730, 36.70A.735, 36.70A.740, 36.70A.745, 36.70A.750, 36.70A.755, 36.70A.760, 36.70A.800, 36.70A.900, 36.70A.901, 36.70A.902, 36.70A.903, and 36.70A.904.

Referred to Committee on Local Government.

HB 1168 by Representatives Shea, Taylor, Overstreet, Scott, Condotta, Crouse and Schmick

AN ACT Relating to adopting the Washington state health care freedom act of 2013; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Health Care & Wellness.

HB 1169 by Representatives Shea, Taylor, Overstreet and Short

AN ACT Relating to reevaluating the delegation of authority to state agencies in regards to programs that address greenhouse gas emissions; amending RCW 70.235.020, 70.235.040, 70.235.050, 70.235.060, 70.235.070, 70.120A.010, 70.120A.050, 70.94.151, 70.94.161, 80.80.040, 80.80.080, 47.01.440, 47.01.440, 19.27A.020, and 19.27A.150; adding a new chapter to Title 70 RCW; and repealing RCW 70.235.030 and 80.80.030.

Referred to Committee on Environment.

HB 1170 by Representatives Morrell, Cody, Seaquist, Morris, Green, Ormsby, Freeman, Jinkins, Blake and Moeller

AN ACT Relating to modifying the income thresholds for the exemption and deferral property tax relief programs for senior citizens and persons retired because of physical disability; and amending RCW 84.36.381 and 84.38.030.

Referred to Committee on Finance.

HB 1171 by Representatives Hurst and Dahlquist

AN ACT Relating to pretrial release programs; and adding a new section to chapter 10.21 RCW.

Referred to Committee on Public Safety.

HB 1172 by Representatives Hurst and Dahlquist

AN ACT Relating to children of family day care providers; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1173 by Representative Santos

AN ACT Relating to the financial education public-private partnership; amending RCW 28A.300.450 and 28A.300.460; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

HB 1174 by Representatives Dahlquist, Haigh, Magendanz, Hurst, Wilcox, Fagan, Parker, Hawkins, Hayes, Hargrove, Warnick, Pike, Chandler, Halder, Ross, Schmick, Taylor, Buys and Alexander

AN ACT Relating to complying with the state's constitutional duty to make ample provision for a basic education by prioritizing state funding for K-12 education and targeting state investments on reforms with the highest impact on student success; amending RCW 28A.150.380, 28A.150.220, 28A.150.260, 28A.150.315, and 28A.160.192; adding a new section to chapter 44.04 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

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

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

There being no objection, the Committee on Technology & Economic Development was relieved of HOUSE BILL NO. 1079, and the bill was referred to the Committee on Community Development, Housing & Tribal Affairs.

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

There being no objection, the House adjourned until 10:00 a.m., January 18, 2013, the 5th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTH DAY

House Chamber, Olympia, Friday, January 18, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aaliyah and Melo Johnson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia Washington.

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

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

INTRODUCTIONS AND FIRST READING

HB 1175 by Representatives Nealey, Haler, Klippert, Walsh, Schmick and Fagan

AN ACT Relating to increasing the number of superior court judges in Benton and Franklin counties jointly; amending RCW 2.08.064; and creating a new section.

Referred to Committee on Judiciary.

HB 1176 by Representatives Manweller, Pollet and Haler

AN ACT Relating to restricting bonuses and other incentives in higher education; amending RCW 28B.20.130, 28B.30.150, 28B.35.120, and 28B.40.120; and creating a new section.

Referred to Committee on Higher Education.

HB 1177 by Representatives Lytton, Sullivan, Santos, Maxwell, Reykdal and Fitzgibbon

AN ACT Relating to modifying the education accountability system to allow state criteria, resources, and strategies to be used for assistance and intervention; amending RCW 28A.657.005, 28A.657.010, 28A.657.020, 28A.657.030, 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.070, 28A.657.090, and 28A.657.110; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 1178 by Representatives Lytton, Maxwell, Santos, Seaquist, Reykdal, Sullivan and Fitzgibbon

AN ACT Relating to authorizing alternative assessments of basic skills for teacher certification; amending RCW 28A.410.220; and creating a new section.

Referred to Committee on Education.

HB 1179 by Representatives Morrell, Sawyer, Zeiger and Takko

AN ACT Relating to the lien for collection of sewer utility charges by counties; and amending RCW 36.94.150.

Referred to Committee on Local Government.

HB 1180 by Representatives Scott, Blake and Kristiansen

AN ACT Relating to death benefits for volunteer firefighters and reserve officers; and amending RCW 41.24.160.

Referred to Committee on Appropriations.

HB 1181 by Representatives Upthegrove, Takko and Zeiger

AN ACT Relating to including information on home energy efficiency in residential home inspection reports; amending RCW 18.280.030; and creating a new section.

Referred to Committee on Environment.

HB 1182 by Representatives Harris, Cody, Vick and Nealey

AN ACT Relating to including pharmacists in the legend drug act; and reenacting and amending RCW 69.41.030.

Referred to Committee on Health Care & Wellness.

HB 1183 by Representatives Morris, Smith, Habib, Crouse, Morrell, Magendanz, Freeman, Kochmar, Walsh, Tarleton, Dahlquist, Vick, Zeiger, Maxwell and Hudgins

AN ACT Relating to wireless communications structures; and amending RCW 43.21C.0384.

Referred to Committee on Technology & Economic Development.

HB 1184 by Representatives Takko, Hurst, Klippert, Blake, Springer, Tharinger, Short and Walsh

AN ACT Relating to protecting sport shooting ranges; adding a new section to chapter 9.41 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1185 by Representatives Takko, Alexander, Springer, Tharinger, Clibborn and Kochmar

AN ACT Relating to equitable allocation of auditor costs; and amending RCW 36.18.010.

Referred to Committee on Local Government.

HB 1186 by Representatives Haigh, Nealey, Jinkins, Rodne and Shea

AN ACT Relating to veterinarian immunity from liability when reporting suspected animal cruelty; and adding a new section to chapter 16.52 RCW.

Referred to Committee on Judiciary.

HB 1187 by Representatives Stanford, Warnick, Dunshee and Zeiger

AN ACT Relating to grants for community outdoor and indoor athletic facilities; amending RCW 43.99N.060; and adding a new section to chapter 82.32 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1188 by Representatives Lytton, MacEwen, Haigh, Tharinger, Blake, Wilcox and Morris

AN ACT Relating to creating a focused effort on reestablishing a rural agricultural economy in western Washington by making investments aimed at returning underproducing land back into a state of active agricultural production; adding new sections to chapter 43.23 RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1189 by Representatives Lytton, Morris, Blake and Takko

AN ACT Relating to ensuring a balanced representation of interests on the fish and wildlife commission; amending RCW 77.04.030 and 77.04.040; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1190 by Representatives Angel, Haler, Walsh and Fagan

AN ACT Relating to requiring drug testing for recipients of benefits under the temporary assistance for needy families program; amending RCW 74.08.025 and 74.08A.260; and adding a new section to chapter 74.08A RCW.

Referred to Committee on Early Learning & Human Services.

HB 1191 by Representatives Short, Blake, Takko, Shea, Kretz, Crouse, Schmick and Chandler

AN ACT Relating to protecting livestock against predator attacks; and amending RCW 77.36.030, 77.15.120, 77.15.130, 77.15.410, and 77.15.430.

Referred to Committee on Agriculture & Natural Resources.

HB 1192 by Representatives Short, Blake, Takko, Taylor, Kretz, Crouse, Springer and Chandler

AN ACT Relating to license fees under Title 77 RCW for veterans with disabilities; and amending RCW 77.32.480 and 77.04.150.

Referred to Committee on Agriculture & Natural Resources.

HB 1193 by Representative Wilcox

AN ACT Relating to notifying landowners of applications to construct wind turbines; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 80.50 RCW.

Referred to Committee on Environment.

HB 1194 by Representatives Stanford, Warnick, Lytton, Goodman, Wilcox, Tharinger, Chandler, Blake, Nealey, Orcutt, Hansen and Kirby

AN ACT Relating to limiting liability for habitat projects; and reenacting and amending RCW 77.85.050.

Referred to Committee on Judiciary.

HB 1195 by Representatives Wylie, Buys, Hunt, Van De Wege, Appleton and Orwall

AN ACT Relating to candidate names on the primary ballot; and repealing RCW 29A.52.010 and 29A.52.011.

Referred to Committee on Government Operations & Elections.

HB 1196 by Representatives Chandler, Blake, Warnick and Tharinger

AN ACT Relating to Yakima river basin water resource management; amending RCW 90.38.005, 90.38.010, 90.38.900, and 90.38.902; reenacting and amending RCW 43.84.092 and 43.84.092; adding new sections to chapter 90.38 RCW; providing a contingent effective date; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1197 by Representatives Pollet, Zeiger, Reykdal, Moscoso and Moeller

AN ACT Relating to open public meetings; and amending RCW 42.30.040 and 42.30.060.

Referred to Committee on Government Operations & Elections.

HB 1198 by Representatives Pollet, Hunt, Ryu, Maxwell, Reykdal, Bergquist, Moscoso and Moeller

AN ACT Relating to training public officials and employees regarding public records and open public meetings; adding new sections to chapter 42.30 RCW; adding new sections to chapter 42.56 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1199 by Representatives Blake, Chandler, Takko, Buys, Kirby, Orcutt, Lytton, Van De Wege, Nealey, Hudgins, Stanford, Wilcox and Warnick

AN ACT Relating to ensuring hunter safety; amending RCW 77.32.155; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1200 by Representatives Blake, Wilcox, Takko, Lytton, Klippert, Van De Wege, Nealey, Stanford and Short

AN ACT Relating to labeling of seafood; amending RCW 69.04.060, 69.04.928, 69.04.932, 69.04.933, 69.04.934, and 69.04.935; adding a new section to chapter 69.04 RCW; repealing RCW 69.04.315; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1201 by Representatives Roberts, Haler, Haigh, Hunt, Ryu, Sullivan, Reykdal, Dunshee, Goodman, Fitzgibbon, Pollet, Appleton, Sells and Stanford

AN ACT Relating to the prevention of animal cruelty; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1202 by Representatives Roberts, Haler, Haigh, Hunt, Reykdal, Sullivan, Ryu, Dunshee, Goodman, Fitzgibbon, Pollet, Sells, Appleton, Stanford and Liias

AN ACT Relating to the prevention of animal cruelty; amending RCW 16.52.117, 16.52.207, 16.52.320, and 9.08.070; reenacting and amending RCW 16.52.011; adding new sections to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1203 by Representatives Farrell, Lytton, Kagi, Freeman and Walsh

AN ACT Relating to exempting from public inspection and copying personal information relating to children; and reenacting and amending RCW 42.56.230.

Referred to Committee on Government Operations & Elections.

HB 1204 by Representatives Roberts, Dahlquist, Kagi, Farrell, Walsh, Kochmar, Fey, Seaquist, Johnson, Freeman, Jinkins, Morrell, McCoy, Tarleton, Zeiger, Clibborn, Goodman and MacEwen

AN ACT Relating to sibling visitation for children in foster care; amending RCW 13.34.136; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1205 by Representatives Hunt, Reykdal, Van De Wege, Roberts, Appleton and Orwall

Creating the governor's official inaugural ball committee.

Referred to Committee on Government Operations & Elections.

HB 1206 by Representatives Tharinger, Takko, Jinkins, Springer, Fitzgibbon, Uptegrove, Moeller, Riccelli, Hudgins, Tarleton and Liias

AN ACT Relating to changes to programs relevant to the department of ecology designed to create administrative flexibility; amending RCW 43.21B.305, 70.93.200, 70.93.220, 70.93.250, 70.94.037, 70.95.130, 70.95.140, 70.95.230, 70.95.290, 70.95.530, 70.95C.220, 70.95E.010, 70.95E.040, 70.95I.080, 70.95J.025, 70.105.160, 70.105.180, and 70.105.210; reenacting and amending RCW 43.21B.110, 43.21B.110, and 43.21B.300; repealing RCW 70.93.090, 70.94.505, and 70.95.545; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1207 by Representatives Haigh and Takko

AN ACT Relating to cemetery district formation requirements; and amending RCW 68.52.100 and 68.52.170.

Referred to Committee on Local Government.

SCR 8400 by Senators Schoesler and Fraser

Calling joint sessions for various purposes.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8400 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8400, by Senators Schoesler and Fraser

Calling joint sessions for various purposes.

The resolution was read the second time.

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

Representative Van De Wege spoke in favor of the passage of the resolution.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Concurrent Resolution No. 8400.

SENATE CONCURRENT RESOLUTION NO. 8400, was declared passed.

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

There being no objection, the Committee on Government Accountability & Oversight was relieved of HOUSE BILL NO. 1084, and the bill was referred to the Committee on Health Care & Wellness.

There being no objection, the Committee on Transportation was relieved of HOUSE BILL NO. 1130, and the bill was referred to the Committee on Business & Financial Services.

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

There being no objection, the House adjourned until 10:00 a.m., January 21, 2013, the 8th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTH DAY

House Chamber, Olympia, Monday, January 21, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alicyn Sauvageau and Colin Albert. Barbara Ruble played the piano while the Chamber sang, "America the Beautiful". The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Lee Forstrom, Westwood Baptist Church, Olympia Washington.

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

Representatives Pedersen and Walsh led the Chamber in singing, "Lift Every Voice and Sing", accompanied by Barbara Ruble on piano.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4603, by Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, Today, January 21, 2013, we join with the people of the state of Washington and throughout our nation in celebration, and in reflection, of the life and legacy of the Reverend Dr. Martin Luther King, Jr.; and

WHEREAS, We recall Dr. King's words almost half a century ago when he stood bravely in our nation's capital, in the shadow of the Lincoln Memorial, a magnificent tribute to the Great Emancipator, and articulated to all Americans a bold vision, declaring, "I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident, that all men are created equal"; and

WHEREAS, We remember Dr. King's courageous words and his unwavering commitment in the face of tyranny and oppression; in abuse and incarceration; and we thank him for his sacrifice; and

WHEREAS, Dr. King's work, and the mere mention of his name, are synonymous with peace and equality; and

WHEREAS, He received the Nobel Prize for Peace in 1964, the youngest man to ever be selected for this singular honor; and

WHEREAS, Dr. King and his followers helped change the status quo through nonviolent means, with protests at lunch counters and a march on Selma; and

WHEREAS, Dr. King helped bring an overdue end to segregation in America and a new beginning for our nation, thereby fulfilling the promise of a democracy for every American. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 became law because of the blood and tears shed, and the sweat invested, by Dr. King and his multitude of followers representing every community and every neighborhood of our great land; and

WHEREAS, Best known for leading the action and movement to halt racial injustice, Dr. King is also justly renowned for organizing the "Poor People's Campaign" to address and overcome issues of economic injustice; and

WHEREAS, Americans continue to honor and find inspiration in his work long after assassination took him from his family and from his country in 1968, awarding him the Presidential Medal of Freedom in 1977, and the Congressional Gold Medal in 2004; and

WHEREAS, We wonder what Dr. King would think today as we stand here on the eve of history, as our first African-American president readies to be sworn in for a second term; and

WHEREAS, We reflect on how far we have come and how far we still must travel. We contemplate what Dr. King's dream means for a new generation of dreamers;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, on behalf of the people of our state, recognize the importance of the life and work of the Reverend Dr. Martin Luther King, Jr. to the civil society and freedoms of the United States of America and of the state of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives honor Dr. King's memory by remembering that we, too, must remain resolute in our own pursuit of his dream of justice and equality for all people.

Representative Freeman moved adoption of HOUSE RESOLUTION NO. 4603

Representatives Freeman, Angel, Hansen and Magendanz spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4603 was adopted.

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

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

INTRODUCTIONS AND FIRST READING

HB 1208 by Representatives Reykdal, Haler, Lytton, Carlyle, Seaquist, Wylie, Pollet, Jinkins, Ryu, Zeiger, Scott and Fagan

AN ACT Relating to establishing the digital college in the high school for high school students to earn dual credit

through online courses; adding new sections to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1209 by Representatives MacEwen, Blake, Chandler, Stonier and Wilcox

AN ACT Relating to extending the program establishing Christmas tree grower licensure; and amending 2007 c 335 s 19 (uncodified).

Referred to Committee on Agriculture & Natural Resources.

HB 1210 by Representatives Fey, Upthegrove, Fitzgibbon and Liias

AN ACT Relating to the expansion of the membership of the capital projects advisory review board; and amending RCW 39.10.220 and 43.131.408.

Referred to Committee on Capital Budget.

HB 1211 by Representatives Alexander and Hunt

AN ACT Relating to primary election voters' pamphlets; amending RCW 29A.32.010; and repealing RCW 29A.32.036.

Referred to Committee on Government Operations & Elections.

HB 1212 by Representatives Condotta and Kirby

AN ACT Relating to prohibiting the use of credit history in insurance coverage related to a residence; and amending RCW 48.18.545 and 48.19.035.

Referred to Committee on Business & Financial Services.

HB 1213 by Representatives Orwall and Pettigrew

AN ACT Relating to social worker licensing; amending RCW 18.225.010, 18.225.090, 18.225.145, and 43.70.442; and adding new sections to chapter 18.225 RCW.

Referred to Committee on Health Care & Wellness.

HB 1214 by Representatives Zeiger, Orwall, Morrell and Smith

AN ACT Relating to providing property tax relief for active duty military personnel injured in the line of duty; and amending RCW 84.36.379, 84.36.381, 84.36.383, and 84.36.385.

Referred to Committee on Finance.

HB 1215 by Representatives Sells and McCoy

AN ACT Relating to the exemption for property owned by nonprofit religious organizations; amending RCW 84.36.020 and 84.36.020; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1216 by Representatives Habib, Clibborn and Jinkins

AN ACT Relating to eosinophilia gastrointestinal associated disorders; and amending RCW 48.20.520, 48.21.300, 48.44.440, and 48.46.510.

Referred to Committee on Health Care & Wellness.

HB 1217 by Representative Takko

AN ACT Relating to strengthening the integrity, fairness, and equity in Washington's property assessment system; and amending RCW 84.40.038.

Referred to Committee on Local Government.

HB 1218 by Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short and Warnick

AN ACT Relating to department of fish and wildlife license suspensions; and amending RCW 77.15.670.

Referred to Committee on Agriculture & Natural Resources.

HB 1219 by Representatives Kretz, Lytton, Klippert, Stanford, Orcutt, Blake, Wilcox, Warnick, Nealey and Buys

AN ACT Relating to large wild carnivore conflict management; amending RCW 77.08.030, 77.36.100, 77.36.130, 46.18.200, 46.17.220, 46.68.425, and 46.18.060; reenacting and amending RCW 77.36.010 and 77.12.170; adding new sections to chapter 77.36 RCW; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Agriculture & Natural Resources.

HB 1220 by Representatives Blake, Chandler, Lytton and Buys

AN ACT Relating to milk and milk products; amending RCW 15.36.201, 15.36.451, and 15.36.454; repealing RCW 15.36.457 and 15.36.471; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1221 by Representatives Upthegrove and Short

AN ACT Relating to coal transition power; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HB 1222 by Representatives Upthegrove and Short

AN ACT Relating to coal transition power; amending RCW 19.285.040; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HB 1223 by Representatives Kretz, Blake and Orcutt

AN ACT Relating to denials of forest practices applications; amending RCW 76.09.050 and 76.09.050; adding a new

section to chapter 76.09 RCW; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1224 by Representatives Kretz and Takko

AN ACT Relating to providing a process for county legislative authorities to withdraw from voluntary planning under the growth management act; and amending RCW 36.70A.040 and 36.70A.060.

Referred to Committee on Local Government.

HB 1225 by Representatives Hunt and Reykdal

AN ACT Relating to cost savings and efficiencies in mailing notices of revocation to habitual traffic offenders; and amending RCW 46.65.065.

Referred to Committee on Public Safety.

HB 1226 by Representatives Ormsby, Alexander and Sullivan

AN ACT Relating to restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by another state retirement system; and amending RCW 41.40.037.

Referred to Committee on Appropriations.

HB 1227 by Representatives Hunt and Reykdal

AN ACT Relating to cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders; and amending RCW 74.20A.320.

Referred to Committee on Judiciary.

HB 1228 by Representative Hunt

AN ACT Relating to education requirements for family day care providers; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1229 by Representatives Haigh, Haler, Dunshee, Hunt, Roberts, Sullivan, Ryu, Fitzgibbon, Lias, Pollet, Reykdal, Sells, Stanford, Appleton and Goodman

AN ACT Relating to enhancing local animal care and control functions primarily through the provision of a means for low-income individuals to receive assistance for animal population control services; amending RCW 15.53.9018, 15.53.9044, and 18.92.260; adding a new chapter to Title 74 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture & Natural Resources.

HB 1230 by Representatives Green, Warnick, Jinkins, Harris, Cody, Moeller, Clibborn and Morrell

AN ACT Relating to persons who are pursuing a course of study leading to a degree as a physical therapist or physical therapist assistant; and amending RCW 18.74.150 and 18.74.180.

Referred to Committee on Health Care & Wellness.

HB 1231 by Representatives Stanford, Kirby, Manweller, Ross, Nealey, Ryu, Warnick, Hudgins and Van De Wege

AN ACT Relating to establishing continuing education requirements for engineers; amending RCW 18.43.080; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1232 by Representatives Sells, Zeiger, Morrell, Hayes, McCoy, Klippert, Fey and Holy

AN ACT Relating to conditions under which the department of corrections provides rental vouchers to a registered sex offender; amending RCW 9.94A.729; providing an effective date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1233 by Representatives Jinkins, Moscoso, Fitzgibbon, Sells, Morrell, Green, Dunshee, Van De Wege, Moeller and Bergquist

AN ACT Relating to including health in the state transportation system policy goals; amending RCW 47.04.280; and creating a new section.

Referred to Committee on Transportation.

HB 1234 by Representatives Pike and Harris

AN ACT Relating to delaying new storm water requirements for phase I jurisdictions; and amending RCW 90.48.260.

Referred to Committee on Environment.

HB 1235 by Representatives Pike, Takko and Harris

AN ACT Relating to prioritizing state investments in storm water control; amending RCW 90.48.290 and 90.48.285; reenacting and amending RCW 70.105D.070; and adding a new section to chapter 43.21A RCW.

Referred to Committee on Environment.

HB 1236 by Representatives Pike, Zeiger, Shea, Chandler, Harris, Smith, Alexander and Fagan

AN ACT Relating to establishing consistent standards for agency decision making; amending RCW 70.94.181, 76.09.060, 77.55.021, 78.44.081, 86.16.025, 70.95.205, 15.54.820, 43.21C.033, 77.115.040, 16.65.030, 70.119A.110, 90.03.350, 90.03.370, 90.58.140, and 70.118B.030; adding a new section to chapter 70.94 RCW; adding a new section to chapter 90.48 RCW; adding a new section to chapter 18.104 RCW; adding a new section to chapter 69.30 RCW; adding a new section to chapter 90.64 RCW; adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; adding a

new section to chapter 70.95J RCW; and adding a new section to chapter 90.66 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1237 by Representatives Pike, Van De Wege, Chandler, Takko, Harris, Hope, Moeller, Hayes, Moscoso and Wylie

AN ACT Relating to the creation of a storm water compliance pilot project; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Environment.

HB 1238 by Representatives Moscoso, Hargrove, Kirby, Shea, Moeller, Upthegrove, Hunt, Orcutt, Short and Tharinger

Allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

Referred to Committee on Transportation.

HB 1239 by Representatives Takko and Crouse

AN ACT Relating to the powers of water-sewer districts; and amending RCW 57.08.005.

Referred to Committee on Local Government.

HB 1240 by Representatives Takko, Kochmar, Fitzgibbon, Crouse and Upthegrove

AN ACT Relating to the use of the job order contracting procedure by certain water-sewer districts; and amending RCW 39.10.420.

Referred to Committee on Local Government.

HB 1241 by Representatives Takko, Kochmar, Fitzgibbon, Crouse and Upthegrove

AN ACT Relating to contractor's bond; amending RCW 39.08.030 and 39.08.030; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

HB 1242 by Representatives Moscoso, Zeiger, Morrell, Johnson and Roberts

AN ACT Relating to vehicle subagents; and amending RCW 46.01.140.

Referred to Committee on Transportation.

HB 1243 by Representatives Haigh, MacEwen, Blake, Sullivan, Orcutt, Ryu, Maxwell, Upthegrove, Lytton, Van De Wege, Kretz and Warnick

AN ACT Relating to expiration dates affecting the department of natural resources' timber sale program; amending 2009 c 418 s 7 (uncodified); amending 2010 c 126 ss 15 and 16 (uncodified); providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture & Natural Resources.

HB 1244 by Representatives Stanford, Orcutt, Ryu, Warnick, Maxwell, Blake, Upthegrove, Lytton, MacEwen and Van De Wege

AN ACT Relating to clarifying the department of natural resources' authority to enter into cooperative agreements; and amending RCW 79.10.130.

Referred to Committee on Agriculture & Natural Resources.

HB 1245 by Representatives Hansen, Smith, Ryu, Wilcox, Maxwell, Warnick, Blake, Upthegrove, MacEwen, Lytton, Van De Wege, Takko and Walsh

AN ACT Relating to derelict and abandoned vessels in state waters; amending RCW 88.02.640, 79.100.100, 88.26.020, 53.08.320, 79A.65.020, 79A.65.030, 79.100.130, 43.19.1919, 88.02.380, 88.02.340, 88.02.550, 79.100.120, and 79.100.110; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding new sections to chapter 79.100 RCW; adding new sections to chapter 77.12 RCW; adding new sections to chapter 79A.05 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding new sections to chapter 36.32 RCW; adding new sections to chapter 53.08 RCW; creating new sections; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture & Natural Resources.

HB 1246 by Representatives Blake, Kretz, Kirby, Orcutt, Haler, Warnick, Condotta, Dahlquist, MacEwen, Taylor, Shea, Upthegrove, Hargrove, Short, Holy and Ross

AN ACT Relating to removing certain requirements for motorcycle helmet use; and amending RCW 46.37.530 and 46.37.535.

Referred to Committee on Transportation.

HB 1247 by Representatives Hansen, Warnick, Smith, Zeiger, Fey and Springer

AN ACT Relating to the job skills program; amending RCW 28C.04.420; reenacting and amending RCW 28C.04.410; and adding a new section to chapter 28C.04 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1248 by Representatives Maxwell, Pettigrew, Lytton, Stonier, Orwall, McCoy, Bergquist, Freeman, Tarleton and Morrell

AN ACT Relating to supporting music education for young children in public schools; adding a new section to chapter 28A.630 RCW; and creating a new section.

Referred to Committee on Education.

HB 1249 by Representatives Warnick, Manweller, Kretz and Chandler

AN ACT Relating to exempting from prevailing wage requirements public works projects undertaken to repair fire

damage; adding a new section to chapter 39.12 RCW; and providing an expiration date.

Referred to Committee on Labor & Workforce Development.

HB 1250 by Representatives Orwall, Carlyle, Pollet, Goodman, Roberts, Appleton, Maxwell, Hunt, Moscoso, Zeiger, Walsh, Green and Fitzgibbon

AN ACT Relating to juveniles and runaway children; and amending RCW 13.32A.030, 13.32A.082, 13.32A.085, and 43.43.510.

Referred to Committee on Early Learning & Human Services.

HB 1251 by Representatives Stonier, Carlyle, Seaquist, Harris, Maxwell, Takko, Kochmar, Vick, MacEwen, Fitzgibbon, Morrell and Tarleton

AN ACT Relating to membership on the opportunity scholarship board; and amending RCW 28B.145.020.

Referred to Committee on Higher Education.

HB 1252 by Representatives Stonier, Carlyle, Sullivan, Lytton, Hunt, Maxwell, Harris, Takko, Fitzgibbon, Morrell and Tarleton

AN ACT Relating to K-12 professional development for teachers and principals; adding a new section to chapter 28B.20 RCW; and creating new sections.

Referred to Committee on Education.

HB 1253 by Representatives Blake, Orcutt, Takko, Dahlquist, Haigh, Hunt, Walsh, Lytton, Nealey, Morris, Hudgins and McCoy

AN ACT Relating to the lodging tax; amending RCW 67.28.1816; reenacting and amending RCW 67.28.080; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1254 by Representatives Manweller and Condotta

AN ACT Relating to prevailing wage filings; and amending RCW 39.12.040.

Referred to Committee on Labor & Workforce Development.

HB 1255 by Representative Manweller

AN ACT Relating to exemptions from prevailing wage for school plant facilities receiving state funding assistance through the school construction assistance program; and amending RCW 39.12.020.

Referred to Committee on Labor & Workforce Development.

HB 1256 by Representatives Fey, Orcutt and Tarleton

AN ACT Relating to project selection by the freight mobility strategic investment board; and amending RCW 47.06A.020 and 46.68.300.

Referred to Committee on Transportation.

HB 1257 by Representatives Shea, Taylor, Buys, Klippert and Kristiansen

AN ACT Relating to requiring parental notification for abortion; adding a new section to chapter 9.02 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1258 by Representative Kretz

AN ACT Relating to ensuring that all Washingtonians share in the benefits of an expanding wolf population; adding a new section to chapter 77.36 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1259 by Representatives Overstreet, Klippert, Taylor, Shea, Condotta, Buys, Short and Kristiansen

AN ACT Relating to declaring that the right to life, as recognized in the Declaration of Independence and guaranteed by the Constitutions of the United States and Washington state, is vested in each human being beginning at the moment at which an individual comes into being; and adding a new chapter to Title 1 RCW.

Referred to Committee on Health Care & Wellness.

HB 1260 by Representatives Warnick and Stanford

AN ACT Relating to public facilities' grants and loans; amending RCW 43.160.010, 43.160.020, 43.160.030, 43.160.050, 43.160.076, 43.160.080, and 43.160.900; adding new sections to chapter 43.160 RCW; and repealing RCW 43.160.060, 43.160.070, and 43.160.078.

Referred to Committee on Technology & Economic Development.

HJR 4204 by Representatives Manweller, Johnson, Short, Klippert, Kristiansen, Vick and Smith

Amending the Constitution to require legislative approval of certain agency rules.

Referred to Committee on Government Operations & Elections.

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

REPORTS OF STANDING COMMITTEES

January 16, 2013

HB 1034 Prime Sponsor, Representative Kirby: Regulating the licensing of escrow agents. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority

Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 16, 2013

HB 1035 Prime Sponsor, Representative Kirby: Addressing title insurance rate filings. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 16, 2013

HB 1036 Prime Sponsor, Representative Kirby: Regulating service contracts. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., January 22, 2013, the 9th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINTH DAY

House Chamber, Olympia, Tuesday, January 22, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1261 by Representative Hope

AN ACT Relating to the provision of short-term emergency and crisis care for children removed from their homes; amending RCW 74.15.020; adding a new section to chapter 74.15 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1262 by Representative Moeller

AN ACT Relating to eliminating the disparate treatment of HIV in the criminal justice system; amending RCW 9A.36.011, 9A.36.021, and 70.24.140; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1263 by Representatives Angel, Van De Wege, Cody and Tharinger

AN ACT Relating to reducing the financial loss to emergency medical care and transportation services by ensuring direct payment for emergency transportation services; and amending RCW 48.44.026.

Referred to Committee on Health Care & Wellness.

HB 1264 by Representatives Haigh, Chandler and Takko

AN ACT Relating to partial fire district mergers; and amending RCW 52.06.090, 52.06.100, and 52.06.140.

Referred to Committee on Local Government.

HB 1265 by Representatives Freeman, Rodne and Goodman

AN ACT Relating to modifying provisions in the forms for traffic infraction notices; and amending RCW 46.63.060.

Referred to Committee on Transportation.

HB 1266 by Representatives Rodne, Pedersen, Nealey, Goodman, Freeman and Hunt

AN ACT Relating to modifying the mandatory retirement provision for district judges; and amending RCW 3.74.030.

Referred to Committee on Judiciary.

HB 1267 by Representatives Fitzgibbon, Hunt, Stanford, Appleton, Ryu, Van De Wege, Lytton, Tharinger, Hudgins, Liias, Upthegrove, Farrell, Cody, Sawyer, Jinkins and Roberts

AN ACT Relating to extending the time period for voter registration; amending RCW 29A.08.140; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1268 by Representatives Springer, Parker, Morrell, Kochmar, Upthegrove, Goodman, Zeiger and Freeman

AN ACT Relating to local government purchasing; and amending RCW 39.30.040.

Referred to Committee on Local Government.

HB 1269 by Representatives Smith and Takko

AN ACT Relating to legal entities casting votes in diking districts; and amending RCW 85.38.010, 85.38.105, and 85.38.110.

Referred to Committee on Local Government.

HB 1270 by Representatives Morrell, Schmick, Green, Harris and Cody

AN ACT Relating to making the board of denturists the disciplining authority for licensed denturists; amending RCW 18.30.030, 18.30.065, 18.30.090, 18.30.095, 18.30.130, and 18.30.135; reenacting and amending RCW 18.130.040 and 18.130.040; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1271 by Representatives Jinkins, Johnson, Morrell, Green, Harris and Cody

AN ACT Relating to the practice of denturism; amending RCW 18.30.010; adding a new section to chapter 18.30 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1272 by Representatives Walsh, Pettigrew, Chandler, Takko, Shea, Blake, Kretz, Kirby, Nealey and Morris

AN ACT Relating to exempting from business and occupation tax certain amounts received by cooperative finance organizations; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1273 by Representatives Jinkins, Appleton, Dunshee, Moscoso, Lytton, Roberts, Green, Ryu, Pollet, Stanford, Reykdal, Goodman, Fitzgibbon, Hunt, Cody, Sullivan, Ormsby, Farrell, Fey, Lias, McCoy, Van De Wege and Pettigrew

AN ACT Relating to restoring funding to in-home care services; amending RCW 82.04.050; adding a new section to chapter 74.09 RCW; creating a new section; repealing RCW 82.08.0273; and providing an effective date.

Referred to Committee on Finance.

HB 1274 by Representatives Alexander, Takko and Taylor

AN ACT Relating to local government practices and procedures; amending RCW 35.33.075, 35.34.120, and 35.34.130; adding a new section to chapter 35.21 RCW; and repealing RCW 36.28.060.

Referred to Committee on Local Government.

HB 1275 by Representatives Hunt, Upthegrove and Dunshee

AN ACT Relating to domestic wastewater facilities permit discharge fees; and reenacting and amending RCW 90.48.465.

Referred to Committee on Environment.

HB 1276 by Representatives Reykdal, Hunt, Tharinger, Wylie, Pollet, Jinkins, Ryu and Roberts

AN ACT Relating to dropout prevention through engaging youth in farming; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1277 by Representatives Sawyer, Zeiger, McCoy, Angel, Appleton, Morris, Kirby, Maxwell, Santos, Lias, Tarleton, Freeman, Morrell, Riccelli, Wilcox and Lytton

AN ACT Relating to tribes holding conservation easements; and amending RCW 64.04.130 and 84.34.210.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1278 by Representatives Bergquist, Van De Wege, Fitzgibbon, Hunt and Appleton

AN ACT Relating to prepaid postage for ballot envelopes; amending RCW 29A.04.420; and reenacting and amending RCW 29A.40.091.

Referred to Committee on Government Operations & Elections.

HB 1279 by Representatives Bergquist, Riccelli, Hunt, Sawyer, Farrell, Stonier, Reykdal, Fitzgibbon, Lytton, Lias, Maxwell and Orwall

AN ACT Relating to motor voter preregistration for sixteen and seventeen year olds; amending RCW 46.20.155 and 29A.08.710; reenacting and amending RCW 42.56.250; and creating new sections.

Referred to Committee on Government Operations & Elections.

HB 1280 by Representatives Upthegrove, Orwall, Sullivan and Morrell

AN ACT Relating to the veterans innovations program; amending RCW 43.60A.185; repealing RCW 43.131.405 and 43.131.406; and making appropriations.

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

HB 1281 by Representative Haler

AN ACT Relating to allowing retail licensees to make group purchases under certain circumstances; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1282 by Representative Haler

AN ACT Relating to eliminating the spirits retail license issuance fee; and amending RCW 66.24.630.

Referred to Committee on Government Accountability & Oversight.

HB 1283 by Representatives Maxwell, Stonier, Johnson, Hunt, Reykdal, Bergquist, Sawyer, Pollet, Cody, Kagi, Roberts, Orwall and Lytton

AN ACT Relating to changing compulsory school attendance requirements for children six and seven years of age; amending RCW 28A.225.010, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035, 28A.225.090, and 28A.200.010; and repealing RCW 28A.225.015.

Referred to Committee on Education.

HB 1284 by Representatives Roberts, Walsh, Kagi, Sawyer, Goodman, Freeman and Farrell

AN ACT Relating to the rights of parents who are incarcerated or in residential substance abuse treatment; amending RCW 13.34.067, 13.34.132, 13.34.136, and 13.34.145; and reenacting and amending RCW 13.34.030 and 13.34.180.

Referred to Committee on Early Learning & Human Services.

HB 1285 by Representatives Goodman, Freeman, Pettigrew, Jinkins, Walsh, Kirby, Orwall, Roberts, Appleton and Seaquist

AN ACT Relating to representation of children in dependency matters; amending RCW 13.34.100 and 13.34.105; and creating a new section.

Referred to Committee on Judiciary.

HB 1286 by Representatives Sawyer, Dahlquist, McCoy and Clibborn

AN ACT Relating to the sale or exchange of unused department of transportation lands to federally recognized Indian tribes; and amending RCW 47.12.080.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1287 by Representatives Appleton, Dahlquist, Hurst and McCoy

Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1288 by Representatives Moeller and Clibborn

AN ACT Relating to the construction of a state boundary bridge; and amending RCW 47.56.042.

Referred to Committee on Transportation.

HB 1289 by Representative Morris

AN ACT Relating to the use of an energy storage facility to meet annual targets under RCW 19.285.040; amending RCW 19.285.040; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HB 1290 by Representatives Orwall, Hunt, Bergquist, Fitzgibbon, Maxwell, Lytton and McCoy

AN ACT Relating to placement of ballot drop boxes; and adding a new section to chapter 29A.40 RCW.

Referred to Committee on Government Operations & Elections.

HB 1291 by Representatives Orwall, Kochmar, Hope, Parker and Goodman

AN ACT Relating to services for victims of the sex trade; and amending RCW 9.68A.105, 9A.88.120, and 9A.88.140.

Referred to Committee on Public Safety.

HB 1292 by Representatives Orwall, Goodman, Roberts, Appleton, Green, Hope, Kochmar and Moscoso

AN ACT Relating to vacating prostitution convictions; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1293 by Representatives Hope, Dunshee, Hurst, Sells, Santos, McCoy, Walsh, Moscoso, Appleton, Bergquist, Springer, Haler, Hunt, Pollet, Fitzgibbon, Lytton, Jinkins, Roberts, Wylie, Liias and Haigh

AN ACT Relating to requiring school districts, with the assistance of the office of the superintendent of public instruction, to disclose information about required assessments; adding a new section to chapter 28A.655 RCW; and creating a new section.

Referred to Committee on Education.

HB 1294 by Representatives Van De Wege, Hudgins, Pollet, Maxwell, Hunt, Upthegrove, Tharinger, Fey, Farrell, Moscoso, Hunter, Stanford, Reykdal, Fitzgibbon, Bergquist, Tarleton, Goodman, Kagi and Hansen

AN ACT Relating to flame retardants; amending RCW 70.76.010, 70.76.070, 70.76.100, and 70.240.030; and adding new sections to chapter 70.76 RCW.

Referred to Committee on Environment.

HB 1295 by Representatives Hunt, Rodne, Hurst, Wilcox, Appleton, Zeiger, Moscoso and McCoy

AN ACT Relating to modifying the powers and duties of the gambling commission; amending RCW 9.46.010 and 9.46.070; and declaring an emergency.

Referred to Committee on Government Accountability & Oversight.

HB 1296 by Representative Morris

AN ACT Relating to requiring integrated resource plans developed by electric utilities to include an assessment of energy storage systems; and amending RCW 19.280.010, 19.280.020, and 19.280.030.

Referred to Committee on Environment.

HB 1297 by Representatives Springer and Hunt

AN ACT Relating to implementing a recommendation of the sunshine committee; and amending RCW 13.34.100.

Referred to Committee on Government Operations & Elections.

HB 1298 by Representatives Springer and Hunt

AN ACT Relating to implementing recommendations of the sunshine committee; amending RCW 42.56.330, 48.37.060, and 70.148.060; and reenacting and amending RCW 42.56.230 and 42.56.250.

Referred to Committee on Government Operations & Elections.

HB 1299 by Representatives Springer and Hunt

AN ACT Relating to implementing recommendations of the sunshine committee; and amending RCW 42.56.240 and 42.56.400.

Referred to Committee on Government Operations & Elections.

HB 1300 by Representatives Wylie, Moeller, Hunt, Tharinger, Lytton and Pollet

AN ACT Relating to the sale of memorial markers by cemetery districts; and amending RCW 68.52.190.

Referred to Committee on Local Government.

HB 1301 by Representative Morris

AN ACT Relating to creating clean energy jobs in Washington state through renewable energy incentives; amending RCW 82.16.110, 82.16.120, 43.180.260, and 82.16.130; and adding new sections to chapter 82.16 RCW.

Referred to Committee on Technology & Economic Development.

HB 1302 by Representatives Roberts, Walsh, Kagi, Goodman, Carlyle, Freeman, Stonier, Reykdal, Lytton and Jinkins

AN ACT Relating to extended foster care services; amending RCW 13.34.145, 13.34.267, 13.34.232, 74.13.020, and 74.13.031; reenacting and amending RCW 13.04.030, 13.34.030, 74.13.020, and 74.13.031; adding a new section to chapter 13.34 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1303 by Representatives Morris and Angel

AN ACT Relating to extending the business and occupation tax credit for research and development; amending RCW 82.04.4452; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1304 by Representatives Hargrove, Hudgins, Pettigrew, Bergquist and Sullivan

AN ACT Relating to authorizing approval of online school programs in private schools; adding a new section to chapter 28A.195 RCW; and creating new sections.

Referred to Committee on Education.

HJM 4000 by Representatives Hayes, Seaquist, MacEwen, Rodne and Orwall

Requesting that Interstate 5 be named the "Purple Heart Trail."

Referred to Committee on Transportation.

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

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

There being no objection, the House adjourned until 9:55 a.m., January 23, 2013, the 10th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TENTH DAY

House Chamber, Olympia, Wednesday, January 23, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1305 by Representatives Hope, Moscoso, Klippert, Hayes, Takko, Pettigrew and Sells

AN ACT Relating to vehicle prowling; amending RCW 9A.52.100; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1306 by Representatives Wylie, Moeller, Harris, Pike, Johnson, Chandler and Sells

AN ACT Relating to extending the expiration dates of the local infrastructure financing tool program; amending RCW 39.102.904 and 82.14.475; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1307 by Representatives Goodman, Lytton, Wylie, Jinkins and Cody

AN ACT Relating to sexual assault protection orders; amending RCW 7.90.040, 7.90.050, 7.90.120, 7.90.140, and 7.90.170; adding new sections to chapter 7.90 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1308 by Representatives Kirby, Harris, Blake, Klippert, Goodman, Rodne and Takko

AN ACT Relating to the disclosure of vehicle owner information; and reenacting and amending RCW 46.12.635.

Referred to Committee on Judiciary.

HB 1309 by Representatives Upthegrove, Short, Magendanz, Nealey, Morris, Walsh, Takko, McCoy and Lias

AN ACT Relating to directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate; and amending RCW 70.93.020, 70.93.180, and 70.93.200.

Referred to Committee on Environment.

HB 1310 by Representatives Fitzgibbon, Rodne, Morris, Lias, Chandler, Nealey, Walsh, Springer, Magendanz, Hunt, Appleton, Cody, Jinkins and Tharinger

AN ACT Relating to reducing the littering of retail carryout bags; adding a new section to chapter 70.93 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.32 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1311 by Representatives Chandler and Sells

AN ACT Relating to making coverage of certain maritime service elective for purposes of unemployment compensation; amending RCW 50.24.160 and 50.04.170; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1312 by Representatives Wylie, Hunt, Takko, Roberts and Fitzgibbon

AN ACT Relating to transparency, accountability, and uniformity for county treasurers; and adding new sections to chapter 36.29 RCW.

Referred to Committee on Local Government.

HB 1313 by Representatives Jinkins, Farrell, Morrell, Green, Dunshee, Lytton, Sawyer, Sells, Fitzgibbon, Riccelli and Moeller

AN ACT Relating to establishing minimum standards for sick and safe leave from employment; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1314 by Representatives Green, O'Ban, Zeiger, Fey and Upthegrove

AN ACT Relating to municipally produced class A biosolids; reenacting and amending RCW 15.54.270; and providing an effective date.

Referred to Committee on Environment.

HB 1315 by Representatives Hayes, Pettigrew, Van De Wege, Hurst, Hope, Dahlquist, Ormsby, Goodman, Chandler, Nealey, Scott, Pike, Holy, Parker, O'Ban and Riccelli

AN ACT Relating to providing funding to continue standardized or mandatory criminal justice training associated with the criminal justice training commission; amending RCW 46.63.110; adding a new section to chapter 43.101 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1316 by Representatives Springer, Manweller, Roberts, Condotta and Clibborn

AN ACT Relating to independent medical exam and consultation and vocational rehabilitation assessment scheduling authority for qualified retrospective rating plan employers and groups; amending RCW 51.04.1101; and adding a new section to chapter 51.18 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1317 by Representatives Taylor, Shea and Overstreet

AN ACT Relating to elections pertaining to poll-site voting and voting identification requirements; amending RCW 29A.32.241, 29A.40.010, and 29A.40.160; adding a new section to chapter 29A.40 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Government Operations & Elections.

HB 1318 by Representatives Taylor, Blake, Shea and Overstreet

AN ACT Relating to concealed pistol license renewal notices; and amending RCW 9.41.070.

Referred to Committee on Judiciary.

HB 1319 by Representatives Johnson, McCoy, Ross, Hunt, Rodne, Orwall, Green, Jinkins, Upthegrove, Chandler, Orcutt, Pedersen, Vick, Roberts, Alexander, Klippert, Holy, Short, Morrell, Smith, Buys, Kochmar, Lias and Moeller

AN ACT Relating to recognizing a welcome home Vietnam veterans day; and amending RCW 1.16.050 and 1.20.017.

Referred to Committee on Government Operations & Elections.

HB 1320 by Representatives Zeiger, Seaquist, Haler and Pollet

AN ACT Relating to an online higher education transfer and student advising system; and adding a new section to chapter 28B.77 RCW.

Referred to Committee on Higher Education.

HB 1321 by Representatives Jinkins, Cody, Green, McCoy and Moeller

AN ACT Relating to the establishment of food and beverage provision and service policies; and adding a new chapter to Title 70 RCW.

Referred to Committee on Government Operations & Elections.

HB 1322 by Representatives Seaquist, Kretz, Sells, Springer and Walsh

AN ACT Relating to allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program; amending RCW 28B.92.030, 28B.105.020, 28B.133.010, 28B.133.050, and 43.88C.010; and providing an effective date.

Referred to Committee on Higher Education.

HB 1323 by Representatives Lytton, Morris, Blake and Takko

AN ACT Relating to the sea cucumber dive fishery; and amending RCW 77.70.190, 82.27.020, and 82.27.070.

Referred to Committee on Agriculture & Natural Resources.

HB 1324 by Representatives Fitzgibbon, Springer, Upthegrove, Ryu, Dahlquist, Maxwell, Kochmar and Hargrove

AN ACT Relating to transferring ferry and flood control zone district functions and taxing authorities to county legislative authorities in counties with a population of one million five hundred thousand or more; and adding new chapters to Title 36 RCW.

Referred to Committee on Local Government.

HB 1325 by Representatives Ryu and Kirby

AN ACT Relating to banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions; amending RCW 30.04.010, 30.04.070, 30.04.111, 30.04.215, 30.04.217, 30.04.240, 30.04.260, 30.04.280, 30.08.140, 30.08.140, 30.08.155, 30.38.010, 30.38.015, 30.46.020, 30.46.030, 30.46.040, 30.46.050, 30.46.060, 30.46.070, 30.46.080, 30.46.090, 32.04.030, 32.08.140, 32.08.140, 32.08.142, 32.08.153, 32.50.030, 33.12.012, 33.24.010, and 33.32.060; amending 2011 c 303 s 9 (uncodified); adding a new section to chapter 32.04 RCW; repealing RCW 30.08.095, 32.08.146, 32.08.155, and 32.08.1551; providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Business & Financial Services.

HB 1326 by Representatives Ryu and Kirby

AN ACT Relating to making technical corrections and updating licensing and enforcement provisions of the consumer loan act; and amending RCW 31.04.015, 31.04.025, 31.04.027, 31.04.035, 31.04.093, 31.04.102, 31.04.105, 31.04.155, 31.04.221, 31.04.290, 31.04.293, and 31.04.297.

Referred to Committee on Business & Financial Services.

HB 1327 by Representatives Kirby, Ryu and Santos

AN ACT Relating to licensing and enforcement provisions applicable to money transmitters; amending RCW 19.230.020, 19.230.040, 19.230.110, 19.230.120, 19.230.150, 19.230.200, and 19.230.310; reenacting and amending RCW

19.230.010; and adding a new section to chapter 19.230 RCW.

Referred to Committee on Business & Financial Services.

HB 1328 by Representatives Kirby and Ryu

AN ACT Relating to the department of financial institutions' regulation of mortgage brokers and clarifying the department's existing regulatory authority regarding residential mortgage loan modification services; and amending RCW 19.146.010, 19.146.020, 19.146.0201, 19.146.060, 19.146.220, 19.146.240, and 19.146.228.

Referred to Committee on Business & Financial Services.

HB 1329 by Representatives Moeller, Alexander, Blake, Springer, Seaquist, Clibborn, Nealey, Orcutt, Vick and Kochmar

AN ACT Relating to creating a sales tax holiday for back-to-school clothing and supplies; amending RCW 82.12.040; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1330 by Representatives Moeller, Harris, Green, Cody, Tharinger and Pettigrew

AN ACT Relating to allowing dental hygienists and dental assistants to provide certain services under the supervision of a dentist; amending RCW 18.29.050, 18.29.056, and 18.260.040; and adding a new section to chapter 18.29 RCW.

Referred to Committee on Health Care & Wellness.

HB 1331 by Representatives Riccelli, Zeiger, Tarleton, Seaquist, Buys, Sawyer, Tharinger, Stonier, Bergquist, Lias, Upthegrove, Freeman and Farrell

AN ACT Relating to formation of student advisory committees at four-year institutions of higher education; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1332 by Representatives Kirby, Condotta, Hunt, Alexander, Takko, Manweller, Hurst, Shea and Blake

AN ACT Relating to limited on-premise spirits sampling; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1333 by Representatives Pettigrew, Walsh, Pollet, Kagi, Green and Reykdal

AN ACT Relating to restoring payment rates for community residential providers and annually adjusting payment rates for community residential providers by the rate of inflation; adding a new section to chapter 71A.12 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1334 by Representatives Shea, Taylor, MacEwen, Schmick, Holy, Short, Kagi, Orcutt, Overstreet, Rodne, Klippert and Hargrove

AN ACT Relating to conversion kits on motorcycles; amending RCW 46.04.330; reenacting and amending RCW 46.81A.010; and creating a new section.

Referred to Committee on Transportation.

HB 1335 by Representatives Shea, Rodne, Overstreet and Kristiansen

AN ACT Relating to the Washington State Bar Association; adding new sections to chapter 2.44 RCW; creating a new section; recodifying RCW 2.48.180, 2.48.190, and 2.48.200; and repealing RCW 2.48.010, 2.48.020, 2.48.021, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.080, 2.48.090, 2.48.100, 2.48.110, 2.48.130, 2.48.140, 2.48.150, 2.48.160, 2.48.165, 2.48.166, 2.48.170, 2.48.210, 2.48.220, and 2.48.230.

Referred to Committee on Judiciary.

HB 1336 by Representatives Orwall, Dahlquist, Pettigrew, Cody, Walsh, Green, Appleton, Freeman, Fitzgibbon, Hunt, Stonier, Kagi, Maxwell, Goodman, Moscoso, Roberts, Reykdal, Lytton, Santos and Fagan

AN ACT Relating to increasing the capacity of school districts to recognize and respond to troubled youth; amending RCW 28A.410.035; adding a new section to chapter 28A.410 RCW; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW; and creating new sections.

Referred to Committee on Education.

HB 1337 by Representatives Kretz, Blake and Short

AN ACT Relating to conditioning the classification of the gray wolf by the fish and wildlife commission; amending RCW 77.12.020; adding a new section to chapter 77.12 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1338 by Representatives Roberts, Moscoso, Pettigrew, Pedersen, Clibborn, Wylie, Jinkins, Kagi, Hunt, Springer, Farrell, Appleton, McCoy, Walsh and Moeller

AN ACT Relating to juveniles sentenced to long terms of incarceration; amending RCW 9.94A.540, 9.94A.6332, 9.94A.729, 9.95.425, 9.95.430, 9.95.435, 9.95.440, and 10.95.030; adding a new section to chapter 9.94A RCW; adding a new section to chapter 10.95 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1339 by Representatives Tharinger, Angel, Cody, Harris, Jinkins and Green

AN ACT Relating to East Asian medicine practitioners; and amending RCW 18.06.010 and 18.06.140.

Referred to Committee on Health Care & Wellness.

HB 1340 by Representative Kirby

AN ACT Relating to debt management services; amending RCW 18.100.140, 18.118.020, 19.230.350, 19.230.360, and 42.56.270; reenacting and amending RCW 42.56.230; adding a new chapter to Title 18 RCW; repealing RCW 18.28.010, 18.28.080, 18.28.090, 18.28.100, 18.28.110, 18.28.120, 18.28.130, 18.28.140, 18.28.150, 18.28.165, 18.28.180, 18.28.185, 18.28.190, 18.28.200, 18.28.210, 18.28.220, 18.28.900, and 18.28.910; prescribing penalties; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1341 by Representatives Orwall, Goodman, Pollet, Jinkins, Carlyle, Roberts, Appleton, Hunt, Upthegrove, Green, Kagi, Seaquist, Moeller and Kirby

AN ACT Relating to creating a claim for compensation for wrongful conviction and imprisonment; adding a new section to chapter 28B.15 RCW; adding a new section to chapter 72.09 RCW; and adding a new chapter to Title 4 RCW.

Referred to Committee on Judiciary.

HB 1342 by Representatives Walsh, Kagi, Johnson, Goodman, Sawyer, Orwall, Farrell, Roberts and Freeman

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250.

Referred to Committee on Early Learning & Human Services.

HB 1343 by Representatives Cody, Johnson, Moeller, Walsh, Morrell, Schmick and Green

AN ACT Relating to the additional surcharge imposed on registered nurses and licensed practical nurses; amending RCW 43.70.110 and 43.70.250; and repealing RCW 18.79.2021.

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

HB 1344 by Representatives Cody, Johnson, Moeller, Walsh, Morrell, Schmick and Green

Authorizing occupational therapists to participate in online access to the University of Washington health sciences library.

Referred to Committee on Health Care & Wellness.

HB 1345 by Representatives Hayes, O'Ban and Hope

AN ACT Relating to access to K-12 campuses for occupational or educational information; and amending RCW 28A.230.180.

Referred to Committee on Education.

HB 1346 by Representatives Manweller, Condotta and Shea

AN ACT Relating to tipped employee wages and benefits; amending RCW 49.46.020; reenacting and amending RCW 49.46.010; adding a new section to chapter 49.46 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

HB 1347 by Representatives Short, Takko, Kretz, Kristiansen, Klippert, Pike, Haler, Angel, Harris, Smith, Hayes, Magendanz, Vick, Buys, Schmick and Holy

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; amending RCW 19.285.040; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HJR 4205 by Representatives Shea, Rodne, Overstreet and Kristiansen

Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and administration of justice reside exclusively in the supreme court.

Referred to Committee on Judiciary.

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

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

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4400
HOUSE CONCURRENT RESOLUTION NO. 4401
HOUSE CONCURRENT RESOLUTION NO. 4402

The Sergeant at Arms of the Senate announced the arrival of the members of the House of Representatives at the Senate Chamber doors. The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted Deputy Speaker Pro Tempore of the House, the Honorable Tina Orwall, House Majority Floor Leader Tami Green and House Assistant Republican Floor Leader Matt Shea to seats on the rostrum. The members of the House of Representatives were invited to seats within the Chamber.

JOINT SESSION

The President called the Joint Session to order. The Secretary called the roll of the members of the House of Representatives.

The Secretary called the roll of the members of the Senate. The President declared that a quorum of the Legislature was present.

REMARKS BY THE PRESIDENT

President Owen: "This joint session has been convened to receive the State of the Judiciary message from the Honorable Barbara Madsen, Chief Justice of the Washington State Supreme Court."

The President appointed a committee of honor to escort the Justices of the State Supreme Court to the Senate Chamber: Representatives Holy and Stonier; and Senators Frockt and Pearson.

The President appointed a committee of honor to escort the statewide elected official to the Senate Chamber: Representatives Farrell and Scott; and Senators Bailey and Nelson.

The President appointed a committee of honor to advise the Honorable Barbara Madsen, Chief Justice of the Washington State Supreme Court, that the joint session had assembled and to escort her to the Senate Chamber: Representatives Goodman and Nealey; and Senators Chase and Padden.

The Sergeant at Arms of the Senate announced the arrival of the Justices of the State Supreme Court at the Chamber doors. The committee of honor escorted the Justices of the State Supreme Court to the front of the Chamber and they were introduced: Justice Charles W. Johnson, Justice Susan Owens, Justice Mary E. Fairhurst, Justice Debra L. Stephens, Justice Charlie K. Wiggins, Justice Steven Gonzalez and Justice Sheryl Gordon McCloud.

The Sergeant at Arms of the Senate announced the arrival of the statewide elected official at the Chamber doors. The committee of honor escorted statewide elected official to the front of the Chamber and he was introduced: State Auditor Troy Kelley.

The Sergeant at Arms of the Senate announced the arrival of the Honorable Barbara Madsen, Chief Justice of the Washington State Supreme Court, at the Chamber doors. The committee of honor escorted the Honorable Barbara Madsen, Chief Justice of the Washington State Supreme Court, to the rostrum of the Senate.

The Washington State Patrol Honor Guard consisting of Lieutenant Mike Turcott and Sergeant Ted DeHart presented the Colors. The President led the Joint Session in the Pledge of Allegiance. The Washington State Patrol Honor Guard retired from the Chamber. The prayer was offered by Rabbi Seth Goldstein of Temple Beth Hatfiloh, Olympia.

Rabbi Seth Goldstein: "Source of all Life and Blessing: We ask that your blessing descend upon this body. May all those who assemble here be endowed with a mind of wisdom and a heart of compassion. May the spirit of goodness fill their souls, and may they continue to see one another, and the people they serve as full, whole human beings, created in the divine image and worthy of love and respect. And on this day when we focus on the judiciary, we ask for blessing not only for those who are charged with making the laws, but those who are charged with their interpretation and application. May all those who serve in the judiciary be blessed with a sense of fairness and justice, of equality and service, of righteousness and peace. We are mindful of that universal charge we find in Scripture, in the book of Deuteronomy: tzedek tzedek tirdof—justice, justice shall you pursue. It is asked,

why is the word "Justice" repeated? One interpretation is that first this verse teaches our desired outcome is justice—justice must be the goal of a well ordered society. The repetition of the word implies that not only must our goal be justice, but the path to justice—the process by which we achieve justice in our society—must also be just. We are blessed that our system of government allows for the separation of powers, provides for the orderly execution of justice and establishes a dynamic system of legal interpretation. May this continue to be so. And may all those who serve the public good in any capacity from any place. Find favor in Your eyes and may the work of their hands benefitting the people of our state and country long endure. Amen."

The President welcomed and introduced the Honorable Barbara Madsen, Chief Justice of the State Supreme Court.

STATE OF THE JUDICIARY

Chief Justice Barbara Madsen: "Thank you Mr. President, Speaker Chopp, Governor Inslee, elected officials, members of the House and Senate, fellow justices and judges, Rabbi Goldstein, ladies, and gentlemen. Let me add my welcome to all of the new legislators and to those of you who have changed houses. I had the chance to meet many of you over the past few weeks at the dinners sponsored by our Board for Judicial Administration—the BJA—at our Temple of Justice birthday party, at the inaugural ball, or swearing you in. For those I have not met, I look forward to meeting you as we go through this legislative session. Whatever the occasion, I believe that time spent getting to know one another is time well spent.

I am honored to be here today, along with my colleagues on the Washington Supreme Court, to deliver this report on the state of Washington's judiciary. As many of you know, our court system operates through a system of trial courts and appellate courts. Many of the leaders of our court associations are with us today, in the gallery. I would like to take a moment to introduce them: Presiding Chief Judge Christine Quinn-Brintnall from the Court of Appeals, Division Two in Tacoma; Benton/Franklin County Superior Court Judge Craig Matheson, president of the Superior Court Judges' Association of Washington; and Judge Sara Derr from Spokane County District Court, president of the District and Municipal Court Judges' Association. These judges are joined by members of the Board for Judicial Administration, the policy-setting board for the courts. I am very proud of these judges and the people they represent who work in our court system. We also have the administrative heads of our three agencies with us today: The Washington State Court administrator who heads the Administrative Office of the Courts, Callie Dietz; the executive director of the Office of Civil Legal Aid, Jim Bamberger; and the director for the Office of Public Defense, Joanne Moore. It is no secret that we are experiencing very challenging times in our state and in our nation. I have not spoken to anyone who is predicting that you will have an easy session this year. I think you will be spending long days and many nights in Olympia.

As the spokesperson for the courts, I also feel a great weight on my shoulders. Even in the best of times, our divided government requires careful leadership in each branch. As you begin this legislative session, I know that many of you are thinking about the issue of divided government. The gray areas at the edges of our respective powers can give rise to debate and even disagreement about the areas of authority in which each of our branches operate. Such debate and disagreement is healthy—indeed I think this is a part of the checks and balances that our founders intended. Even in a divided government, the branches are meant to work together. As many of you know, this is the 100th anniversary of the Temple of Justice. The temple, which is home to the

Supreme Court, was the first building on the capitol campus. If you look at the campus from Budd Inlet, you will see that the temple appears to blend into the capitol building-and together the temple and the capitol are covered by one capitol dome. In designing the capitol group in this way, the architects were attempting to reflect the reality that the three branches together make a single government. As with the legislature and the governor, the judiciary has its role to play. I want to assure all of you that the courts are committed to working with you on matters of common interest and concern within the limits of our branch's authority.

Unlike the legislature and the governor, our courts generally operate under the radar screen. More than two million individual civil and criminal cases are filed every year in our trial courts. Thousands are decided in our appellate courts each year. We have one constitutional duty. That is to fairly, effectively, and timely adjudicate the civil and criminal disputes that come before us. At a judge's swearing-in a few weeks ago, I heard a story from John Ladenburg, formerly the Pierce County executive. John was in China on a trade mission along with Microsoft, Amazon, and other U.S. companies. According to John, one of the delegates asked a Chinese government minister what he thought was needed to attract new businesses to China. His answer-lawyers. You may laugh-just as the Washington team did. But when they laughed the minister became angry. He said, "Without lawyers there are no courts; without courts, there is no legal system. Without a legal system there is no protection; there are no commercial laws-you do not even understand the advantage you have in your country-you have the rule of law. Your courts protect people and their property. That makes all the difference." Lest you think I am claiming all the credit for the courts-I believe that it is the legislature, the executive, and the courts-working together-that provide the kind of environment that is necessary for individuals and businesses to grow and prosper. Even with its flaws, our system is the envy of the world.

We know that the law is complex. Cases are complex. And disagreements are predictable. Cases like McCleary, that address school funding, and the pending case of League of Education Voters, which involves a challenge to restrictions on the power of the legislature to tax, will always provoke controversy. That comes with the constitutional responsibility placed on courts. But, it's how we work together to meet the very complex and difficult challenges that will determine the future for the public that we all serve. Last week, we heard comments from outgoing Governor Gregoire and newly elected Governor Inslee. Though their plans for meeting the future differed-the common theme was the same-we are all facing significant challenges- maybe now more than ever as year upon year of economic difficulties continue. I recently learned that the Chinese symbol for crisis is a combination of two concepts-opportunity and danger. The opportunity is to redefine how we deliver services to the public. The danger is in failing to adapt.

The extensive budget cuts of the past four years have required the courts to become creative and to be innovators-and we're committed to continue looking for new, efficient processes to help us fulfill our responsibility to deliver justice. Though being chief justice carries challenges, the position also gives me a bird's eye view of the tremendous job that our courts are doing to innovate in these tough budget times. I want to mention just a few of these creative solutions: At the Administrative Office of the Courts, we have created online education that allows judges and court personnel to stay current with changes in law and practices while reducing or eliminating travel costs or time away from court.

We are also modernizing our aging computer systems by looking at commercial, off the-shelf products to meet the growing demands of technology in courts throughout our state.

Local courts are also working in innovative ways to help curb costs and improve service. Pierce County juvenile courts, for example, have reduced "failure to appear" rates and detention rates implementing a two-tiered warrant system, calling and conducting home visits to remind juveniles to be in court, and using a continuum of alternatives to detention. This strategy is one of six that Pierce County has implemented to reduce racial and ethnic disparities. The result has been a 47% decrease in detention from 2007 to 2011.

In Seattle Municipal Court, the probation department has formed a partnership with social work programs at three schools: Seattle University, University of Washington, and University of Southern California. Volunteers and interns from these schools have a wide range of experience and are placed in positions from answering phones to assisting with assessments and collecting program data. Last year, volunteers gave nearly 16,000 hours of service. In Kitsap County District Court, the judges began transitioning to an electronic filing system, which has resulted in an 80% reduction in supplies, copy machines, forms, filing cabinets, and so on, as well as a 23% reduction in staffing. In King County, eight municipal courts, led by Tukwila Municipal Court, have pioneered a system for scheduling and sharing precious interpreter services. This has reduced cost and increased availability. And right here in Thurston County, the judges are developing a risk assessment tool for domestic violence defendants. Through the Washington Supreme Court Gender and Justice Commission, we hope to make this tool available to judges across the state.

In this vein, we are also exploring ways to foster regional courts. District and municipal courts are where most citizens interact with the judicial system, and we need to foster an approach that best serves the public. More than 170 municipalities currently contract with a district or municipal court. It is imperative that we examine the most efficient and cost effective method of providing judicial services to everyone coming to court in Washington State. More and more, community leaders are interested in exploring cooperative arrangements for the delivery of court services. Thanks to a grant from the State Justice Institute, we are currently exploring a concept that is broadly described as regional courts. Combined courts can contribute to better court performance, customer service, and fiscal efficiency. We want to work with you on this important court reform.

Along with our Temple of Justice centennial, this year is the 50th anniversary of the United States Supreme Court's decision in *Gideon v. Wainwright*. As Justice Hugo Black wrote in that ground breaking decision, "Lawyers in criminal courts are necessities, not luxuries." We can be proud that long before the United States Supreme Court expressed that belief, our legislature acted to guarantee the right to counsel in Washington State. Recently, however, we learned that in areas of our state, the promise of access to effective assistance of counsel guaranteed by our constitution and our legislature has not been met. Public trust and confidence in our criminal justice system depends on people knowing and believing they have been treated fairly and that their rights have been protected. A conviction may have a lifetime of consequences-including the ability to get a job, an apartment, a student loan. A conviction may separate a family or mean losing custody of a child. As judges, it is our duty to ensure not just the presence of counsel, but effective counsel. And to be effective takes time. As far back as 2004, the Report of the WSBA Blue Ribbon Panel on Criminal Defense concluded that the standards for public defense services enacted in RCW 10.101.030 were being ignored in many jurisdictions and that the lack of enforceable standards, especially case load standards, "jeopardizes the ability of even the most dedicated defenders to provide adequate representation." After more than a year of debate, a four-month

formal public comment period, and intense internal discussion, the Washington Supreme Court recently adopted indigent defense certification, which requires development of case load standards. But adopting court rules is just the beginning. Now, attorneys, trial judges, and administrators must work together to find the best way to implement certification in their courts.

We know that some legislators have concerns about how this will impact local communities-but, through the Office of Public Defense, we want to work with the cities and counties to help design workable systems. Last December, the court ordered the Office of Public Defense to prepare a new report on how the standards and attorney certification rules are being implemented across the state. The report is due this March and will focus on how jurisdictions are working with attorney case loads and methods for addressing them successfully. The case load limits do not become effective under the rules until October 2013.

I also want to mention the other new initiative that the Office of Public Defense is undertaking. Because of its great success with the Parents Representation Program, you in this legislature have asked the office to take on the enormous task of reforming the defense of sexually violent predators. I have no doubt that the Office of Public Defense will exercise the same scrupulous care in evaluating the most efficient and cost effective ways of delivering services to this population that it has exercised in all of its innovative programs. We look forward to working with you on this important initiative.

Another challenge facing our branch is to effectively address racial disparities in our court system. The Washington State Center for Court Research, which operates within the judicial branch, has been hard at work collecting and sharing data on a statewide level and county-by-county. The specific details at the county and court level will help us determine the causes for disproportionality and guide us in finding solutions. Based on data gathered so far, the task force has submitted a number of recommendations for actions by the Supreme Court, for judicial branch agencies, for the different court levels, and for justice partners, such as schools and law enforcement agencies. We need to examine the causes of disproportionality and work toward solutions. We know that "Justice is the Guardian of Liberty." These words are etched on the facade of the United States Supreme Court. It will take all of us working together to ensure that justice is equally applied. We will be asking for your help as we meet this challenge.

Likewise, we must recognize that not all people who need the court system are able to speak English. Seventy-eight different languages were interpreted in Washington's trial courts in 2012, and King County's running tally shows that they have provided interpreters for 130 different languages. However, our state has certified and registered interpreters in only 35 languages, meaning that we are not able to ensure quality translations for many languages spoken in our courts. Legal proceedings, with their technical language and complex processes, are confusing enough when you understand English. But, imagine walking into a high stakes situation where you didn't understand a word of what was going on. As Washington's diversity continues to grow, the need for interpreters is exploding. With limited resources, we must find a way to provide interpreter services in the most efficient and effective ways possible. That is why the Supreme Court included in its budget submission to the legislature a request for funding for a pilot program for video remote interpreting. Reducing both the cost and time of travel can better focus scarce resources where they belong. We need your help to find a solution. We also recognize that the Great Recession has generated a host of profound legal problems for our low income Washingtonians. In 2011 alone, more than a quarter of a million calls were placed to our statewide legal aid hotline. Demand for help is particularly high in recession

sensitive areas of law such as housing, foreclosure, help with governmental support programs, domestic violence, and family safety. In Washington, legal aid is delivered through an innovative public private partnership. State funding supports our nationally recognized statewide legal aid provider-the Northwest Justice Project-as well as 17 local volunteer legal aid programs. I'm very proud of the thousands of volunteer attorneys across the state who together delivered nearly 60,000 hours of free legal aid, worth more than \$10 million to over 20,000 individuals and families. But deep federal budget cuts have crippled legal aid. There are only 87 state-funded legal aid attorneys left to meet the needs of more than 1.8 million low income people who are eligible for state-funded civil legal aid. Today, there is just one legal aid attorney serving all of Clallam and Jefferson Counties; one serves all of Southeast Washington, from Walla Walla to Clarkston; and one serves all low income clients in Grays Harbor and Pacific Counties. In our urban centers, there are more than 22,000 eligible clients for each state-funded legal aid attorney. Legal aid helps resolve cases quickly, often keeping many cases out of court in the first place and facilitating the quick resolution of those that are in our courts. Legal aid is a smart and cost effective investment. The legal aid system, as administered by our Office of Civil Legal Aid, has received strong bipartisan support in recent years. For this, we in the judicial branch are grateful. But we need your continuing support to meet the civil justice needs of our state's poorest residents.

Finally, I would like to address the critical challenges that we face in keeping our courthouses safe for the thousands of attorneys, jurors, court staff, litigants, and members of the public. As Judge David Edwards of Grays Harbor County can attest, this is a challenge in every local jurisdiction. He is a shining example of courage in what can only be described as a terrifying ordeal that occurred in his courthouse. Given Judge Edwards' experience, the recent attack on Judge Brett Buckley at his home in Olympia, and multiple bomb threats in courthouses throughout Washington last month, we know that courthouse security is a continuing challenge that needs to be resolved quickly. We are truly blessed that in each situation, there was not a tragic ending. But hoping that this remains the case is not a policy. At a fundamental level, our democracy is dependent on a judicial branch that can decide disputes safely. No one should be afraid to walk into a courthouse. In 2012, the security staff at Spokane County District Court confiscated over 1,000 handguns, 9,000 knives, 80 tasers, 1,700 razor blades, 1,100 cans of mace, and hundreds of other items that could be used as weapons. In courts without security, these items enter the courthouse every day. The reality is that at any given time, people who are charged with violent crimes or who are engaged in intensely emotional situations are gathered together in one location. Simply hoping that nothing bad happens is no longer good enough.

As we look back on an extraordinarily challenging year, Washington can be proud of its judiciary and its ability to adapt, modernize, and innovate. But this is just the beginning. We will continue to devise innovative and cost efficient ways to ensure that all persons-including the most vulnerable in our society-are provided with fair and timely justice and that they have their day in court in a modern and technologically advanced court system. With the leadership of the Board for Judicial Administration, and the efforts of our exceptional judges and court staff, I am confident we will continue to turn the challenges we face into opportunities to transform the court system today and in the future. We will continue to balance the scales so that we can adapt to fiscal realities and never stray from our constitutional mission. The pursuit of justice is what this court system is all about-from its inception two centuries ago to this very day and in all the years to come. I thank you for the warm welcome that you have given me

and my fellow justices, and I wish you all well in the coming year. Thank you.”

REMARKS BY THE PRESIDENT

President Owen: “Chief Justice, we appreciate very much your very profound comments and your commitment and spirit of unity and cooperation of the Legislature as well as we want to thank the courts throughout the state for their incredible efforts to be more efficient and effective through the creative concepts that they have developed. Thank you very much for that information.”

The President called upon the committee of honor to escort Chief Justice Madsen, Chief Justice of the Washington State Supreme Court from the Chamber.

The President called upon the committee of honor to escort the State Auditor Troy Kelley from the Chamber.

The President called upon the committee of honor to escort the Justices of the Washington State Supreme Court from the Chamber.

MOTION

On motion of Senator Fain the Joint Session was dissolved.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted Deputy Speaker Pro Tempore of the House, the Honorable Tina Orwall, House Majority Floor Leader Tami Green, House Assistant Republican Floor Leader Matt Shea and the members of the House of Representatives from the Senate Chamber.

There being no objection, the House adjourned until 9:55 a.m., January 24, 2013, the 11th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ELEVENTH DAY

House Chamber, Olympia, Thursday, January 24, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

MESSAGE FROM THE SENATE

January 23, 2013

MR. SPEAKER:

The President has signed SENATE CONCURRENT RESOLUTION NO. 8400 and the same is herewith transmitted.

Hunter Goodman, Secretary

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE NO. 517

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 517 to be examined in the following manner:

1. It was determined that 346,906 signatures were submitted by the sponsors of the initiative. A random sample of 10,606 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,122 valid signatures, 1,459 signatures that were invalid and 25 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (57) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (49,596) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of pairs of signatures on the petition (56,157) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (241,153) and the estimate of the upper limit of the number of

invalid signatures on the petition from the number of signatures submitted;

6. We determined the expected number of pairs of signatures in the sample (52) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of pairs of signatures in the sample (41) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 517 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 23rd day of January, 2013.

MARK NEARY

Deputy Secretary of State

Initiative to the Legislature No. 517 was read the first time and referred to the Committee on Government Operations and Elections.

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

INTRODUCTIONS AND FIRST READING

HB 1348 by Representatives Reykdal, Hope, Stanford, Pollet, Hunt, Ryu, Seaquist, Goodman, Haigh, Wylie, Fitzgibbon, Santos, Pettigrew, Lytton, Blake, Moscoso, Sells, Orwall, Liias, Roberts, Carlyle, Sullivan, Upthegrove, Dunshee, Maxwell, Green, Riccelli, Ormsby, Springer, Appleton and McCoy

AN ACT Relating to modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges; amending RCW 28B.52.035 and 28B.50.140; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1349 by Representatives Jinkins, Cody, Morrell and Fitzgibbon

AN ACT Relating to carrier surplus as an element of health benefit plan rate review; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1350 by Representatives Chandler and Tharinger

AN ACT Relating to providing options for local communities to balance growth of the community with water resource goals; amending RCW 58.17.110 and 90.44.050; adding a new section to chapter 36.01 RCW; adding new sections to chapter 90.54 RCW; and creating new sections.

Referred to Committee on Agriculture & Natural Resources.

HB 1351 by Representatives Condotta and Hurst

AN ACT Relating to identifying wineries, breweries, and microbreweries on private labels; and reenacting and amending RCW 66.28.310.

Referred to Committee on Government Accountability & Oversight.

HB 1352 by Representatives Holy, Hurst, Shea, Kristiansen, Parker, Warnick, Kochmar, Kretz, Manweller, Johnson, Rodne, Hayes, Schmick, Short, Klippert, Vick and Condotta

AN ACT Relating to the statute of limitations for sexual abuse against a child; amending RCW 9A.04.080 and 4.16.020; and repealing RCW 4.16.340.

Referred to Committee on Public Safety.

HB 1353 by Representative Upthegrove

AN ACT Relating to mediation in family law cases involving children; and amending RCW 26.09.015.

Referred to Committee on Judiciary.

HB 1354 by Representatives Reykdal, Ormsby, Green, Sells and Moeller

AN ACT Relating to claims and compensation under the industrial insurance laws; amending RCW 51.48.017 and 51.52.120; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1355 by Representatives Ormsby, Green, Reykdal, Sells and Moeller

AN ACT Relating to claim files and compensation under the industrial insurance laws; amending RCW 51.08.173; adding new sections to chapter 51.08 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1356 by Representatives Green, Appleton, Morrell, Stanford, Sells, Reykdal, Ormsby and Moeller

AN ACT Relating to providing coverage for hearing aids; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1357 by Representatives Green, Reykdal, Ormsby, Sells and Moeller

AN ACT Relating to claim files and compensation under the industrial insurance laws; amending RCW 51.14.110, 51.32.055, 51.32.195, and 51.32.240; adding a new section to chapter 51.08 RCW; adding a new section to chapter 51.14 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1358 by Representatives Springer, Nealey, Tharinger and Orcutt

AN ACT Relating to a sales and use tax exemption for restaurants in respect to certain items that impart flavor to food during the cooking process; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1359 by Representatives Van De Wege, Buys and Hunt

AN ACT Relating to the state archivist; and amending RCW 40.14.020.

Referred to Committee on Government Operations & Elections.

HB 1360 by Representatives Wylie and Harris

AN ACT Relating to extending the deadline to designate one or more industrial land banks; and amending RCW 36.70A.367.

Referred to Committee on Local Government.

HB 1361 by Representatives Kagi, Ryu, McCoy and Walsh

AN ACT Relating to the purchase of care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; amending RCW 74.13.031; reenacting and amending RCW 74.13.031; providing an effective date; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1362 by Representatives Cody, Morrell and Schmick

AN ACT Relating to electronic timekeeping for in-home personal care or respite services; and amending RCW 74.39A.325.

Referred to Committee on Health Care & Wellness.

HB 1363 by Representative Appleton

AN ACT Relating to imposing a maximum interest rate of thirty-six percent per annum on small loans; and amending RCW 31.45.073.

Referred to Committee on Business & Financial Services.

HB 1364 by Representatives Tharinger, Zeiger, Moscoso, Crouse, Liias and McCoy

AN ACT Relating to adopting the Washington small rechargeable battery stewardship act; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1365 by Representatives Appleton, Rodne, Goodman, Hunt and Freeman

AN ACT Relating to court security; amending RCW 3.58.050, 3.50.080, and 35.20.120; adding a new section to chapter 3.58 RCW; adding a new section to chapter 3.50 RCW; and adding a new section to chapter 35.20 RCW.

Referred to Committee on Local Government.

HB 1366 by Representatives Lytton, Angel, Morris, Maxwell, Rodne, Clibborn and Blake

AN ACT Relating to nonresident vessel permits and taxation; amending RCW 88.02.620, 82.08.700, and 82.12.700; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

HB 1367 by Representatives Kirby, Jinkins, Crouse, Green, Fey, Sawyer, Kochmar and Fitzgibbon

AN ACT Relating to assessments for nuisance abatement in cities and towns; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Local Government.

HB 1368 by Representatives Tharinger, Springer, Orcutt, Ryu, Fey, Zeiger, Moscoso, Kochmar, Magendanz, Hayes and Sells

AN ACT Relating to the distribution of state liquor revenues to cities and counties; amending RCW 82.08.160, 82.08.170, 66.08.190, and 66.08.210; and creating new sections.

Referred to Committee on Local Government.

HB 1369 by Representatives Lytton, Walsh and Kagi

AN ACT Relating to using school days for meeting with parents and families as part of the Washington inventory of developing skills; amending RCW 28A.150.220; and creating a new section.

Referred to Committee on Education.

HB 1370 by Representative Seaquist

AN ACT Relating to the notice requirement for homeowners' associations meetings; and amending RCW 64.38.035.

Referred to Committee on Judiciary.

HB 1371 by Representatives Taylor, Overstreet, Shea, Short, Pike and Scott

AN ACT Relating to adopting the Washington state firearms freedom act of 2013 and establishing penalties; amending RCW 43.06.220; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1372 by Representatives Taylor, Takko, Short, Overstreet, Shea and Upthegrove

AN ACT Relating to natural resource management activities; amending RCW 77.12.037; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1373 by Representatives Zeiger, Haigh, Angel, Stanford, Orcutt and Dahlquist

AN ACT Relating to auditing state agencies' expenditures for advertising, marketing, and related activities; creating a new section; and providing an expiration date.

Referred to Committee on Government Accountability & Oversight.

HB 1374 by Representative Morris

AN ACT Relating to the energy facility site evaluation council; amending RCW 80.50.010, 80.50.040, 80.50.045, 80.50.060, 80.50.071, 80.50.075, 80.50.085, 80.50.100, 80.50.105, 80.50.110, and 80.50.120; reenacting and amending RCW 80.50.020 and 80.50.030; adding new sections to chapter 80.50 RCW; and repealing RCW 80.50.080, 80.50.090, and 80.50.320.

Referred to Committee on Environment.

HB 1375 by Representatives Blake and Chandler

AN ACT Relating to consolidating a new exempt withdrawal of groundwater into an existing public water system; and amending RCW 90.44.105.

Referred to Committee on Agriculture & Natural Resources.

HB 1376 by Representative Orwall

AN ACT Relating to clarifying the requirement that certain health professionals complete training in suicide assessment, treatment, and management; and amending RCW 43.70.442.

Referred to Committee on Health Care & Wellness.

HB 1377 by Representatives Bergquist, Buys, Hunt, Fitzgibbon, Van De Wege and Carlyle

AN ACT Relating to modifying time frames applicable to certain public disclosure commission requirements; amending RCW 42.17A.120 and 42.17A.265; reenacting and amending RCW 42.17A.110; and repealing RCW 42.17A.420.

Referred to Committee on Government Operations & Elections.

HB 1378 by Representatives Hunt, Buys, Bergquist, Fitzgibbon and Van De Wege

AN ACT Relating to aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements; and amending RCW 42.17A.320.

Referred to Committee on Government Operations & Elections.

HB 1379 by Representatives Liias, Orcutt, Fitzgibbon, Johnson, Upthegrove, Kretz, Fey, Rodne and Hargrove

AN ACT Relating to private motorcycle skills education programs; amending RCW 46.81A.020; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1380 by Representatives Jinkins, Dahlquist, Cody, Harris, Haler, Green, Hope and Morrell

AN ACT Relating to improving patient health care through a more efficient and standardized prior authorization process for health care services; adding a new section to chapter 48.165 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1381 by Representatives Jinkins, Hunt, Wylie, Morrell, Cody, Green, Roberts, Clibborn, Ormsby, Reykdal and Ryu

AN ACT Relating to administrative adjudicatory proceedings coming before the department of health; amending RCW 18.130.050, 18.130.095, 18.130.100, 69.45.080, 69.50.305, 70.05.120, and 34.12.030; adding a new section to chapter 43.70 RCW; adding new sections to chapter 18.130 RCW; and adding a new section to chapter 34.12 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1382 by Representatives Jinkins, Harris, Cody, Tharinger, Green, Morrell, Ryu, Riccelli, Bergquist, Reykdal, Lytton and Fitzgibbon

AN ACT Relating to medication access for the uninsured; adding a new chapter to Title 69 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1383 by Representatives Goodman, Fey, Kirby, Orwall, O'Ban, Roberts, Jinkins and Hope

AN ACT Relating to protection orders for stalking and harassment; amending RCW 9A.41.800, 9A.41.535, 9A.46.040, 9A.46.110, 10.14.065, 10.14.070, and 10.31.100; reenacting and amending RCW 26.50.110; adding new sections to chapter 10.14 RCW; adding a new section to chapter 9A.46 RCW; adding a new chapter to Title 7 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1384 by Representatives Orcutt, Blake, Chandler, Taylor, Pike, Haler and Buys

AN ACT Relating to streamlining natural resources management; amending RCW 76.09.360, 77.55.191, 76.09.040, 76.09.050, 76.09.050, 76.09.060, 76.09.100, 76.09.150, 76.09.260, 76.09.470, 90.64.010, 90.64.020, 90.64.170, 90.48.260, 77.55.021, 77.12.755, 77.12.870, 77.12.878, 77.44.040, 77.55.121, 77.55.211, 77.55.131, 77.65.510, 77.70.210, 79.13.620, 79.19.080, 79.70.030, 79.71.120, 79.105.500, 79.125.710, 79.125.730, 79.135.130, 79.135.140, 79.135.150, 79.135.320, 79.135.410, 79A.05.351, 79A.05.360, 79A.60.520, 79A.60.550, 79A.60.620, 79A.05.285, 79A.30.050, 79A.50.090, 79A.50.100, 79A.15.110, 78.44.280, 78.52.125, 78.56.040, 78.56.050, 78.56.060, 78.56.080, 78.56.110, 78.56.160, 78.60.070, 78.60.080, 78.60.100, 90.03.247, 90.03.280, 90.03.290, 90.03.360, 90.03.590, 90.16.050, 90.16.090, 90.22.010, 90.22.020, 90.22.060, 90.24.010, 90.24.030, 90.24.060, 90.38.040, 90.48.170, 90.48.366, 90.48.445, 90.48.448, 90.74.020, 90.74.030, 90.82.048, 90.90.020, and 90.90.030; reenacting and amending RCW 43.30.411, 77.55.011, and 79A.05.255; adding a new section to chapter 77.12 RCW; adding a new section to chapter 43.21A RCW; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 89.08 RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 79A.25 RCW; adding new sections to chapter 76.09 RCW; adding a new section to chapter 77.55 RCW; creating a new section; recodifying RCW 77.55.121; repealing RCW 79.13.610, 79.105.220, 79.135.230, 79.135.310, 79.135.430, 79.145.030, 79A.05.670, 79A.05.735, 79A.50.070, 76.09.160, and 77.12.360; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Government Accountability & Oversight.

HB 1385 by Representatives Orcutt, Haigh and Haler

AN ACT Relating to the time limit for state officials to solicit or accept contributions; and reenacting and amending RCW 42.17A.560.

Referred to Committee on Government Operations & Elections.

HB 1386 by Representatives Orcutt, Reykdal, Shea, Hunt, Angel, Hawkins, Pike, Vick, Haler and Buys

AN ACT Relating to superior court judge qualifications; and adding a new section to chapter 2.08 RCW.

Referred to Committee on Judiciary.

HB 1387 by Representatives Orcutt, Springer, Reykdal, Pike, Vick, Nealey, Kochmar, Angel, Haler, Condotta, Ross, Shea, Harris, Takko, Dahlquist, Holy, Warnick, Appleton, Hargrove and Buys

AN ACT Relating to the periodic replacement of license plates; amending RCW 46.16A.200, 46.17.200, and 46.18.130; reenacting and amending RCW 46.18.140; and creating a new section.

Referred to Committee on Transportation.

HB 1388 by Representatives Orcutt, Hawkins, Hayes, Pike, Vick, O'Ban and Buys

AN ACT Relating to vehicular homicide and vehicular assault sentences; amending RCW 9.94A.589; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1389 by Representatives Orcutt, Blake, Pike, Vick, Haler and Buys

AN ACT Relating to victims of crime; and adding a new section to chapter 7.69 RCW.

Referred to Committee on Judiciary.

HB 1390 by Representatives Orcutt, Blake, Johnson, Taylor, Short, Pike, Condotta, Vick, Nealey, Haler and Buys

AN ACT Relating to prohibiting local governments and state agencies from mandating the installation of fire sprinkler systems in agricultural structures; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Local Government.

HB 1391 by Representatives Shea, Overstreet and Taylor

AN ACT Relating to citizenship and immigration status requirements for enrollment in health care and human service programs; adding a new section to chapter 70.47 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 74.12 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1392 by Representatives Shea, Overstreet and Taylor

AN ACT Relating to protecting citizens from the application of foreign laws that would result in a violation of a constitutional right; and adding a new section to chapter 1.20 RCW.

Referred to Committee on Judiciary.

HJR 4206 by Representatives Orcutt, Hurst, Shea, Overstreet, Dahlquist, Taylor, Angel, Harris, Fagan, Short, Pike, Chandler, Condotta, Vick, Nealey, Haler, Wilcox, Hargrove, Alexander and Buys

Placing restrictions on tax increases.

Referred to Committee on Finance.

HJR 4207 by Representatives Orcutt, Reykdal, Shea, Hunt, Angel, Hawkins, Pike, Vick, Haler and Buys

Amending the state Constitution to modify eligibility requirements for superior court judges.

Referred to Committee on Judiciary.

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

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

There being no objection, the House adjourned until 10:00 a.m., January 25, 2013, the 12th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWELFTH DAY

House Chamber, Olympia, Friday, January 25, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alysse Normoyle and Zac Ladd. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Shelly Short, 7th District, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4605, by Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

Speakers' Attorney Catherine Maynard:

WHEREAS, Allen W. Hayward has afforded the House the highest levels of excellence, loyalty, decorum, and appropriate feistiness during his many capacities as a most distinguished lawyer and supporter of the House of Representatives and the Republican Caucus; and

WHEREAS, Allen has served the House honorably since 1979, temporarily leaving his private law practice to assist the House Republican Caucus during the 49-49 tie between Democrats and Republicans; and

WHEREAS, Staffing circumstances offered Allen the full-time position of attorney to the Republican Leader, a position he has held with distinction and humility throughout his career in the House; and

WHEREAS, That full-time position allowed Allen the privilege of serving the House during the leaderships of Speakers Bagnariol, O'Brien, Berentsen, Polk, Ehlers, King, Ebersole, Ballard, and Chopp; and

WHEREAS, Allen Hayward has patiently and enthusiastically trained and mentored hundreds of new and existing employees on the Rules, regulations, ethical practices, and nuances of serving elected members of the House of Representatives; and

WHEREAS, Allen throughout his career with the House of Representatives has been acknowledged by lawmakers, staff,

lobbyists, and constituents, regardless of their political affiliation, philosophical persuasion, or policy position, as a loyal, trusted, and generous friend and adviser who loved the Institution and maintained his professional and personal integrity and dedication; and

WHEREAS, Allen is now retiring after 34 years of distinguished service to the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Allen W. Hayward for his unselfish, diligent, and dedicated service, and for the outstanding example he has set for others who will serve after him; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to our faithful friend, colleague, and confidant, Allen W. Hayward.

Representative Kretz moved adoption of HOUSE RESOLUTION NO. 4605

Representatives Kretz, Sullivan, Kristiansen, Moeller, Smith, Hunt, Walsh and Santos spoke in favor of the adoption of the resolution.

Representative Kretz: "Thank you Madame Speaker. I guess one of the true measures of a man is when they marry up and Allen certainly did that. It's so good to see Sharon up there. We appreciate not just Allen but Sharon, what a great couple of people to have around here, what an example for all of us. I think the biggest lesson I learned from Allen was respect for this institution and he has constant respect for it. I think back to my freshman year, and one of the things that stuck with me ever since I've been here, and probably most strongly, was a meeting we had with all the freshman, with Sid Snyder and Vito Chiechi. They spent the evening talking about respect for the institution and what a privilege to hear two men like that, instill in us what we need to know and the respect for the institution, as well as the people of the institution. I put Allen in with the same category, I've learned so much from him in the last eight years and it's a tough job. I think about a job that requires you to come in here early in the morning and often times your first two conversations are with Richard DeBolt and Cathy Maynard, you'd better have your coffee before you get into the office. I think maybe even more than this side, you guys should be very thankful he has been here, at least in my time here, he has spent more time protecting you than he did us, I think. Believe it or not we would occasionally come up with some schemes, things are flying fast and hard, tensions are high and we would occasionally cook up some kind of a plot to do on the floor, and what I liked about Allen was that he never told me no. He would sit there and look at me and then say something like, "This may seem like a really good idea" and then he would say, "it even may even be a lot of fun but I think you should really think about this first." Then he would go through the reasons and what he always came back to was respect for the institution. Allen, I just want to thank you from the bottom of my heart for the things you have taught all of us and the amazing balance you have had in making this place go every day, I know everyone respects you for that and I just thank you for your friendship. Thank you."

Representative Sullivan: “Thank you Madame Speaker. Echoing some of the sentiments already expressed, and I want to mostly thank you for keeping the good gentleman from the 7th from doing any of those stupid things he mentioned. When I was preparing remarks today I was, in addition to serving here, for eight years as a State Legislator, I was a staffer here for a number of years, and I ran into Allen a few times but didn’t have much interaction, but I had a lot more interaction with his wife Sharon. So when I was trying to think about what to say today I thought who knows Allen better than anyone? I got a few stories from Sharon that I thought might be interesting to share. One thing I didn’t realize was that at one point Allens’ nickname was “Dogbite”. Back when he was a legislative staffer here in 1979, there was a bill that would give one free bite of liability to any dog owner and there was a legislator here that took offense to that legislation and asked Allen to draft a few amendments and I guess there was over one hundred in total or more. After that, there were people who referred to Allen as “Dogbite”, they didn’t actually know his name, they just called him “Dogbite”, that actually stuck for quite a while is my understanding. As a matter of fact it is my understanding that when his son Matt was born he was referred to as “Puppybite” for a little while. You know, through the years I think people counted on Allen to solve more problems and he became more of an institution within this institution and solved problems on a daily basis. Except for one situation that occurred, I guess, back when Newt Gingrich was Speaker of the U.S. House and he came here. Clyde Ballard was the Speaker and Newt came here to give a speech and everyone was prepared and it was an exciting time, the pomp and circumstance everything led up to the point he was going to speak and the microphones went dead. Speaker Ballard and Speaker Gingrich looked over at Allen and asked what should we do and Allen stood up and made a motion as if he was going to solve the problem and he went through the back door and no one saw him again. Allen, in all seriousness you truly are an institution within this institution, you will be greatly missed by everyone here. I know, from those on the other side of the aisle who have worked with you everyday, but from those on this side of the aisle, we wish you the best. You and Sharon deserve a great retirement and you are welcome back here anytime. Thank you very much Allen for your service to this institution.

Representative Kristiansen: “Thank you Madame Speaker. Allen, you are going to be missed. I still remember, it was about 12-13 years ago, I was a guest before I was even elected to office. I had one of our colleagues down here invite me to be a guest of the caucus and I’d never been down here, behind the scenes, seeing what was going on. It became very apparent very quickly that there was one man that everybody looked to for information, and that was Allen. I asked this gentleman, who was a former legislator, who is that guy over there? Everybody is asking him questions. I thought he must be Speaker of the House, I mean, everybody was going to him and he said no, that is Allen Hayward. It was said in such a way that, what? Who is this Allen Hayward guy? Is this an urban legend? Who is this guy? A couple years later I was elected to the legislature and I’ve served now for eleven years down here and he is an urban legend, but he is real. You know, Madame Speaker, you may have the majority, but we have Allen. We all have on our desk, if I may Madame Speaker, we’re not supposed to use props but I’m going to use one anyway, you can gavel me if you’d like. I think he is the only guy down here who really knows and has memorized every single page of this book. He knows the rules inside and out, he knows the parliamentary procedure inside and out and as Representative Kretz had mentioned earlier, he has talked us off several cliffs when we thought we were pretty smart, we think we’ve gotcha, and he’d say, “you know, that might sound like a great idea now, but you

might regret it later.” He did talk us off a few cliffs there. I think he has been here for thirty four years and as I look around this body here I realize, there are several of you who weren’t even born when he started working here, I’m talking about the women of course, they are all young, but he brings not only knowledge to this institution, but an amazing amount of wisdom. I think there is a difference there. I think a lot of us show up here in Olympia, and we’ve got a lot of knowledge, but we may not have that in the form of wisdom in applying that knowledge. One of the things that I greatly respect about you Allen is that you have taken the knowledge that you have learned over the years, and with all of your experiences, and the wisdom that you now carry, you’ve been able to help guide us as a caucus in times that have been difficult for us. You’ve been able to help us solve problems for the State of Washington, and not just for our caucus, I think for everybody, everybody on the rostrum and Madame Speaker, I think you have had some amazing input on how this place operates. The other thing about Allen I will never forget is that he is always so doggone enthusiastic about this process, he loves this institution. If you have ever had an opportunity to spend five minutes with this gentleman you will know that he just has so much respect and enthusiasm about not only this institution, but our form of government that we have here. He has got it memorized, he knows it, and I will admit, from the minority perspective, there are very few things we can celebrate when it comes to voting on bills, but one of the things that has pleased me more than anything is to watch Allen come out from around the corner, show up on the floor, and the looks on everybody’s face on the rostrum going, uh oh, here comes Allen, what did we do wrong? He has kind of been the watchdog of this place to make sure everybody, not just ourselves, but everybody in this institution pays it the respect it is due. Allen, we love you, were going to miss you, have fun on those sunny shores, wherever you’re going to go, enjoy time with your wife and family. Thank you very much Madame Speaker.

Representative Moeller: “Thank you Madame Speaker. Allen, you may want to talk to your wife as you’re moving on your way to Ocean Shores later today and Hawaii because she shared with us a number of stories. For example, when duty called, Allen was always there, for example in 1985 when we, the Washington State Legislature hosted NCSL, Allen was assigned to crowd control. Along the Seattle waterfront there were copious amounts of seafood delicacies that were shared and we all enjoyed them of course, but particularly there was one called Tequila Shooters that Allen particularly enjoyed, he found them to be quite tasty, but he was the first to admit that the climb up the waterfront to his hotel room, a half mile away, up, up, up the hill was especially long considering that part of it was covered on his knees. I want to specifically thank you Allen for all your patience with me, I know that since I was a freshman I was trying to emulate the Speaker Pro Tem John Lovick up there, in fact a lot of my cohorts here on the floor were tired of me mouthing the words as they came out of his mouth but at the same time, I also remember you sharing with me the stops of the bus, so to speak, the orders of business and all the other intricacies of this place. For some of us, in fact, for very few of us, this place is just another place to work, but for the vast majority of us, we get to work in this place and you have taught us all about that so I thank you and I think this House thanks you.”

Representative Smith: “Thank you Madame Speaker. I rise today in support of our dear friend and colleague, Allen. You know, if I may have your permission to tell you a little story. When I was a very young bride, I happened to be living in southern California and my mom loved John Wayne. I got to talk to his secretary. We have a picture, in our family from John Wayne to my mom and when my mom died, that picture came to my house.

It sits just as you enter our home. John Wayne was an American hero. My kids know about John Wayne, they all have their favorite movies in which he figured out what we needed to do and rescue those who needed rescuing and led the way for what was right and just. He was a great actor and a patriot. But you know American heroes come in a lot of packages. Allen Hayward, you are an American hero. You have inspired decades of legislators to believe in the best of this institution. You've taught us that the rules we abide by and our little red book, it matters. That the debates are debates around the issues that we stay focused on why we're here. I want to thank you for that. I want to thank you that your office has been consistently, for more than thirty years, for me, for every legislator that entered it, the safest place on campus. We could count on you, your advice was sound your integrity was never questioned, your trustworthiness gave us a sense to be able to walk out your door and do what we had asked you about and to do it well and with honor and integrity. You are our American hero and I just want everyone to know that behind the scenes in the institutions that govern our nation at the state level and the federal level, are people like Allen Hayward who lead the way. When people get discouraged about politics and about the divisiveness and about the ugliness, know this, there are Allen Haywards. Investing in young legislators and old legislators for us to do our jobs well. Your experience was forged in the fires of life experiences and your education, your keen sense of justice, your love of our constitution. From that, your experience has been a guiding hand for so many of us. We have been blessed to have worked with you, we ask God's blessing on you and Sharon and this next season of life, you will continue to inspire in another capacity, and know this, our friendship and deep admiration go with you, thanks Allen.

Representative Hunt: "Thank you Madame Speaker. Well Allen, I have waited years to do this. We've worked together and against each other for many years. I started out as a Senate Democratic Caucus staff member and we always knew we had these little things we'd try to slip into a bill or something and we hated Allen Hayward because we knew he would find it and we would never get it done. It's been a wonderful friendship. You told a story at your retirement party or somebody did that when you first came here you offered to work for free. That is wasn't about the money, it wasn't about the job, he wanted to work in the Legislature and was willing to do it for free for a part-time job. Well, it's been a pretty good part time job and thank you for that. I think the person who so eloquently read the resolution, I think there was a phrase in there about "appropriate feistiness". I thought that really summed up Allen Hayward. He has been the go-to guy in the Legislature. There have been times when any of us have a question about this place or how we want it to work or what happened when, and we could go to Allen and get the answer. I think it is so important not only the quality of Allen Hayward, but the one thing we are really losing is addition to a wonderful guy and a wonderful staff member, is the institutional memory. You know where a lot of the bodies, so to speak, are buried and that's good. You can look at us and say, "you know, that was tried 8 or 10 years ago and it didn't work then either, and here's why", and that is really helpful. So, I know your smile is a little broader today and may you both have a good retirement and enjoy it well and one final thing, we went through this issue this year of where are we going to hold the Governors Ball. It was going to be Saint Martins and I sent out this angry email about that and Allen replied. He said I think this is a great idea, the last time the Governors' Ball was at Saint Martin's we were inaugurating a Republican Governor and we should do it again in 2013 for a Republican Governor. Well after the election was over I sent Allen an email response that said, how do you feel now? It was a

two word response, "MOVE IT". So Allen, thank you for your work, for your humor, for your friendship and don't be a stranger, we really love and admire you and thank you for all you have done."

Representative Walsh: "Thank you Madame Speaker and thank you Allen. I came here, this is my 21st session and you know, I used to think, oh my God who could work here this long, and here I am entering my third decade here. It's nice to know that someone was a little crazier than me. We appreciate that and I remember always, my former boss had a wonderful relationship with you and had so much respect for you. Any time I would have any questions that he might not be able to answer, which was pretty rare but did happen, he would say, "go talk to the smartest guy in this place", and that was Allen, and it's true. Not only was he the smartest guy, but probably also was able to be very humble in that position as well. I never felt, although he was sort of a God in this place, I never felt that I couldn't just go and sit down and have a conversation with him, I was very green when I got here, I did some stupid things. I remember very distinctly we would sometimes do a Thursday night Karaoke thing and one of our members got a DUI after our Thursday evening and I remember a reporter coming to me and wanting to talk about that. One of the things I quoted at one of the locations where we held this event on a Thursday night was, "Hell, you practically have to be drunk to get out of that place." So what showed up on the front page the next day? That quote. I just remember kind of hanging my head and realizing I had to show that to my boss. I went and talked to Allen about that a little too. He said well, you know, people pick up on sensationalistic things and even though you say off the record, it isn't going to work that way. He has just imparted little bits of knowledge to me over the years. I hope I've gotten a little smarter, I'd like to think I have some institutional memory as well, but, I don't have much of a memory left at this age. So anyway, you and Sharon deserve each other, you guys are both wonderful, I have so enjoyed working with you. It is always with a bit of sadness when I see the great people leave this place, because there is a lot of great people, you are all great people, and I love working with you all, but it's always so hard to see the good ones leave. Thank you Allen."

Representative Santos: "Thank you Madame Speaker. I couldn't pass this opportunity without saying just a few words about the service of the gentleman that we are here honoring today. The good lady from the 10th referenced that in this line of work, what often hits the media, the front pages, your 5 o'clock news, is the divisiveness of the public debate. The partisanship of our politics and that is a part of the tradition of being diverse minded and having clear different opinions, but the one thing that unites every member on this floor, Madame Speaker, is that we are each members of the Washington State House of Representatives and that this institution is one that we incur an obligation to uphold, not just today, but into the future. It is that notion of respect for this institution that has been instilled in every member on both sides of the aisle by the gentleman that we honor today and by the Speakers' Attorney. I rise today because some members, many members, may not remember that there was a time, in the last 15 years that I've served in this body, where the Speakers' Attorney was not able to serve as our guide on a daily basis. During that time of need, Allen Hayward served as a guide to both the Republican caucus and the Democratic caucus. During times when we were fully staffed, Allen Hayward always proved to be the most worthy of adversaries but during times of need, he became our trusted friend and for that Madame Speaker, I urge all members of this body to recognize Allen Hayward as the most

honorable steward of this great institution that we are so privileged to serve. Thank you Madame Speaker.”

HOUSE RESOLUTION NO. 4605 was adopted.

The Speaker (Representative Orwall presiding) introduced Allen Haywards’ family, his long suffering, lovely and talented wife, Sharon Hayward, parents Don and Barbara Hayward, sons Matthew Hayward, Jeff Malloy and Chris Malloy, grandson Gavin Hayward, sister in law Julie Knackstedt and niece Lea McCartney.

MOTION

Representative Sullivan moved that the remarks honoring Allen Hayward be spread across the journal.

The motion was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 1393 by Representatives Hunt, Chandler, Takko, Kristiansen, Blake, Warnick, Sells, Van De Wege and Wylie

AN ACT Relating to providing information to assist in unemployment insurance overpayment recovery; amending RCW 42.56.430; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1394 by Representatives Reykdal, Manweller, Sells, Hunt, Green and Van De Wege

AN ACT Relating to changing the employment security department’s settlement authority; amending RCW 50.24.020; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1395 by Representatives Sells, Manweller, Reykdal, Wylie, Chandler, Condotta, Hunt, Van De Wege, Green and Warnick

AN ACT Relating to implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011; amending RCW 50.16.010, 50.20.070, and 50.29.021; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workforce Development.

HB 1396 by Representatives Manweller, Sells, Chandler, Reykdal, Condotta, Hunt, Wylie, Van De Wege and Green

AN ACT Relating to changing the unemployment insurance shared work program by adopting short-time compensation provisions in the federal middle class tax relief and job creation act of 2012; amending RCW 50.60.030, 50.60.090, and 50.60.110; reenacting and amending RCW 50.60.020; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

HB 1397 by Representatives Orcutt, Santos, Dahlquist, Pike, Vick, Haler, Hargrove and Buys

AN ACT Relating to adding a requirement to sexual health education to include legal elements of and consequences of conviction for sexual offenses where a minor is the victim; and amending RCW 28A.300.145.

Referred to Committee on Education.

HB 1398 by Representatives Alexander, Hurst, Haigh, Schmick, Cody, Hunt, Moscoso and Condotta

AN ACT Relating to supporting youth programs through agricultural fairs and the horse racing commission; and amending RCW 15.76.100, 67.70.240, 15.76.115, and 67.16.280.

Referred to Committee on Appropriations.

HB 1399 by Representatives Stanford, Tharinger, Moscoso, Takko, Appleton, Bergquist and Liias

AN ACT Relating to giving general law enforcement authority to natural resource investigators; and amending RCW 10.93.020, 10.93.140, and 43.12.065.

Referred to Committee on Public Safety.

HB 1400 by Representatives Bergquist and Kochmar

AN ACT Relating to clarifying that service includes electronic distribution of hearing notices and orders in administrative proceedings; and amending RCW 34.05.434, 34.05.461, and 34.05.010.

Referred to Committee on Government Operations & Elections.

HB 1401 by Representatives Fitzgibbon, Dahlquist, Takko, Fey, Wilcox and Kochmar

AN ACT Relating to the timing of penalties under the growth management act; and amending RCW 36.70A.300, 43.17.250, 43.155.070, 70.146.070, and 36.70A.200.

Referred to Committee on Local Government.

HB 1402 by Representative Stanford

AN ACT Relating to adopting the insurer state of entry model act; amending RCW 48.05.090; adding new sections to chapter 48.35 RCW; repealing RCW 48.35.010, 48.35.020, 48.35.030, 48.35.040, 48.35.050, 48.35.060, 48.35.070, 48.35.080, 48.35.090, 48.35.100, 48.35.110, 48.35.120, 48.35.130, 48.35.140, 48.35.150, 48.35.160, 48.35.170, 48.35.180, 48.35.190, and 48.35.200; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1403 by Representatives Smith, Morris, Short, Ryu, Magendanz, Blake, Walsh, Hansen and Dahlquist

AN ACT Relating to promoting economic development by providing information to businesses; and amending RCW 19.02.050.

Referred to Committee on Technology & Economic Development.

HB 1404 by Representatives Liias, Walsh, Goodman and Roberts

AN ACT Relating to prevention of alcohol poisoning deaths; amending RCW 66.44.270; and creating a new section.

Referred to Committee on Public Safety.

HB 1405 by Representatives Liias, Ryu, Carlyle, Stanford, Fey, Fitzgibbon, Riccelli, Zeiger, Maxwell, Clibborn, Tarleton, Bergquist, Parker, Roberts, Moscoso, Farrell, Pedersen, Lytton, Sells, Kagi, Jinkins, Sawyer and Ormsby

AN ACT Relating to a competitive grant program for informal science, technology, engineering, and mathematics education; and adding a new section to chapter 43.330 RCW.

Referred to Committee on Capital Budget.

HB 1406 by Representatives Goodman, Pedersen, Rodne and Nealey

AN ACT Relating to the uniform correction or clarification of defamation act; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

HB 1407 by Representative Condotta

AN ACT Relating to the ability of a local legislative authority to regulate genetically modified organisms; amending RCW 69.04.730, 69.04.761, and 69.04.880; adding a new section to chapter 69.04 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

HB 1408 by Representatives Moscoso, Kristiansen, Reykdal and Hargrove

AN ACT Relating to providing cities and towns with the local options to permit digital outdoor advertising signs; amending RCW 47.42.062; and adding new sections to chapter 47.42 RCW.

Referred to Committee on Transportation.

HB 1409 by Representatives Tharinger, Schmick, Cody, Clibborn and Ross

AN ACT Relating to the requirements of allopathic physician licensure; amending RCW 18.71.050, 18.71.051, 18.71.055, and 18.71.095; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Health Care & Wellness.

HB 1410 by Representatives Schmick, Cody, Hope and Harris

AN ACT Relating to wellness programs under the insurance code; and amending RCW 48.30.140 and 48.30.150.

Referred to Committee on Health Care & Wellness.

HB 1411 by Representatives Kirby and Condotta

AN ACT Relating to removing spirits from wholesale distributors and suppliers of malt beverages provisions; and amending RCW 19.126.010, 19.126.020, and 19.126.040.

Referred to Committee on Government Accountability & Oversight.

HB 1412 by Representatives Bergquist, Zeiger, Maxwell, Reykdal, Kagi, Riccelli, Santos, Fitzgibbon, Tarleton, Lytton, Pollet, Farrell, Freeman, Ryu, Stonier, Stanford, Hunt, Van De Wege, Kochmar and Buys

AN ACT Relating to community service as a high school graduation requirement; amending RCW 28A.230.090; and creating a new section.

Referred to Committee on Education.

HB 1413 by Representatives Moscoso, Hunt, Santos, Liias, Ryu, Fey, Upthegrove, Dunshee, Tarleton, Pedersen, Bergquist, Hudgins, McCoy, Maxwell, Cody and Jinkins

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020, 54.12.010, and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 52.14 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Government Operations & Elections.

HB 1414 by Representatives Chandler, Blake, Warnick, Tharinger, Stanford and McCoy

AN ACT Relating to Yakima river basin water resource management; amending RCW 90.38.005, 90.38.010, 90.38.900, and 90.38.902; reenacting and amending RCW 43.84.092 and 43.84.092; adding new sections to chapter 90.38 RCW; providing a contingent effective date; providing an expiration date; and providing a contingent expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1415 by Representatives Haler and Warnick

AN ACT Relating to the designation of hydroelectric energy generation on irrigation district facilities as renewable; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Environment.

HB 1416 by Representatives Warnick, Manweller, Takko, Fagan and Schmick

AN ACT Relating to the financing of irrigation district improvements; amending RCW 84.34.310, 87.03.480, 87.03.485, 87.03.490, 87.03.495, 87.03.510, 87.03.515, 87.03.527, 87.06.020, 87.28.103, and 87.28.200; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Local Government.

HB 1417 by Representatives Manweller, Fagan and Warnick

AN ACT Relating to the administration of irrigation districts; and amending RCW 87.03.135, 87.03.620, 87.03.630, 87.06.030, 87.03.437, 87.03.015, and 89.12.050.

Referred to Committee on Local Government.

HB 1418 by Representatives Hunt, Buys, Manweller and Warnick

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

Referred to Committee on Government Operations & Elections.

HB 1419 by Representatives Warnick and Manweller

AN ACT Relating to the Washington state horse park authority; amending RCW 79A.30.030; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1420 by Representatives Liias, Orcutt and Clibborn

AN ACT Relating to public contracts for transportation improvement projects; amending RCW 60.28.011, 39.08.030, 39.08.030, 39.12.040, 47.04.082, and 47.28.140; reenacting and amending RCW 39.08.010; adding a new section to chapter 47.28 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1421 by Representatives Tharinger and Nealey

AN ACT Relating to protecting the state's interest in collecting deferred property taxes; amending RCW 35.49.160, 36.35.110, 36.35.140, 36.35.190, 36.35.220, 36.35.250, 84.37.070, 84.38.100, 84.38.140, 84.60.010, and 84.64.050; and adding a new section to chapter 84.64 RCW.

Referred to Committee on Finance.

HB 1422 by Representatives Condotta and Hurst

AN ACT Relating to the beer and wine tasting endorsement for grocery stores; and amending RCW 66.24.363.

Referred to Committee on Government Accountability & Oversight.

HB 1423 by Representatives Haigh, Fagan and Seaquist

AN ACT Relating to online learning; amending RCW 28A.150.325, 28A.150.262, 28A.250.010, 28A.250.070, 28A.225.225, 28A.150.100, 28A.520.020, 28A.525.162, and 28A.525.166; reenacting and amending RCW 28A.225.220; adding new sections to chapter 28A.250 RCW; creating a new section; and recodifying RCW 28A.150.262.

Referred to Committee on Education.

HB 1424 by Representatives Haigh, Santos, Sullivan, Maxwell, Ryu, Freeman, Stonier, Seaquist and McCoy

AN ACT Relating to enhancing the statewide K-12 dropout prevention, intervention, and reengagement system; amending RCW 28A.175.025, 28A.175.035, 28A.175.045, 28A.175.055, 28A.175.074, 28A.175.075, 28A.150.260, 28A.310.350, 28A.230.125, and 28A.175.145; adding new sections to chapter 28A.175 RCW; adding new sections to chapter 28A.310 RCW; creating a new section; and repealing RCW 28A.175.150.

Referred to Committee on Education.

HB 1425 by Representatives Appleton, Springer, Ryu, Haler, Manweller and McCoy

AN ACT Relating to removing the requirement that housing organizations apply to the Washington state quality award program; and amending RCW 43.185C.210.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1426 by Representatives Nealey, Morris, Chandler, Fey, Pike and Short

AN ACT Relating to allowing utilities serving customers in Washington and in other states to use eligible renewable resources located within the western electricity coordinating council area to comply with chapter 19.285 RCW, the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

HB 1427 by Representatives Orcutt, Carlyle, Nealey, Vick and Wilcox

AN ACT Relating to addressing the evasion of taxes by the use of certain electronic means; amending RCW 82.32.215 and 82.32.290; adding new sections to chapter 82.32 RCW; and prescribing penalties.

Referred to Committee on Finance.

HB 1428 by Representatives Upthegrove, Rodne, Seaquist, Hope, Appleton and Morrell

AN ACT Relating to the veterans innovation program; amending RCW 67.70.240; adding a new section to chapter 67.70 RCW; and repealing RCW 67.70.500, 43.131.405, and 43.131.406.

Referred to Committee on Appropriations.

HB 1429 by Representatives Seaquist, Roberts, Pollet, Goodman, Takko, Walsh, Maxwell and Hunter

AN ACT Relating to inmate postsecondary education degree programs to reduce recidivism; and amending RCW 72.09.460 and 72.09.465.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1407, which was held on first reading.

REPORTS OF STANDING COMMITTEES

January 23, 2013

HB 1010 Prime Sponsor, Representative Appleton: Concerning antifreeze products. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 23, 2013

HB 1012 Prime Sponsor, Representative Stanford: Increasing the penal sum of a surety bond required to be maintained by an appraisal management company. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 23, 2013

HB 1033 Prime Sponsor, Representative Stanford: Regulating the settling of certain insurer transactions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 23, 2013

HB 1038 Prime Sponsor, Representative Ryu: Requiring the department of licensing to adopt rules regarding online learning for training in cosmetology, manicuring, barbering, esthetics,

and instruction. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 22, 2013

HB 1124 Prime Sponsor, Representative Hurst: Concerning recommendations for streamlining reporting requirements for taxes and fees on spirits. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Shea.

Referred to Committee on Finance.

January 22, 2013

HB 1149 Prime Sponsor, Representative Hurst: Increasing the volume of spirits that may be sold per day to a customer of a craft distillery. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Shea.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 10:00 a.m., January 28, 2013, the 15th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTEENTH DAY

House Chamber, Olympia, Monday, January 28, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Anna Brooks and Owen Thompson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Brian Wiele, River Ridge Covenant Church, Lacey, Washington.

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

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

INTRODUCTIONS AND FIRST READING

HB 1407 by Representative Condotta

AN ACT Relating to the ability of a local legislative authority to regulate genetically modified organisms; amending RCW 69.04.730, 69.04.761, and 69.04.880; adding a new section to chapter 69.04 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

HELD ON FIRST READING

HB 1430 by Representatives Shea, Overstreet and Taylor

AN ACT Relating to reducing property tax delinquencies by modifying collection practices; and amending RCW 84.56.020.

Referred to Committee on Finance.

HB 1431 by Representatives Santos and Dahlquist

AN ACT Relating to alternative learning experience courses; amending RCW 28A.150.325, 28A.250.010, 28A.250.020, 28A.250.050, 28A.150.100, 28A.525.162, and 28A.525.166; and repealing RCW 28A.150.262.

Referred to Committee on Education.

HB 1432 by Representatives Stanford, Hope, Moscoso, Springer, Hayes, Roberts, McCoy, Liias and Kristiansen

AN ACT Relating to county property tax levies; and amending RCW 71.20.110 and 73.08.080.

Referred to Committee on Finance.

HB 1433 by Representatives Takko, Sawyer, Farrell, Haigh, Walsh, Seaquist and Haler

AN ACT Relating to creating a sentence for treatment program for juvenile offenders; amending RCW 13.40.0357; adding a new section to chapter 13.40 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1434 by Representatives Pollet, Upthegrove, McCoy, Fitzgibbon, Ryu, Moscoso, Reykdal, Orwall, Fey, Hudgins, Liias and Kagi

AN ACT Relating to the inclusion of community involvement in environmental decision making; amending RCW 70.94.161; reenacting and amending RCW 70.105D.070; adding new sections to chapter 90.48 RCW; adding new sections to chapter 70.105 RCW; adding a new section to chapter 70.105D RCW; adding a new section to chapter 70.94 RCW; adding new sections to chapter 43.21A RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 43.30 RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 43.300 RCW; adding a new section to chapter 47.01 RCW; adding a new chapter to Title 70 RCW; and providing an effective date.

Referred to Committee on Environment.

HB 1435 by Representatives Goodman and Nealey

AN ACT Relating to clarifying agency relationships in reconveyances of deeds of trust; and amending RCW 61.24.110.

Referred to Committee on Judiciary.

HB 1436 by Representatives Rodne, Pedersen, Shea and Jinkins

AN ACT Relating to privileging and professional conduct reviews by health care professional review bodies; amending RCW 7.71.030; and reenacting and amending RCW 70.41.200.

Referred to Committee on Judiciary.

HB 1437 by Representatives Reykdal, Blake, Haigh, Orcutt, Lytton and Van De Wege

AN ACT Relating to small farms under the current use property tax program for farm and agricultural lands; amending RCW 84.34.020; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1438 by Representatives Buys, Blake, Chandler, Warnick and Schmick

AN ACT Relating to de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies; amending RCW 90.03.380 and 90.03.380; adding a new section to chapter 90.03 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1439 by Representative Buys

AN ACT Relating to autonomous vehicles; adding a new chapter to Title 46 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1440 by Representatives McCoy, Sullivan, Ryu, Sells, Green, Cody, Moscoso, Goodman, Bergquist, Riccelli, Hunt, Fitzgibbon, Pollet, Seaquist, Roberts, Ormsby, Stonier, Pettigrew, Van De Wege, Hudgins, Reykdal, Blake, Freeman, Moeller and Jinkins

AN ACT Relating to ensuring fairness to employers by protecting employees; amending RCW 39.12.010, 39.12.050, 49.52.070, 49.48.084, 50.12.070, 50.12.072, 50.24.070, 50.04.100, 50.04.298, 51.08.070, and 51.08.180; reenacting and amending RCW 49.48.082, 49.48.060, and 49.46.010; adding new sections to chapter 39.12 RCW; adding new sections to chapter 49.52 RCW; adding new sections to chapter 49.48 RCW; adding new sections to chapter 49.46 RCW; adding a new section to chapter 50.04 RCW; adding a new chapter to Title 49 RCW; adding a new chapter to Title 60 RCW; creating new sections; repealing RCW 39.12.100, 49.46.100, 50.04.140, 50.04.145, 51.08.181, and 51.08.195; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1441 by Representatives Van De Wege, Morrell, Jinkins and Cody

AN ACT Relating to long-term care insurance; and amending RCW 48.83.090 and 48.83.170.

Referred to Committee on Health Care & Wellness.

HB 1442 by Representatives Schmick, Cody, Hunt, Condotta, Blake and Sullivan

AN ACT Relating to providing increased access to parimutuel satellite locations in counties with a population exceeding one million; and amending RCW 67.16.200.

Referred to Committee on Government Accountability & Oversight.

HB 1443 by Representatives Sells and Hope

AN ACT Relating to providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas; and adding a new chapter to Title 84 RCW.

Referred to Committee on Technology & Economic Development.

HB 1444 by Representatives Hunt, Tharinger, Takko and Morris

AN ACT Relating to stewardship of household mercury-containing lights; amending RCW 70.275.030, 70.275.040, 70.275.050, and 70.275.120; reenacting and amending RCW 70.275.020; adding new sections to chapter 43.131 RCW; and creating a new section.

Referred to Committee on Environment.

HB 1445 by Representatives Cody, Green and Jinkins

AN ACT Relating to complex rehabilitation technology products; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1446 by Representatives Kirby, Nealey and Goodman

AN ACT Relating to judicial proceedings and forms; and amending RCW 2.36.095, 11.96A.090, and 26.26.610.

Referred to Committee on Judiciary.

HB 1447 by Representatives Fey, Hargrove, Clibborn and Zeiger

AN ACT Relating to heavy haul corridors; amending RCW 46.44.0915; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1448 by Representatives Bergquist, Ross, Cody, Harris, Green, Rodne, Tharinger, Johnson and Manweller

AN ACT Relating to telemedicine; amending RCW 41.05.011, 70.41.020, and 70.41.230; reenacting and amending RCW 48.43.005; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1449 by Representatives Bergquist, Hope, Hunt, Buys, Orwall and Manweller

AN ACT Relating to making specific prosecution and defense documents and materials exempt from public inspection and copying; and amending RCW 42.56.240.

Referred to Committee on Government Operations & Elections.

HB 1450 by Representative Hunt

AN ACT Relating to assessments in public schools; amending RCW 28A.655.070, 28A.655.061, 28A.655.066, 28A.655.065, and 28A.655.185; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1451 by Representatives Hurst, Freeman, Takko and Carlyle

AN ACT Relating to state auditor applications for investigative subpoenas; adding a new section to chapter 43.09 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1452 by Representatives Dahlquist and Magendanz

AN ACT Relating to establishing accountability for student performance in third grade; adding new sections to chapter 28A.655 RCW; and creating a new section.

Referred to Committee on Education.

HB 1453 by Representative Seaquist

AN ACT Relating to state need grant eligibility; and amending RCW 28B.92.080.

Referred to Committee on Higher Education.

HB 1454 by Representatives Overstreet, Shea, Taylor, Scott and Condotta

AN ACT Relating to acts of official oppression by public servants; adding new sections to chapter 42.20 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1455 by Representatives Overstreet, Hurst, Orcutt, Haigh, Shea, Condotta, Morris, Buys, Taylor, Kretz, Scott, Uptegrove, Short, Harris, Hargrove, O'Ban and Holy

AN ACT Relating to eliminating the use of automated traffic safety cameras; amending RCW 46.12.655, 46.16A.120, 46.63.030, 46.63.073, and 46.63.075; and repealing RCW 46.63.170.

Referred to Committee on Transportation.

HB 1456 by Representatives Hunt, Moscoso, Seaquist, Blake, Riccelli, Reykdal and Stanford

AN ACT Relating to pretax payroll deductions for qualified transit and parking benefits; and amending RCW 41.04.230.

Referred to Committee on Government Operations & Elections.

HB 1457 by Representatives Green, Sawyer, Reykdal, Appleton, Sells, Ormsby, Bergquist, Jinkins, Pollet, Fey and Moeller

AN ACT Relating to implementing family and medical leave insurance; amending RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.160, 49.86.170, 49.86.180, 49.86.210, and 50.29.021; reenacting and amending RCW 43.79A.040 and 34.05.328; adding new sections to chapter 49.86 RCW; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1458 by Representative Green

AN ACT Relating to restricting outings from state facilities; repealing RCW 10.77.145; and repealing 2010 c 262 s 2.

Referred to Committee on Judiciary.

HB 1459 by Representatives Haler, Springer, Walsh, Wylie, Seaquist, Wilcox, Johnson and Condotta

AN ACT Relating to authorizing students under the age of twenty-one to taste wine in viticulture and enology programs; amending RCW 66.44.270; and adding a new section to chapter 66.12 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1460 by Representatives Manweller and Condotta

AN ACT Relating to administrative reassignment; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Government Operations & Elections.

HB 1461 by Representatives Manweller and Condotta

AN ACT Relating to notice of employees' rights related to unions; and adding a new section to chapter 49.12 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1462 by Representatives Manweller and Condotta

AN ACT Relating to minimum wage and overtime compensation complaints; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1463 by Representatives Manweller and Condotta

AN ACT Relating to compensation for injured workers; amending RCW 51.32.090; adding new sections to chapter 51.04 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1464 by Representatives Manweller and Condotta

AN ACT Relating to simplifying and adding certainty to the calculation of workers' compensation benefits; amending RCW 51.32.050, 51.32.060, and 51.32.090; adding a new section to chapter 51.08 RCW; repealing RCW 51.08.178; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

HB 1465 by Representatives Manweller and Condotta

AN ACT Relating to recovery for purposes of legal actions under the industrial insurance statutes; amending RCW 51.24.030, 51.24.050, and 51.24.060; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1466 by Representatives Haigh, Warnick, Dunshee, Fey, Kristiansen and Reykdal

AN ACT Relating to revisions to alternative public works contracting procedures; amending RCW 39.10.220, 39.10.230, 39.10.240, 39.10.250, 39.10.260, 39.10.270, 39.10.280, 39.10.300, 39.10.320, 39.10.330, 39.10.340, 39.10.380, 39.10.385, 39.10.390, 39.10.400, 39.10.420, 39.10.440, 39.10.490, 43.131.407, and 43.131.408; reenacting and amending RCW 39.10.210; adding a new section to chapter 43.131 RCW; repealing RCW 39.10.500 and 39.10.510; providing an effective date; providing a contingent effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 1467 by Representatives Green, Sells, Reykdal, Ormsby, McCoy and Van De Wege

AN ACT Relating to the collection of unpaid wages; amending RCW 49.48.086; and adding a new section to chapter 49.48 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1468 by Representatives Sells, Reykdal, Manweller, Condotta, Ormsby, Van De Wege, Fagan and Green

AN ACT Relating to payment methods on certain claimants' benefits; and amending RCW 7.68.031, 7.68.033, 7.68.034, 51.04.080, 51.28.060, 51.32.040, 51.32.045, and 51.44.110.

Referred to Committee on Labor & Workforce Development.

HB 1469 by Representatives Schmick, Sells, Reykdal, Fagan, Green, Condotta, Short, Ormsby and Van De Wege

AN ACT Relating to industrial insurance for horse racing employment; and amending RCW 51.16.210.

Referred to Committee on Labor & Workforce Development.

HB 1470 by Representatives Ormsby, Manweller, Sells, Reykdal, Fagan, Green, Van De Wege and Condotta

AN ACT Relating to recommendations of the vocational rehabilitation subcommittee for workers' compensation; amending RCW 51.32.095 and 51.32.099; amending 2011 c 291 s 3 (uncodified); amending 2009 c 353 s 7 (uncodified); amending 2007 c 72 s 6 (uncodified); and providing expiration dates.

Referred to Committee on Labor & Workforce Development.

HB 1471 by Representatives Riccelli, Schmick, Cody, Clibborn, Ross, Short, Rodne and Green

AN ACT Relating to updating and aligning with federal requirements hospital health care-associated infection rate reporting; and amending RCW 43.70.056.

Referred to Committee on Health Care & Wellness.

HB 1472 by Representatives Hansen and Habib

AN ACT Relating to initiatives to improve and expand access to computer science education; amending RCW 28A.230.097 and 28A.250.030; adding a new section to chapter 28A.630 RCW; and creating new sections.

Referred to Committee on Education.

HB 1473 by Representatives Sells, McCoy, Morrell, Roberts, Takko, Lytton, Green and Ormsby

AN ACT Relating to reporting payments for construction services; amending RCW 39.12.055; adding a new section to chapter 51.04 RCW; adding a new section to chapter 42.56 RCW; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1474 by Representatives Pedersen, Rodne, Goodman, Buys, Hunt, Hunter, Hudgins and Carlyle

AN ACT Relating to giving general election voters the power to choose between the top two candidates for nonpartisan offices; reenacting and amending RCW 29A.36.170; and repealing RCW 29A.36.171.

Referred to Committee on Government Operations & Elections.

HB 1475 by Representatives Magendanz, Dahlquist, Haigh, Zeiger and Hargrove

AN ACT Relating to authorizing waivers of state requirements for school districts; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW; adding a new section to chapter 28A.180 RCW; adding a new section to chapter 28A.185 RCW; adding a new section to chapter 28A.190 RCW; adding a new section to chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW; adding a new section to chapter 28A.215 RCW; adding a new section to chapter 28A.220 RCW; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.305 RCW; adding a new section to chapter 28A.325 RCW; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW; adding a new section to chapter 28A.620 RCW; adding a new section to chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.635 RCW; adding a new section to chapter 28A.650 RCW; adding a new section to chapter 28A.655 RCW; adding a new section to chapter 28A.700 RCW; and creating new sections.

Referred to Committee on Education.

HB 1476 by Representatives Dahlquist, Magendanz, Zeiger and Smith

AN ACT Relating to establishing a performance-based grading system for schools and school districts; amending RCW 28A.657.110; and creating a new section.

Referred to Committee on Education.

HB 1477 by Representatives Magendanz, Pedersen, Dahlquist, Lytton and Hargrove

AN ACT Relating to providing flexibility for how school districts address truancy of students; amending RCW 28A.225.015, 28A.225.020, 28A.225.025, 28A.225.030, and 28A.225.151; and creating a new section.

Referred to Committee on Judiciary.

HB 1478 by Representatives Orcutt, Taylor, Short, Smith, Angel, Pike, Condotta, Vick, Haler, Hargrove and Buys

AN ACT Relating to suspension of rule making; amending RCW 34.05.310, 34.05.313, and 34.05.320; reenacting and amending RCW 34.05.328; adding new sections to chapter 34.05 RCW; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 1479 by Representatives Orcutt, Pike, Hargrove and Buys

AN ACT Relating to allowing leased land used for the placement of a mobile home to qualify for the senior, disabled, and veteran property tax exemption; amending RCW 84.36.381 and 84.36.383; and creating a new section.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1407, which was held on first reading.

REPORTS OF STANDING COMMITTEES

January 24, 2013

HB 1013 Prime Sponsor, Representative Appleton: Authorizing regular meetings of county legislative authorities to be held at alternate locations within the county. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Uptegrove.

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

Passed to Committee on Rules for second reading.

January 24, 2013

HB 1028 Prime Sponsor, Representative Dahlquist: Modifying a portion of the scenic and recreational highway on state route number 410. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Klippert; Kochmar; Kristiansen; Moeller; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Johnson; Kretz and Shea.

Passed to Committee on Rules for second reading.

January 24, 2013

HB 1039 Prime Sponsor, Representative Takko: Concerning per diem compensation for flood control zone district supervisors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Uptegrove.

Passed to Committee on Rules for second reading.

January 24, 2013

HB 1045 Prime Sponsor, Representative Ryu: Authorizing certain local authorities to establish maximum speed limits on certain nonarterial highways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Klippert; Kretz; Moeller; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Johnson; Kochmar; Kristiansen and Shea.

Passed to Committee on Rules for second reading.

January 24, 2013

HB 1056 Prime Sponsor, Representative Angel: Authorizing certain corporate officers to receive unemployment benefits. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

January 24, 2013

HB 1074 Prime Sponsor, Representative Angel:
Concerning requirements governing and
associated with plat approvals. Reported by
Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Fitzgibbon, Vice Chair.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Community Development, Housing & Tribal Affairs was relieved of HOUSE BILL NO. 1223, and the bill was referred to the Committee on Agriculture & Natural Resources.

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

There being no objection, the House adjourned until 9:55 a.m., January 29, 2013, the 16th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTEENTH DAY

House Chamber, Olympia, Tuesday, January 29, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1407 by Representatives Condotta and Van De Wege

AN ACT Relating to the ability of a local legislative authority to regulate genetically modified organisms; amending RCW 69.04.730, 69.04.761, and 69.04.880; adding a new section to chapter 69.04 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1480 by Representatives Green, Schmick, Cody, Harris and Jinkins

AN ACT Relating to providing prescription drugs by direct practice providers; amending RCW 48.150.040; and reenacting and amending RCW 48.150.010.

Referred to Committee on Health Care & Wellness.

HB 1481 by Representatives Appleton, Angel, Sells, Liias, Takko, Seaquist, Hansen, Tharinger, Van De Wege, Moeller and Ryu

AN ACT Relating to removing the expiration date from RCW 47.64.280 regarding the marine employees' commission complaint and dispute procedure; and amending RCW 47.64.280.

Referred to Committee on Labor & Workforce Development.

HB 1482 by Representatives Goodman, Habib, Kirby, Orwall, Hurst, Moscoso, Takko, Seaquist, Bergquist, Ryu, Fey, Appleton, McCoy, Green, Lytton, Pollet, Liias and Stonier

AN ACT Relating to impaired driving; amending RCW 2.28.175, 3.66.068, 3.66.067, 3.50.320, 3.50.330, 35.20.255, 9.94A.525, 10.31.100, 43.43.395, 9.94A.533, 46.20.720, 46.20.270, 9.94A.603, 46.25.090, 46.25.110, and 46.25.120; reenacting and amending RCW 46.61.5055 and 46.20.308; adding a new section to chapter 9.94A RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1483 by Representatives Hunt, Johnson, Appleton, Pollet, Reykdal, Moscoso, Van De Wege, Alexander, McCoy, Ryu, Kagi and Jinkins

AN ACT Relating to public and private airport parking facilities; adding a new section to chapter 47.68 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1484 by Representatives Stanford and Warnick

AN ACT Relating to the public works board; amending RCW 43.155.010, 43.155.020, 43.155.030, 43.155.050, and 43.155.070; adding new sections to chapter 43.155 RCW; and repealing RCW 43.155.040, 43.155.060, 43.155.065, 43.155.068, 43.155.075, 43.155.110, and 43.155.120.

Referred to Committee on Capital Budget.

HB 1485 by Representatives Fey, Sawyer, Jinkins, Liias, Fitzgibbon and Ryu

AN ACT Relating to transportation benefit district vehicle fees; and amending RCW 36.73.065 and 82.80.140.

Referred to Committee on Transportation.

HB 1486 by Representatives Fitzgibbon, Stanford, Bergquist, Roberts, Van De Wege, Ryu and Santos

AN ACT Relating to voter-approved benefit charges for regional fire protection service authorities; and amending RCW 52.26.220, 52.26.230, and 84.55.092.

Referred to Committee on Local Government.

HB 1487 by Representatives Parker, Kirby, MacEwen, Goodman, Kochmar, Upthegrove, Ryu, Angel, Maxwell and Bergquist

AN ACT Relating to the real estate agency relationship; and amending RCW 18.86.010, 18.86.020, 18.86.030, 18.86.031, 18.86.040, 18.86.050, 18.86.060, 18.86.070, 18.86.080, 18.86.090, 18.86.100, 18.86.110, and 18.86.120.

Referred to Committee on Business & Financial Services.

HB 1488 by Representatives Liias, Sawyer, Cody, Farrell, Roberts, Fey, Stanford, Pollet, Fitzgibbon, Ryu, Van De Wege, Tarleton, Santos and Bergquist

AN ACT Relating to voter-approved benefit charges for fire protection districts; and amending RCW 52.18.050.

Referred to Committee on Local Government.

HB 1489 by Representatives Tharinger and Van De Wege

AN ACT Relating to the sales and use taxation of florists; amending RCW 82.32.730; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1490 by Representatives Sells, Reykdal, Tharinger, Pollet, Walsh, Green, Fitzgibbon, Goodman, Hope, Moscoso, Freeman, Lytton, Ormsby, Stanford, Ryu, Liias, Fey and Bergquist

AN ACT Relating to the public employees' collective bargaining act as applied to department of corrections employees; reenacting and amending RCW 41.80.020; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1491 by Representatives Ryu, O'Ban, Parker, Santos, Sullivan, Habib, Kochmar, Stanford and Pollet

AN ACT Relating to debt adjusting services; amending RCW 18.28.080, 18.28.090, 18.28.110, 18.28.150, 18.28.165, and 18.28.190; reenacting and amending RCW 18.28.010; adding new sections to chapter 18.28 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Business & Financial Services.

HB 1492 by Representatives Klippert, McCoy, Haler, Pettigrew, Moscoso, Hayes, Hargrove, Buys and Hawkins

AN ACT Relating to waivers from school year requirements for purposes of economy and efficiency; and amending RCW 28A.305.141.

Referred to Committee on Education.

HB 1493 by Representatives Springer, Warnick, Hansen, Short, Orcutt, Tharinger, Seaquist, Zeiger, Hunt, Wilcox, Nealey, Morrell, Moscoso, Liias, Stanford, Hudgins, Green, Pettigrew, Moeller, Appleton, Ryu, Bergquist and Stonier

AN ACT Relating to the property taxation of mobile homes and park model trailers; amending RCW 46.44.170; and adding a new section to chapter 84.56 RCW.

Referred to Committee on Finance.

HB 1494 by Representatives Pollet, Moscoso, Hunt, McCoy, Farrell, Bergquist, Reykdal, Appleton, Ryu, Roberts, Jinkins and Fey

AN ACT Relating to providing additional funding for the state's higher education institutions and their students; amending RCW 83.100.040; and creating a new section.

Referred to Committee on Finance.

HB 1495 by Representatives Sawyer, Liias, McCoy, Fey, Hunt, Riccelli, Appleton, Santos, Dunshee, Stanford, Ryu, O'Ban, Ormsby and Pollet

AN ACT Relating to access of tribal members to state lands; and adding a new section to chapter 79.10 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1496 by Representatives Sawyer, McCoy, Hunt, Appleton, Santos, Liias, Riccelli, Dunshee, Stanford, Ormsby and Pollet

AN ACT Relating to hunting-related enforcement actions involving tribal members; and adding a new section to chapter 77.15 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1497 by Representatives Moscoso, Freeman, Roberts, Orwall, Reykdal, Appleton, McCoy, Hunt, Upthegrove, Ryu, Kagi, Santos and Bergquist

AN ACT Relating to nonconviction records; adding a new chapter to Title 10 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1498 by Representatives Upthegrove, Short and Ryu

AN ACT Relating to improving reports on electronic waste collection; and amending RCW 70.95N.140.

Referred to Committee on Environment.

HB 1499 by Representatives Jinkins, Harris, Cody, Fitzgibbon, Ryu, Roberts, Fey and Pollet

AN ACT Relating to the program of all-inclusive care for the elderly; and amending RCW 74.09.523.

Referred to Committee on Health Care & Wellness.

HB 1500 by Representatives Lytton, Kretz, Ryu and Bergquist

AN ACT Relating to the creation of a special license plate dedicated to raising revenue to fund preventative wolf management efforts at the department of fish and wildlife; amending RCW 46.18.200, 46.17.220, 46.68.425, and 46.18.060; reenacting and amending RCW 77.12.170; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

HB 1501 by Representatives Lytton, Kretz and Ryu

AN ACT Relating to building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan; amending RCW 77.36.100, 77.36.130, 46.18.200, 46.17.220,

46.68.425, and 46.18.060; adding new sections to chapter 77.36 RCW; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1502 by Representatives Carlyle and Ryu

AN ACT Relating to imposing fees for reseller permits; amending RCW 82.32.780 and 82.32.783; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1503 by Representatives Carlyle and Ryu

AN ACT Relating to increasing excise tax revenue with liquor license renewals; amending RCW 82.08.155, 82.32.080, 82.03.190, 66.24.010, 66.08.150, and 34.05.422; adding a new section to chapter 82.32 RCW; creating a new section; recodifying RCW 82.08.155; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1504 by Representatives Carlyle, Orwall, Pedersen, Jinkins, Fitzgibbon, Cody, Ormsby, Hudgins, Tarleton, Wylie, Riccelli, Moscoso, Farrell, Kagi, Appleton, Ryu, Walsh, Habib, Maxwell, Santos and Pollet

AN ACT Relating to reducing criminal justice expenses by eliminating the death penalty in favor of life incarceration; amending RCW 10.95.030; and repealing RCW 10.95.040, 10.95.050, 10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, 10.95.200, and 10.95.900.

Referred to Committee on Judiciary.

HB 1505 by Representatives Pedersen, Carlyle, Warnick, Lytton, Pollet, Maxwell, Santos, Dunshee, Farrell, Sullivan, Hunter, Fitzgibbon, Cody, Kagi, Van De Wege, Tharinger, Bergquist, Hudgins, Tarleton, Goodman, Pettigrew, Springer, Ryu and Morrell

AN ACT Relating to raising the minimum state funding assistance percentage for the school construction assistance program; and amending RCW 28A.525.166.

Referred to Committee on Capital Budget.

HB 1506 by Representatives Pedersen, Nealey, Goodman, Fagan, Kagi, Jinkins, Hope, Walsh, Orwall, Green, Hansen, Ryu, Ormsby, Roberts, Johnson and Pollet

AN ACT Relating to third-party visitation; amending RCW 26.10.160; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Judiciary.

HB 1507 by Representatives Pike, Uptegrove and Ryu

AN ACT Relating to electronic product recycling; and amending RCW 70.95N.020 and 70.95N.030.

Referred to Committee on Environment.

HB 1508 by Representatives Moeller and Ryu

AN ACT Relating to small estate guardian reporting intervals and training reporting requirements; adding a new section to chapter 11.92 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1509 by Representative Appleton

AN ACT Relating to one candidate primaries; and amending RCW 29A.52.112.

Referred to Committee on Government Operations & Elections.

HB 1510 by Representative Appleton

AN ACT Relating to write-in voting; and amending RCW 29A.24.311 and 29A.60.021.

Referred to Committee on Government Operations & Elections.

HB 1511 by Representatives Goodman, Kirby, Rodne and Ryu

AN ACT Relating to court reporting, communication access real-time translation, and real-time captioning services; amending RCW 18.145.005, 18.145.040, and 18.145.120; reenacting and amending RCW 18.145.030 and 18.145.080; and adding a new section to chapter 18.145 RCW.

Referred to Committee on Judiciary.

HB 1512 by Representatives Takko, Kochmar, Fitzgibbon, Buys, Sullivan, Magendanz, Springer, Van De Wege and Ryu

AN ACT Relating to fire suppression water facilities and services provided by municipal and other water purveyors; and adding a new chapter to Title 70 RCW.

Referred to Committee on Local Government.

HB 1513 by Representatives Green, Cody, Jinkins, Moeller, Ryu, Roberts, Morrell, Ormsby, Fey, Pollet and Bergquist

AN ACT Relating to outpatient commitment; reenacting and amending RCW 71.05.020; and adding new sections to chapter 71.05 RCW.

Referred to Committee on Judiciary.

HB 1514 by Representatives Cody, Moeller, Green, Jinkins, Appleton and Pollet

AN ACT Relating to advanced function dental auxiliaries; amending RCW 18.32.030, 18.32.0351, and 18.260.070; reenacting and amending RCW 18.120.020, 18.120.020, 18.130.040, and 18.130.040; adding a new chapter to Title 18 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1515 by Representatives Cody, Jinkins, Green, Morrell and Ryu

AN ACT Relating to medical assistants; amending RCW 18.360.050, 18.360.060, and 18.360.080; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1516 by Representatives Cody, Walsh, Moscoso, Jinkins, Stonier, Green, Roberts, Riccelli, Fitzgibbon and Pollet

AN ACT Relating to mid-level dental professionals; amending RCW 18.32.030, 18.32.0351, 18.260.010, 18.260.040, 18.260.070, 18.260.080, and 69.41.010; reenacting and amending RCW 18.120.020, 18.120.020, 18.130.040, 18.130.040, and 69.41.030; adding a new chapter to Title 18 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1517 by Representatives Cody, Jinkins, Ryu and Pollet

AN ACT Relating to a business and occupation tax exemption for the Washington health benefit exchange established under chapter 43.71 RCW; amending RCW 43.71.010; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1518 by Representatives Cody, Schmick, Ryu and Pollet

AN ACT Relating to providing certain disciplining authorities with additional authority over budget development, spending, and staffing; amending RCW 18.25.210, 18.71.430, and 18.79.390; repealing RCW 18.71.0191 and 18.79.130; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1519 by Representatives Cody, Green, Jinkins, Ryu and Pollet

AN ACT Relating to establishing accountability measures for service coordination organizations; amending RCW 70.96A.320, 71.24.330, and 74.39A.090; adding a new section to chapter 74.09 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care & Wellness.

HB 1520 by Representatives Shea, Rodne, Pedersen, O'Ban and Ryu

AN ACT Relating to disposing property in the leased premises of a deceased tenant; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1521 by Representatives Zeiger, Fey, Warnick, Manweller, Kristiansen and Ryu

AN ACT Relating to removing certain requirements for vehicle registration certificate applicants; reenacting and amending RCW 46.63.020; and repealing RCW 46.16A.050.

Referred to Committee on Transportation.

HB 1522 by Representatives Green, Ryu and Morrell

AN ACT Relating to improving behavioral health services provided to adults in Washington state by defining outcomes for adult behavioral health services, increasing use of evidence-based, research-based, and promising practices for the provision of adult behavioral health services, implementing a strategy for the improvement of the adult behavioral health system, reviewing the provision of forensic mental health services, procuring enhanced services facility services, and requiring timely hospital discharge under the involuntary treatment act when a person no longer requires active psychiatric treatment in a hospital; amending RCW 71.24.025; adding a new section to chapter 43.20A RCW; adding a new section to chapter 70.97 RCW; adding a new section to chapter 71.05 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1523 by Representatives Moeller, Cody, Appleton, Ryu, Ormsby, Jinkins and Pollet

AN ACT Relating to abuse of vulnerable adults; and amending RCW 74.34.020, 74.34.035, and 74.34.067.

Referred to Committee on Health Care & Wellness.

HB 1524 by Representatives Roberts, Clibborn, Goodman, Maxwell, Kagi, Orwall, Appleton, Ryu, Ormsby, Jinkins, Fey and Bergquist

AN ACT Relating to juvenile mental health diversion and disposition strategies; amending RCW 13.40.070, 13.40.080, and 13.40.127; reenacting and amending RCW 10.31.110; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1525 by Representatives Orwall, Pedersen, Goodman, Hunt, Roberts, Uptegrove, Ryu and Jinkins

AN ACT Relating to birth certificates and other birth-related information; amending RCW 26.33.330, 26.33.340, 26.33.345, 26.33.020, 70.58.080, 70.58.055, and 70.58.095; and adding a new section to chapter 26.33 RCW.

Referred to Committee on Judiciary.

HB 1526 by Representatives Orwall, Reykdal, Santos, Goodman, Uptegrove, Maxwell, Seaquist, Freeman, Bergquist, Lytton, Ryu, Kagi, Tarleton, Jinkins, Fey and Pollet

AN ACT Relating to increasing enrollment of underrepresented students in running start through a middle school, high school, and running start college partnership pilot project; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

HB 1527 by Representatives Appleton, Green and Johnson

AN ACT Relating to services for people with developmental disabilities; amending RCW 71A.16.040; and adding new sections to chapter 71A.20 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1528 by Representatives Cody, Harris, Morrell and Ryu

AN ACT Relating to the prescription of biological products and interchangeable biosimilar products; amending RCW 69.41.010, 69.41.120, and 69.41.190; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care & Wellness.

HB 1529 by Representatives Stanford, Jinkins, McCoy, Riccelli, Fitzgibbon, Reykdal, Pollet, Orwall and Roberts

AN ACT Relating to the disclosure of certain information when screening tenants; amending RCW 59.18.580; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Judiciary.

HB 1530 by Representatives McCoy, Angel, Ryu, Sawyer, Santos, Ormsby, Van De Wege and Bergquist

AN ACT Relating to promoting a balanced financing system for state parks programs and services in order to facilitate resource stewardship, interpretative activities, cultural events, and works of art in state parks; amending RCW 79A.05.065, 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.005, 79A.70.010, 79A.70.020, 79A.70.030, and 79A.70.040; adding a new section to chapter 79A.05 RCW; and repealing RCW 79A.70.050.

Referred to Committee on Community Development, Housing & Tribal Affairs.

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

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

There being no objection, the House adjourned until 10:00 a.m., January 30, 2013, the 17th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, January 30, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jon Michael Halverson and Rebekah Bovenkamp. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Amy Walters, First Christian Church, Olympia Washington.

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

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

INTRODUCTION & FIRST READING

HB 1531 by Representatives Hayes, Goodman, Klippert and Hope

AN ACT Relating to criminal history record information compliance audits; and amending RCW 10.98.100.

Referred to Committee on Public Safety.

HB 1532 by Representatives Wylie and Johnson

AN ACT Relating to unlawful detainer actions for at-will tenancies; and amending RCW 59.12.030.

Referred to Committee on Judiciary.

HB 1533 by Representatives Rodne and Jinkins

AN ACT Relating to clarifying notice of claims in health care actions; and amending RCW 7.70.100.

Referred to Committee on Judiciary.

HB 1534 by Representatives Riccelli and Harris

AN ACT Relating to the license surcharge for the impaired dentist program; and amending RCW 18.32.534.

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

HB 1535 by Representatives Fey, Moscoso, Green, Sullivan, Ormsby, Hunt, Seaquist, Upthegrove, Appleton, Haigh, Springer, McCoy, Ryu, Stonier, Lias, Jinkins, Fitzgibbon, Orwall, Dunshee, Stanford, Cody and Moeller

AN ACT Relating to the reduction in force of tenured or probationary community college faculty members; and repealing RCW 28B.50.873.

Referred to Committee on Labor & Workforce Development.

HB 1536 by Representatives Seaquist, Appleton, Haler, Springer, Stanford, McCoy, Upthegrove, Ormsby, Moscoso, Hunt, Ryu, Fitzgibbon, Lytton, Sawyer, Lias, Dunshee, Orwall, Cody, Stonier, Kagi and Moeller

AN ACT Relating to membership on community and technical college boards of trustees; and reenacting and amending RCW 28B.50.100.

Referred to Committee on Higher Education.

HB 1537 by Representatives O'Ban, Angel, Hayes, Green, Zeiger, Bergquist and Johnson

AN ACT Relating to a veteran's preference for the purpose of public employment; and amending RCW 41.04.010.

Referred to Committee on Government Operations & Elections.

HB 1538 by Representatives Morrell, Angel and Green

AN ACT Relating to the safe practice of public health nurses dispensing certain medications; and adding a new section to chapter 70.05 RCW.

Referred to Committee on Health Care & Wellness.

HB 1539 by Representatives Rodne, Springer, Hargrove, Sullivan, Magendanz, Takko, Kochmar and Pettigrew

AN ACT Relating to the annexation of unincorporated territory within a code city; and amending RCW 35A.14.295.

Referred to Committee on Local Government.

HB 1540 by Representatives Seaquist, Sells, Hope, Reykdal, Stanford and Hayes

AN ACT Relating to granting binding interest arbitration rights to certain uniformed personnel; amending RCW 41.80.005; reenacting and amending RCW 41.80.010; adding new sections to chapter 41.80 RCW; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

HB 1541 by Representatives Klippert, Cody, Schmick, Green, Harris, Chandler, Kristiansen and Morrell

AN ACT Relating to expanding the types of medications that a public or private school employee may administer to include nasal spray; and amending RCW 28A.210.260 and 28A.210.270.

Referred to Committee on Health Care & Wellness.

HB 1542 by Representatives Santos, Ryu, Moscoso, Kirby and Roberts

AN ACT Relating to the provision of and reimbursement for certain court interpreter services; and amending RCW 2.43.030, 2.43.040, and 2.42.120.

Referred to Committee on Judiciary.

HB 1543 by Representatives Schmick, Morrell, Harris, Rodne and Green

AN ACT Relating to the filing and public disclosure of health care provider compensation; amending RCW 48.46.243; adding a new section to chapter 48.43 RCW; and repealing RCW 48.44.070.

Referred to Committee on Health Care & Wellness.

HB 1544 by Representatives Lytton, Seaquist, Johnson and Smith

AN ACT Relating to educational specialist degrees at regional universities; and amending RCW 28B.35.202.

Referred to Committee on Higher Education.

HB 1545 by Representatives Liias, Santos, Hunt, Moscoso, Sells, Pollet, Jinkins, Reykdal, Upthegrove, McCoy, Appleton, Pettigrew, Orwall, Stanford and Tharinger

AN ACT Relating to guaranteeing that the top one percent pay too, through assessing a two percent tax on millionaires to fund the paramount duty trust fund and reduce class sizes in grades kindergarten through four; and adding a new chapter to Title 82 RCW.

Referred to Committee on Finance.

HB 1546 by Representatives Green, Johnson, Walsh, Kagi, Roberts, Smith, Zeiger, Upthegrove and Freeman

AN ACT Relating to the no paid case load of the division of developmental disabilities; amending RCW 71A.12.161 and 43.88C.010; adding new sections to chapter 71A.12 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1547 by Representatives Walsh, Kagi, Freeman, Fey and Zeiger

AN ACT Relating to an entity that provides drop-in educational or recreational programming for school-aged children; and reenacting and amending RCW 43.215.010.

Referred to Committee on Early Learning & Human Services.

HB 1548 by Representatives Blake and Chandler

AN ACT Relating to efficiencies in the department of ecology processing of water right change applications that move the point of withdrawal reducing the potential for surface water body impacts; amending RCW 90.44.100 and 90.44.100; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1549 by Representatives Blake and Chandler

AN ACT Relating to efficiencies in the department of ecology processing of water right change applications to permit the consolidation of the annual quantities of those water rights held by the applicant; amending RCW 90.44.100 and 90.44.100; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1550 by Representatives Buys, Overstreet, Haigh, Lytton, Hunt and Chandler

AN ACT Relating to modifying the property tax exemption for nonprofit fairs; and amending RCW 84.36.480.

Referred to Committee on Finance.

HB 1551 by Representatives Jinkins, Warnick, Santos, Morrell, Green, Pettigrew, Clibborn, Goodman, Tharinger, Harris and Hunt

AN ACT Relating to physical therapy; amending RCW 18.74.010 and 18.74.035; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1552 by Representatives Goodman, Klippert, Freeman, Kirby, Morrell, Seaquist, Sullivan and Appleton

AN ACT Relating to the reduction of metal theft; amending RCW 9A.48.100, 9A.56.030, 9A.56.040, 19.290.010, 19.290.020, 19.290.040, 18.235.020, and 43.24.150; reenacting and amending RCW 9.94A.515; adding new sections to chapter 19.290 RCW; adding new sections to chapter 43.43 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1553 by Representatives Moeller, Pike, Wylie, Harris, Orcutt, Johnson, Vick and Stonier

AN ACT Relating to the definition of a rural county for public facilities' sales and use tax purposes; and amending RCW 82.14.370.

Referred to Committee on Finance.

HB 1554 by Representatives Stonier, Harris, Rodne and Goodman

AN ACT Relating to community assistance referral and education services; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Public Safety.

HB 1555 by Representatives Green, Warnick, Cody and Morrell

AN ACT Relating to the education of surgical technologists; amending RCW 18.215.005, 18.215.010, and 18.215.020; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1556 by Representatives Van De Wege, Dahlquist, Morrell, Hayes, Cody, Pettigrew, Habib and McCoy

AN ACT Relating to initiatives in high schools to save lives in the event of cardiac arrest; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.230 RCW; and creating a new section.

Referred to Committee on Education.

HB 1557 by Representatives Chandler and Takko

AN ACT Relating to publicly owned industrial wastewater treatment facilities; and amending RCW 70.146.070 and 90.50A.030.

Referred to Committee on Capital Budget.

HB 1558 by Representatives Warnick and Manweller

AN ACT Relating to the taxation of honey beekeepers; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; repealing 2008 c 314 s 7 (uncodified); providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1559 by Representative Appleton

AN ACT Relating to requiring crisis intervention training for peace officers; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Public Safety.

HB 1560 by Representatives Maxwell, Dahlquist, Haigh, Lytton, Santos, Bergquist and Sullivan

AN ACT Relating to implementing selected recommendations from the 2011 and 2013 reports of the quality education council; amending RCW 28A.165.015, 28A.165.025, 28A.320.190, 28A.180.090, 28A.185.020, 28A.185.030, 28A.150.260, 28C.18.162, 28A.660.042, 28A.660.050, and 28A.660.040; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 28A.185 RCW; and adding a new section to chapter 28A.655 RCW.

Referred to Committee on Education.

HB 1561 by Representatives Blake, Hurst, Schmick, Takko, Hope, Kretz, Kirby, Kristiansen, Overstreet, Tharinger, Nealey, Van De Wege, Wilcox, Klippert, Chandler, Buys, Warnick, Orcutt, MacEwen, Lias, Goodman, Haigh, Moscoso and Moeller

AN ACT Relating to short-barreled rifles; amending RCW 9.41.190; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1562 by Representatives Lytton, Stonier, Haigh, Bergquist, Fitzgibbon, Appleton, Fey, Sells, Goodman, Ryu, Cody, Maxwell, Santos and Sawyer

AN ACT Relating to professional development funding for K-12 teachers; amending RCW 28A.405.104; and creating a new section.

Referred to Committee on Education.

HB 1563 by Representatives Farrell, Wylie, McCoy, Orwall, Seaquist, Bergquist, Springer, Pedersen, O'Ban, Kochmar and Moeller

AN ACT Relating to the disposition of surplus property for the development of affordable housing; amending RCW 43.63A.510, 43.20A.037, 72.09.055, 43.19.19201, 79A.05.170, 79A.05.175, 79.11.005, 47.12.064, 53.08.090, 53.08.091, and 81.112.080; adding a new section to chapter 36.34 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1564 by Representatives Schmick, Harris and Green

AN ACT Relating to the medical quality assurance commission; amending RCW 43.70.320, 18.71.401, 18.71.420, and 18.71.0191; adding a new section to chapter 42.52 RCW; and adding new sections to chapter 18.71 RCW.

Referred to Committee on Health Care & Wellness.

HB 1565 by Representatives Harris, Green, Jinkins and Cody

AN ACT Relating to funding the prescription monitoring program from the medicaid fraud penalty account; amending RCW 70.225.020 and 74.09.215; and creating a new section.

Referred to Committee on Appropriations.

HB 1566 by Representatives Carlyle and Kagi

AN ACT Relating to educational outcomes of youth in out-of-home care; amending RCW 28B.117.030, 28A.225.330, and 28A.210.090; reenacting and amending RCW 13.34.030; adding new sections to chapter 13.34 RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 43.41 RCW; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 28A.630 RCW; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1567 by Representatives Springer, Kirby, Sullivan, Orcutt, Condotta, Pettigrew, Nealey, Vick and Wilcox

AN ACT Relating to a sales and use tax exemption for certain financial information provided to qualifying businesses providing international investment management services; adding a new section to chapter 82.08 RCW; adding a new

section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1568 by Representatives Carlyle and Nealey

AN ACT Relating to the business licensing service program administered by the department of revenue; amending RCW 15.13.250, 15.13.250, 15.13.280, 15.13.290, 15.49.011, 15.49.380, 15.49.390, 15.54.275, 15.58.180, 15.58.235, 18.44.031, 18.64.044, 19.02.010, 19.02.030, 19.02.035, 19.02.070, 19.02.075, 19.02.080, 19.02.085, 19.02.090, 19.02.100, 19.02.110, 19.02.115, 19.02.210, 19.02.310, 19.02.800, 19.02.890, 19.80.010, 19.80.075, 19.94.2582, 35.21.392, 35A.21.340, 36.110.130, 43.22.035, 46.72A.020, 50.12.290, 59.30.050, 59.30.090, 69.25.050, 69.25.060, 70.290.030, 76.48.121, 82.24.510, 82.24.520, 82.26.150, 90.76.010, and 90.76.020; reenacting and amending RCW 15.58.030, 18.64.011, 19.02.020, 19.94.015, and 69.25.020; adding a new section to chapter 19.80 RCW; adding a new section to chapter 70.290 RCW; creating a new section; repealing RCW 19.02.220, 19.02.810, 19.80.065, and 43.24.160; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1569 by Representatives Pettigrew, Hope, Moscoso, Appleton and Ormsby

AN ACT Relating to information about legal financial obligations; amending RCW 36.23.110; and creating a new section.

Referred to Committee on Local Government.

HB 1570 by Representatives Kretz, Takko and Short

AN ACT Relating to filing requirements for property tax exemption claims for certain improvements to benefit fish and wildlife habitat, water quality, or water quantity; and amending RCW 84.36.255.

Referred to Committee on Finance.

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

REPORTS OF STANDING COMMITTEES

January 29, 2013

HB 1064 Prime Sponsor, Representative Goodman: Making technical changes to form year designations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Nealey and Orwall.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013

HB 1065 Prime Sponsor, Representative Goodman: Addressing the applicability of statutes of limitation in arbitration proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013

HB 1113 Prime Sponsor, Representative Short: Concerning standards for the use of science to support public policy. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

Passed to Committee on Rules for second reading.

January 28, 2013

HB 1141 Prime Sponsor, Representative Smith: Establishing a water pollution control revolving loan administration charge. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., January 31, 2013, the 18th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTEENTH DAY

House Chamber, Olympia, Thursday, January 31, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4606, by Representatives Blake and Warnick

WHEREAS, The 4-H Youth Development Program of Washington State University Extension has assisted the young people in Washington develop essential life skills since it was established in 1902; and

WHEREAS, The program centers on teaching young people to become productive members of society by fostering citizenship, science, math and technology literacy, health and wellness, communication, and decision-making skills; and

WHEREAS, Over ninety thousand young people and eight thousand adult volunteers throughout Washington participated in 4-H Youth Development Programs in 2012; and

WHEREAS, These programs helped participants learn about a wide variety of subjects including science, family living, applied arts, and government activism; and

WHEREAS, These programs work with traditional community clubs and reach youth through urban groups, special interest groups, nutrition programs, after school programs, camping, and interagency learning experiences; and

WHEREAS, More than three hundred 4-H members from around the state are currently visiting the State Capitol as part of an annual statewide educational program titled "4-H Know Your Government"; and

WHEREAS, The 4-H Know Your Government Program focused this year on the United States judicial system and how it works interactively with the executive and legislative branches of government; and

WHEREAS, 4-H will continue its dedication to empower young people to become active global citizens and realize the value, significance, and responsibility of taking part in local, regional, state, national, and international community issues;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State House of Representatives recognize the 4-H Youth Development Program for its many contributions to the youth of Washington and the betterment of our communities; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Pat BoyEs, the State 4-H Director for the Washington State University Extension 4-H Youth Development Program.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4606.

HOUSE RESOLUTION NO. 4606 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4607, by Representative Blake

WHEREAS, The 2012 Montesano High School football team withstood adversity in many forms during an improbable eleven-week run leading to the team's third state championship; and

WHEREAS, The Montesano High School football team was beset by the challenges of inexperience and graduation in the opening weeks of the 2012 season, resulting in a 1-2 start and the end of a forty-game league winning streak; and

WHEREAS, A fire at the historic Jack Rottle Stadium grandstands on the night of September 16, 2012, forced the Montesano High School football team to play all but one of its remaining home games on the road; and

WHEREAS, The Montesano players and coaches responded like true champions, winning eleven consecutive games including a 43-28 win over the second-ranked Royal Knights to win the school's third 1A state championship; and

WHEREAS, The Montesano High School football team's season is a testament to the fruits of hard work, determination, and sacrifice; and

WHEREAS, The Montesano High School football team members' efforts on the field were mirrored by their success in the classroom, where team members achieved a cumulative 3.5 grade point average and 2012 1A Football State Academic Championship;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the tremendous achievement of the Montesano High School football team on its success on the field and in the classroom; and

BE IT FURTHER RESOLVED, That Coach Terry Jensen and his staff be commended for their guidance and leadership in helping to shape this group of young men into champions; and

BE IT FURTHER RESOLVED, That the City of Montesano be commended for its support and dedication to its sons during their pursuit of a state championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Montesano High School, the Aberdeen Daily World, and Montesano Vidette newspapers.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4607.

HOUSE RESOLUTION NO. 4607 was adopted.

MESSAGE FROM THE SENATE

January 30, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5021
SUBSTITUTE SENATE BILL NO. 5022

SENATE BILL NO. 5046
 SENATE BILL NO. 5052
 SENATE BILL NO. 5147

and the same are herewith transmitted.

Hunter Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1571 by Representatives O'Ban and Green

AN ACT Relating to improving safety for patients and staff at state hospitals; and adding a new section to chapter 72.23 RCW.

Referred to Committee on Health Care & Wellness.

HB 1572 by Representatives Parker, Kirby, Hudgins, Hurst, Vick and Riccelli

AN ACT Relating to nonprofit debt adjusters; amending RCW 18.28.080 and 18.28.120; and reenacting and amending RCW 18.28.010.

Referred to Committee on Business & Financial Services.

HB 1573 by Representatives Harris, Hope, Pettigrew, Green, Walsh, Cody and Moeller

AN ACT Relating to clarifying the prohibitions against discriminating against licensed chiropractors; and amending RCW 18.25.0194 and 18.25.0195.

Referred to Committee on Health Care & Wellness.

HB 1574 by Representative Kagi

AN ACT Relating to investigative costs for residential services and supports programs; and adding new sections to chapter 71A.12 RCW.

Referred to Committee on Early Learning & Human Services.

HB 1575 by Representatives Springer, Kochmar, McCoy, Upthegrove and Fitzgibbon

AN ACT Relating to creating greater efficiency in the offices of county assessor by eliminating the requirement to annually appraise tax-exempt government properties; and amending RCW 84.40.045, 84.40.175, and 82.29A.120.

Referred to Committee on Local Government.

HB 1576 by Representatives Springer, Kochmar, McCoy, Habib, Upthegrove and Fitzgibbon

AN ACT Relating to creating greater efficiency in the offices of county assessors by allowing notification via electronic means; and adding a new section to chapter 84.09 RCW.

Referred to Committee on Local Government.

HB 1577 by Representatives Moscoso, Rodne, Blake, Takko, Klippert and Liias

AN ACT Relating to the furnishment of vehicle owner lists to manufacturers of motor vehicles; and amending RCW 46.12.630.

Referred to Committee on Transportation.

HB 1578 by Representatives Rodne, Santos, Ross and Haigh

AN ACT Relating to placing epinephrine autoinjectors in schools; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

HB 1579 by Representatives Goodman, Warnick, McCoy, Fey, Liias and Farrell

AN ACT Relating to paint stewardship; amending RCW 42.56.270; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1580 by Representatives Rodne, Goodman and Nealey

AN ACT Relating to allowing courts to assess additional costs to defendants if they are successful in setting aside a committed finding after failing to respond to an infraction or failing to appear for a hearing; and amending RCW 46.63.151.

Referred to Committee on Public Safety.

HB 1581 by Representatives Overstreet, Santos, Shea, Taylor, Buys, Condotta and Scott

AN ACT Relating to creating the Washington state preservation of liberty act condemning the unlawful detention of United States citizens and lawful resident aliens under the national defense authorization act; adding a new section to chapter 42.20 RCW; adding a new section to chapter 38.40 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1582 by Representatives Ryu, Warnick, Santos and Kirby

AN ACT Relating to credit unions' corporate governance, investments, and capital; and amending RCW 31.12.005, 31.12.195, 31.12.225, 31.12.235, 31.12.285, 31.12.365, 31.12.402, 31.12.426, 31.12.436, 31.12.438, 31.12.461, and 31.12.630.

Referred to Committee on Business & Financial Services.

HB 1583 by Representatives Jinkins, Schmick, Cody, Harris, Rodne and Green

AN ACT Relating to requiring ninety-day supply limits on certain drugs dispensed by a pharmacist; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care & Wellness.

HB 1584 by Representatives Moeller, Cody and Green

AN ACT Relating to authorizing physician assistants to perform ophthalmic-related services under employment or supervision by a medical doctor or an osteopathic physician; and amending RCW 18.71A.060.

Referred to Committee on Health Care & Wellness.

HB 1585 by Representatives Morrell, Wylie, Clibborn, Jinkins, Green and Moeller

AN ACT Relating to protecting children under the age of eighteen from the harmful effects of exposure to ultraviolet radiation associated with tanning devices; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1586 by Representatives Jinkins, Harris, Cody, Morrell, Van De Wege, Clibborn, Green and Moeller

AN ACT Relating to requiring transparency for patients regarding training and qualifications of health care professionals; adding new sections to chapter 18.130 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1587 by Representatives Cody, Van De Wege, Morrell and Jinkins

AN ACT Relating to public employee benefits; amending RCW 41.05.009, 41.05.011, 41.05.065, 41.05.066, 41.05.095, and 41.05.195; and reenacting and amending RCW 41.05.080.

Referred to Committee on Appropriations.

HB 1588 by Representatives Pedersen, Hope, Jinkins, Hansen, Freeman, Kagi, Walsh, Carlyle, Hunter, Clibborn, Ormsby, Cody, Green, Stanford, Orwall, Maxwell, Liias, Pettigrew, Tharinger, Springer, Hudgins, Wylie and Moeller

AN ACT Relating to requiring universal background checks for firearms transfers; amending RCW 9.41.080; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1589 by Representatives Hudgins, Rodne, Angel, Morris, Morrell, Habib and Carlyle

AN ACT Relating to solemnizing marriages; amending RCW 26.04.050 and 26.04.070; and adding a new section to chapter 26.04 RCW.

Referred to Committee on Judiciary.

HB 1590 by Representatives Springer, Appleton, Warnick, Kirby, McCoy and Goodman

AN ACT Relating to establishing a training program for managers of manufactured housing communities; adding a

new chapter to Title 59 RCW; prescribing penalties; providing an effective date; and providing a contingent effective date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1591 by Representatives Smith, Van De Wege, Magendanz, Appleton, Angel, Stonier and Schmick

AN ACT Relating to improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules; adding a new section to chapter 43.21A RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1592 by Representatives McCoy and Sells

AN ACT Relating to enforcement of speeding violations on certain private roads; and amending RCW 46.61.419.

Referred to Committee on Transportation.

HB 1593 by Representatives Jinkins, Angel, Kagi, Rodne, Cody, Clibborn, Riccelli and Moeller

AN ACT Relating to providing access to the prescription drug monitoring database for clinical laboratories; amending RCW 70.225.040; and adding a new section to chapter 70.225 RCW.

Referred to Committee on Health Care & Wellness.

HB 1594 by Representatives Sawyer, Roberts, Zeiger, Walsh, Kagi and Fey

AN ACT Relating to interviewing children in child protective services investigations; amending RCW 26.44.030; reenacting and amending RCW 26.44.030; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1595 by Representatives Schmick and Fagan

AN ACT Relating to the powers of initiative and referendum within counties that are not home rule charter counties; and adding new sections to chapter 36.01 RCW.

Referred to Committee on Local Government.

HB 1596 by Representatives Moeller, Harris, Cody and Hope

AN ACT Relating to authorizing Washington pharmacies to fill prescriptions written by physician assistants in other states; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care & Wellness.

HB 1597 by Representative Goodman

AN ACT Relating to marijuana law technical corrections; amending RCW 69.50.414, 69.51A.010, and 69.52.030; and reenacting and amending RCW 46.63.020.

Referred to Committee on Judiciary.

HB 1598 by Representative Santos

AN ACT Relating to providing an exemption for certain lodging services from the convention and trade center tax; amending RCW 36.100.040; and providing an effective date.

Referred to Committee on Finance.

HB 1599 by Representatives Van De Wege, Taylor, Fitzgibbon, Stanford, Takko, Lytton, Dunshee, Upthegrove and Liias

Concerning shoreline master program provisions for marine aquaculture net pen facilities.

Referred to Committee on Local Government.

HJM 4001 by Representatives Pedersen, Hope, Carlyle, Goodman, Kagi, Sells, Van De Wege, Haigh, Springer, Lytton, Tharinger, Jinkins, Hunt, Cody, Morrell, Ormsby, Hudgins, Pettigrew and Moeller

Requesting an amendment to the United States Constitution to return the authority to regulate election campaign contributions to congress and state legislatures.

Referred to Committee on Government Operations & Elections.

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

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

There being no objection, the House adjourned until 10:00 a.m., February 1, 2013, the 19th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETEENTH DAY

House Chamber, Olympia, Friday, February 1, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Maggie Ugelstad and Austin Grandon. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Richard Gordon, River Ridge Covenant Church, Lacey, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4608, by Representatives Sullivan and Kretz

~~BE IT RESOLVED, That ((no later than Friday, February 1, 2013, the nineteenth legislative day, the House of Representatives shall meet to consider adoption of permanent House Rules for the Sixty Third Legislature; and~~

~~BE IT FURTHER RESOLVED, That temporary)) permanent House Rules for the Sixty-Third Legislature be adopted as follows:~~

~~((TEMPORARY))~~ PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES
SIXTY-THIRD LEGISLATURE 2013-2014

HOUSE RULE NO.

Rule 1	Definitions
Rule 2	Chief Clerk to Call to Order
Rule 3	Election of Officers
Rule 4	Powers and Duties of the Speaker
Rule 5	Chief Clerk
Rule 6	Duties of Employees
Rule 7	Admission to the House
Rule 8	Absentees and Courtesy
Rule 9	Bills, Memorials and Resolutions - Introductions
Rule 10	Reading of Bills
Rule 11	Amendments
Rule 12	Final Passage
Rule 13	Hour of Meeting, Roll Call and Quorum
Rule 14	Daily Calendar and Order of Business
Rule 15	Motions
Rule 16	Members Right to Debate
Rule 17	Rules of Debate
Rule 18	Ending of Debate - Previous Question
Rule 19	Voting

Rule 20	Reconsideration
Rule 21	Call of the House
Rule 22	Appeal from Decision of Chair
Rule 23	Standing Committees
Rule 24	Duties of Committees
Rule 25	Standing Committees - Expenses - Subpoena Power
Rule 26	Vetoed Bills
Rule 27	Suspension of Compensation
Rule 28	Smoking
Rule 29	Liquor
Rule 30	Parliamentary Rules
Rule 31	Standing Rules Amendment
Rule 32	Rules to Apply for Assembly
Rule 33	Legislative Mailings

Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article 2 § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution, and also means any standing committee subcommittee.

"Fiscal committee" means the appropriations, capital budget, finance and transportation committees, and the appropriations subcommittees on education, general government, and health & human services.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; a deputy speaker pro tempore, who shall serve in absence or in case of the inability of the speaker and speaker pro tempore; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening

of the succeeding term: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs as selected by the majority party caucus, and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the

approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

- The governor or designees, or both;
- Members of the senate;
- State elected officials;
- Officers and authorized employees of the legislature;
- Former members of the house who are not advocating any pending or proposed legislation;
- Representatives of the press;
- Other persons with the consent of the speaker.

(B) Only members, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any returning member or member-elect may prefile a bill with the chief clerk commencing the first Monday in December preceding any regular session or twenty (20) days before any special session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief

clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: PROVIDED, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) SECOND READING. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) SUBSTITUTE BILLS. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed. A motion for the substitution shall not be in order until the second reading of the original bill.

(D) THIRD READING. Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) SUSPENSION CALENDAR. Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) HOUSE RESOLUTIONS. House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. House resolutions are not subject to debate, except for resolutions necessary for the operation of the house, and resolutions commemorating Children's Day, Day of Remembrance, Martin Luther King Jr. Day, National Guard Day, and President's Day.

(G) CONCURRENT RESOLUTIONS. Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) AMENDMENTS TO BE OFFERED IN PROPER FORM. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) COMMITTEE AMENDMENTS. When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) SENATE AMENDMENTS TO HOUSE BILLS. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) AMENDMENTS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) SCOPE AND OBJECT NOT TO BE CHANGED. No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) **NO AMENDMENT BY REFERENCE.** No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) **TITLE AMENDMENTS.** The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) **BUDGET BILLS.** No final passage vote may be taken on an operating budget, transportation budget, or capital budget bill until twenty-four (24) hours after the bill is placed on the third reading calendar. The twenty-four (24) hour requirement does not apply to conference reports, which are governed by Joint Rule 20, or to bills placed on the third reading calendar by a two-thirds (2/3) vote of the members present.

(B) **RECOMMITMENT BEFORE FINAL PASSAGE.** A bill may be recommitted at any time before its final passage.

(C) **FINAL PASSAGE.** No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(D) **BILLS PASSED - CERTIFICATION.** When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) **HOUR OF MEETING.** The speaker shall call the house to order each day of sitting at 10:00 A.M., unless the house shall have adjourned to some other hour.

(B) **ROLL CALL AND QUORUM.** Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) **DAILY CALENDAR.** Business of the house shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer, and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor, and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions, and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials, and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

(B) **UNFINISHED BUSINESS.** The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

(C) **EXCEPTIONS.** Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) **MOTIONS TO BE ENTERTAINED OR DEBATED.** No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) **MOTIONS IN ORDER DURING DEBATE.** When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn

Adjourn to a time certain

Recess to a time certain

Reconsider

Demand for division

Question of privilege

Orders of the day

(2) Subsidiary motions:

First rank: Question of consideration

Second rank: To lay on the table

Third rank: For the previous question

Fourth rank: To postpone to a day certain

To commit or recommit

To postpone indefinitely
Fifth rank: To amend

- (3) Incidental motions:
Points of order and appeal
Method of consideration
Suspension of the rules
Reading papers
Withdraw a motion
Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely, it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) MOTIONS DECIDED WITHOUT DEBATE. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

Motions to adopt house resolutions shall be decided without debate, except as provided in Rule 10(F).

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) MOTION TO ADJOURN. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) RECOGNITION OF MEMBER. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) ORDER OF SPEAKING. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) LIMITATION OF DEBATE. No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day ((a)) any bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) QUESTION OF PRIVILEGE. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) WITHDRAWAL OF MOTION, BILL, ETC. After a motion is stated by the speaker or a bill, memorial, resolution, petition, or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) READING OF A PAPER. When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) DISTRIBUTION OF MATERIALS. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

Voting

Rule 19. (A) PUTTING OF QUESTION. The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) ALL MEMBERS TO VOTE. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) CHANGE OF VOTE. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) PRIVATE INTEREST. No member shall vote on any question which affects that member privately and particularly. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (Art. II § 30)

(E) INTERRUPTION OF ROLL CALL. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) YEAS AND NAYS - RECORDED VOTES. Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) TIE VOTE, QUESTION LOSES. In case of an equal division, the question shall be lost.

(H) DIVISION. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

Call of the House

Rule 21. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house, a motion

to excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Natural Resources	15
2. Appropriations	31
a. Appropriations Subcommittee on Education	10
b. Appropriations Subcommittee on General Government	9
c. Appropriations Subcommittee on Health & Human Svcs	10
3. Business & Financial Services	15
4. Capital Budget	11
5. Community Development, Housing & Tribal Affairs	9
6. Early Learning & Human Services	11
7. Education	21
8. Environment	13
9. Finance	13
10. Government Accountability & Oversight	9

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial, or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation,"

Rule 22. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

Standing Committees

11. Government Operations & Elections	11
12. Health Care & Wellness	17
13. Higher Education	19
14. Judiciary	13
15. Labor & Workforce Development	9
16. Local Government	9
17. Public Safety	11
18. Rules	25
19. Technology & Economic Development	7
20. Transportation	31

Committee members shall be selected by each party's caucus. Membership on appropriations subcommittees is restricted to the membership of the appropriations committee. The majority party caucus shall select all committee chairs.

which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution, or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

(a) The nature of the new rule-making powers; and

(b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

(10) Standing committee subcommittees established in Rule 23 have the same powers and duties as standing committees.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the

provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Liquor

Rule 29. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

Parliamentary Rules

Rule 30. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

Standing Rules Amendment

Rule 31. Any standing rule may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 32. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Mailings

Rule 33. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative mailings at public expense are for legitimate legislative purposes.

Representative Sullivan moved adoption of HOUSE RESOLUTION NO. 4608

Representative Wilcox moved the adoption of amendment (1).

In the last line of Rule 10(B), after "passed its second reading" insert ": PROVIDED, That measures which raise taxes shall require a two-thirds (2/3) vote of the members present to advance to third reading"

Representatives Wilcox, Smith, Orcutt, Parker, Pike and DeBolt spoke in favor of the adoption of the amendment.

Representatives Pedersen, Jinkins and Carlyle spoke against the adoption of the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (1).

ROLL CALL

The Clerk called the roll on the adoption of amendment (1), and the amendment failed by the following vote: Yeas, 41; Nays, 52; Absent, 0; Excused, 5.

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

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen,

Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Excused: Representatives Crouse, Habib, Hurst, O'Ban and Stonier.

Amendment (1) was not adopted.

Representative Wilcox moved the adoption of amendment (2).

After the first sentence of Rule 11, insert the following: "(A) FUND EDUCATION FIRST. Education funding for the fiscal biennium, appropriations for the purposes of basic education, as defined by the legislature, and other K-12 education purposes must be enacted into law before it is in order for the house to take a final passage vote on omnibus operating or transportation appropriations legislation."

Reletter the remaining subsections alphabetically.

Representatives Wilcox, Alexander, Fagan, MacEwan, Magendanz and Dahlquist spoke in favor of the adoption of the amendment.

Representatives Hunter, Ormsby, Maxwell and Sullivan spoke against the adoption of the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (2).

ROLL CALL

The Clerk called the roll on the adoption of amendment (2), and the amendment failed by the following vote: Yeas, 41; Nays, 52; Absent, 0; Excused, 5.

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

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

Excused: Representatives Crouse, Habib, Hurst, O'Ban and Stonier.

Amendment (2) was not adopted.

Representative Shea moved the adoption of amendment (3).

After subsection (D)(10) of Rule 24, insert the following: "(E) RIGHT OF HEARING. Each member may, as a matter of right, receive one hearing per session on any one measure of his or her choosing in the committee to which that bill has been referred after first reading. Members shall request such a hearing by providing written notice to the Chief Clerk, who will then forward that request to the appropriate committee. The committee shall honor that request and hold a hearing on that bill prior to the next applicable cutoff date."

Representatives Shea, Manweller, Holy and Scott spoke in favor of the adoption of the amendment.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (3).

ROLL CALL

The Clerk called the roll on the adoption of amendment (3), and the amendment failed by the following vote: Yeas, 41; Nays, 52; Absent, 0; Excused, 5.

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

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

Excused: Representatives Crouse, Habib, Hurst, O'Ban and Stonier.

Amendment (3) was not adopted.

Representative Shea moved the adoption of amendment (4).

After subsection (D)(10) of Rule 24, insert the following: "(11) Insofar as practicable, testimony in public hearings should be balanced between those in support of and in opposition to proposed legislation, with consideration given to providing an opportunity for members of the public to testify within available time."

Representatives Shea, Sullivan and Short spoke in favor of the adoption of the amendment.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (4).

ROLL CALL

The Clerk called the roll on the adoption of amendment (4), and the amendment was adopted by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

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

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

Excused: Representatives Crouse, Habib, Hurst, O'Ban and Stonier.

Amendment (4) was adopted.

The resolution was ordered engrossed.

Representatives Sullivan and Wilcox spoke in favor of the adoption of the resolution.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Resolution NO. 4608

HOUSE RESOLUTION NO. 4608 was adopted.

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE NO. 522

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 522 to be examined in the following manner:

1. It was determined that 353,331 signatures were submitted by the sponsors of the initiative. A random sample of 10,762 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,503 valid signatures, 1,241 signatures that were invalid and 18 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (53) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (42,479) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of pairs of signatures on the petition (69,699) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (241,153) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of pairs of signatures in the sample (65) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of pairs of signatures in the sample (51) by subtracting 1.65 times the square root of the expected number of pairs of signatures

in the sample from the expected number of pairs of signatures in the sample; and

8. The number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 522 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 31st day of January, 2013.

KIM WYMAN
Secretary of State

There being no objection, Initiative No. 522 was referred to Committee on Agriculture & Natural Resources.

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

INTRODUCTION & FIRST READING

HB 1600 by Representatives Orcutt, Blake and Chandler

AN ACT Relating to helping to ensure the viability of small forest landowners; amending RCW 76.13.130 and 76.13.120; adding a new section to chapter 76.13 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1601 by Representatives Goodman, Pettigrew, Moscoso, Habib, Pedersen, Jinkins, Roberts, Orwall, Appleton, Upthegrove and Pollet

AN ACT Relating to providing alternatives for penalties stemming from traffic infractions; amending RCW 46.63.060, 46.63.110, 46.63.120, and 46.64.055; adding a new section to chapter 46.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1602 by Representatives Springer, Pike and Takko

AN ACT Relating to fuel usage of publicly owned vehicles, vessels, and construction equipment; and amending RCW 43.19.648 and 43.325.080.

Referred to Committee on Environment.

HB 1603 by Representatives Hope, Van De Wege and Tharinger

AN ACT Relating to licensure status for dentists; amending RCW 18.32.180; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1604 by Representatives Angel, Springer, Nealey, Blake, Orcutt and Smith

AN ACT Relating to reducing the frequency of local sales and use tax changes; and amending RCW 82.14.055.

Referred to Committee on Finance.

HB 1605 by Representatives Springer, Rodne, Takko, Buys and Schmick

AN ACT Relating to the state building code council; and amending RCW 19.27.070.

Referred to Committee on Local Government.

HB 1606 by Representatives Springer, Rodne, Schmick, Takko and Buys

AN ACT Relating to carbon monoxide alarms; and amending RCW 19.27.530.

Referred to Committee on Local Government.

HB 1607 by Representative Rodne

AN ACT Relating to alternative means of service in forcible entry and forcible and unlawful detainer actions; and adding a new section to chapter 59.12 RCW.

Referred to Committee on Judiciary.

HB 1608 by Representatives Appleton, Angel, Sells, Fitzgibbon and Seaquist

AN ACT Relating to the marine employees' commission; amending RCW 47.64.280 and 41.58.065; amending 2011 1st sp.s. c 16 s 28 (uncodified); and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

HB 1609 by Representatives Schmick and Cody

AN ACT Relating to the board of pharmacy; amending RCW 18.50.115, 18.53.010, 18.64.001, 18.64.003, 18.64.005, 18.64.009, 18.64.044, 18.64.046, 18.64.047, 18.64.140, 18.64.160, 18.64.165, 18.64.200, 18.64.205, 18.64.245, 18.64.246, 18.64.255, 18.64.257, 18.64.310, 18.64.360, 18.64.390, 18.64.410, 18.64.420, 18.64.450, 18.64.470, 18.64.480, 18.64.490, 18.64.500, 18.64.510, 18.64A.010, 18.64A.020, 18.64A.025, 18.64A.030, 18.64A.040, 18.64A.050, 18.64A.060, 18.64A.070, 18.64A.080, 18.92.012, 18.92.013, 18.92.015, 51.36.010, 64.44.010, 69.04.565, 69.04.730, 69.38.010, 69.38.060, 69.40.055, 69.41.010, 69.41.075, 69.41.080, 69.41.180, 69.41.210, 69.41.240, 69.41.250, 69.41.280, 69.41.310, 69.43.010, 69.43.020, 69.43.030, 69.43.035, 69.43.040, 69.43.043, 69.43.048, 69.43.050, 69.43.060, 69.43.090, 69.43.100, 69.43.105, 69.43.110, 69.43.130, 69.43.140, 69.43.165, 69.43.180, 69.45.010, 69.45.020, 69.45.060, 69.45.080, 69.45.090, 69.50.201, 69.50.203, 69.50.205, 69.50.207, 69.50.208, 69.50.209, 69.50.210, 69.50.211, 69.50.213, 69.50.214, 69.50.301, 69.50.302, 69.50.303, 69.50.304, 69.50.305, 69.50.306, 69.50.308, 69.50.310, 69.50.312, 69.50.320, 69.50.402, 69.50.501, 69.50.504, 69.50.507, 69.50.508, 69.50.601, 69.51.030, 69.51.040, 69.51.050, 69.51.060, 69.60.020, 69.60.040, 69.60.060, 69.60.080, 69.60.090, 70.24.280, 70.54.140, 70.106.150, 70.127.130,

70.225.020, and 82.04.272; reenacting and amending RCW 18.64.011, 18.64.080, 18.130.040, 18.130.040, 28B.115.020, and 42.56.360; adding a new section to chapter 69.50 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1610 by Representatives Hunt, Haler, Jinkins, Springer, Lytton, Seaquist, Fitzgibbon and Moscoso

AN ACT Relating to calculating service credit for school administrators for alternate early retirement eligibility; and amending RCW 41.32.765, 41.32.875, 41.35.420, and 41.35.680.

Referred to Committee on Appropriations.

HB 1611 by Representatives Liias, Condotta, Pollet and Moscoso

AN ACT Relating to allowing lunch breaks for registered tow truck operators while requiring reasonable availability; and amending RCW 46.55.060.

Referred to Committee on Labor & Workforce Development.

HB 1612 by Representatives Hope, Pedersen, Hayes, Buys, Dahlquist, Hargrove, O'Ban, Holy, Goodman, Fagan, Smith, Magendanz, Orcutt, Klippert, Kretz, Warnick, Roberts and Moscoso

AN ACT Relating to firearm offenders; amending RCW 42.56.240; reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.43 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1613 by Representatives Hudgins, Parker, Maxwell, Hayes and Moscoso

AN ACT Relating to the criminal justice training commission firing range maintenance account; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1614 by Representatives Reykdal, Lytton, Seaquist, Pollet, Zeiger, Sells, Springer, Roberts and Maxwell

AN ACT Relating to applied doctorate level degrees in audiology at Western Washington University; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education.

HB 1615 by Representatives Angel, Shea, Schmick, Fagan, Kochmar, O'Ban, Hayes, Zeiger and Morrell

AN ACT Relating to providing a business and occupation tax credit for businesses that hire unemployed veterans; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

HB 1616 by Representatives Angel, Manweller and Johnson

AN ACT Relating to contractor liability for industrial insurance premiums; and amending RCW 51.12.070.

Referred to Committee on Labor & Workforce Development.

HB 1617 by Representatives McCoy, Warnick, Orwall, Ryu, Smith, Maxwell and Moscoso

AN ACT Relating to the administrative costs for the allocation, management, and oversight of housing trust fund investments; and amending RCW 43.185.020, 43.185.050, 43.185.070, 43.185A.010, 43.185A.030, and 43.185A.050.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1618 by Representatives Ormsby, Morris, Takko, Hunt, Liias, Tharinger, Fitzgibbon, Fey and Moscoso

AN ACT Relating to the building code council account; and amending RCW 19.27.085.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1619 by Representatives Short, Schmick and Warnick

AN ACT Relating to suspending the growth management act in counties with significant and persistent unemployment; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

HB 1620 by Representatives Stanford, Zeiger, Takko, Haler, Blake, Liias, Clibborn, Jinkins, Wilcox, Ryu, Ormsby, Sells, Appleton, Pedersen, Upthegrove, Magendanz, Pollet, Orcutt, Johnson, Angel, Condotta, Carlyle, Kristiansen, Moeller, Fitzgibbon, Moscoso, Morrell and Santos

AN ACT Relating to passenger-carrying vehicles for railroad employees; and amending RCW 81.61.010 and 81.61.020.

Referred to Committee on Transportation.

HB 1621 by Representatives Haler, Blake, Ryu, Sells, Manweller, Takko, Ormsby, Zeiger, Liias, Sawyer, Haigh, Jinkins, Appleton, Wilcox, Pedersen, Rodne, Angel, Upthegrove, Stanford, Pollet, Vick, Condotta, Kristiansen, Moeller, Moscoso and Santos

AN ACT Relating to hours of service for certain railroad employees; adding a new chapter to Title 49 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1622 by Representatives Hayes, Haler, Walsh, Pettigrew, Freeman, Roberts and Kirby

AN ACT Relating to tax credits for hiring individuals with developmental disabilities; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1623 by Representatives Harris, Green and Moscoso

AN ACT Relating to medical specialty technicians; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1624 by Representatives Pollet, Haler, Seaquist, Walsh, Zeiger, Goodman, Farrell, Sells, Upthegrove, Fitzgibbon, Roberts, Kirby and Fey

AN ACT Relating to restricting tuition increases for resident undergraduate students at four-year institutions of higher education; reenacting and amending RCW 28B.15.067; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1625 by Representatives Pollet, Clibborn, Kagi, Pedersen, Hunt, Riccelli, Appleton, Hudgins, Moscoso, Fitzgibbon and Morrell

AN ACT Relating to consumer protection for tow truck services; amending RCW 46.55.030; adding a new section to chapter 46.55 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1626 by Representatives Santos, Haigh, Upthegrove and Pollet

Aligning the higher education financial aid process with in-state tuition requirements.

Referred to Committee on Higher Education.

HB 1627 by Representatives Morrell, Nealey, Zeiger and Jinkins

AN ACT Relating to competency to stand trial evaluations; and amending RCW 10.77.060 and 10.77.068.

Referred to Committee on Judiciary.

HB 1628 by Representatives Habib, Scott, Green, Appleton, Tarleton, Carlyle, Springer, Hunter, Bergquist, Ormsby, Morris, Tharinger, Rodne, Kirby, Vick, Ryu, Santos, Riccelli, Fitzgibbon, Sells, Kochmar, Farrell, Angel, Cody, Liias, Reykdal, Clibborn, Zeiger, Fey, Goodman, Moscoso, Upthegrove, Lytton, Jinkins, Kagi, Smith, Maxwell, Pollet and Morrell

AN ACT Relating to alternative methods of satisfying continuing education credits for health care providers; and amending RCW 18.79.210 and 18.71.080.

Referred to Committee on Health Care & Wellness.

HB 1629 by Representatives Cody, Schmick, Jinkins, Tharinger, Green, Pollet, Morrell and Santos

AN ACT Relating to eliminating barriers to credentialing and continuing education as a home care aide; amending RCW

18.88B.021, 74.39A.341, and 70.128.230; and reenacting and amending RCW 18.20.270.

Referred to Committee on Health Care & Wellness.

HB 1630 by Representatives Appleton, Pollet and Santos

AN ACT Relating to nurse delegation in adult day services; and reenacting and amending RCW 18.79.260.

Referred to Committee on Health Care & Wellness.

HB 1631 by Representatives Tharinger, Johnson, Green, Harris, Cody, Riccelli, Jinkins, Morrell, Appleton, Hope, Maxwell, Pollet, Moscoso and Santos

AN ACT Relating to enacting planning measures to provide for the future long-term care services and supports needs of the aging population; creating new sections; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1632 by Representatives Shea, Blake, Kristiansen, Sells, Warnick, Upthegrove, Wilcox, Scott and Moscoso

AN ACT Relating to regulating the use of off-road vehicles in certain areas; amending RCW 46.09.310, 46.09.360, 46.09.400, 46.09.410, 46.09.420, 46.09.450, 46.09.460, 46.09.530, 46.17.350, 46.30.020, 79A.80.010, and 46.63.030; reenacting and amending RCW 46.09.470, 46.63.020, 43.84.092, and 43.84.092; adding new sections to chapter 46.09 RCW; creating a new section; prescribing penalties; providing an effective date; providing a contingent effective date; and providing a contingent expiration date.

HELD ON FIRST READING

HB 1633 by Representatives Magendanz, Haigh, Dahlquist, Santos, Pollet, Smith, Wylie, Takko, Angel, Clibborn and Condotta

AN ACT Relating to modifying school district bidding requirements for improvement and repair projects; and amending RCW 28A.335.190.

Referred to Committee on Capital Budget.

SSB 5021 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Carrell)

AN ACT Relating to changing the crime of riot to the crime of criminal mischief; amending RCW 9A.84.010 and 13.40.0357; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

SSB 5022 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Sheldon and Carrell)

AN ACT Relating to changing retail theft with extenuating circumstances to retail theft with special circumstances; amending RCW 9A.56.360; reenacting and amending RCW 9.94A.515; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

SB 5046 by Senators Padden, Kline, Keiser, Harper, Shin and Kohl-Welles

AN ACT Relating to modifying the mandatory retirement provision for district judges; and amending RCW 3.74.030.

Referred to Committee on Judiciary.

SB 5052 by Senators Ericksen, Ranker, Shin, Padden and Kohl-Welles

AN ACT Relating to increasing the number of superior court judges in Whatcom county; amending RCW 2.08.063; and creating a new section.

Referred to Committee on Judiciary.

SB 5147 by Senators Hargrove, Carrell, Hewitt, Darneille and Shin

AN ACT Relating to juveniles and runaway children; and amending RCW 13.32A.030, 13.32A.082, 13.32A.085, and 43.43.510.

Referred to Committee on Early Learning & Human Services.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1632 which was held on first reading.

REPORTS OF STANDING COMMITTEES

January 29, 2013

HB 1000 Prime Sponsor, Representative Moeller: Providing immunity for health care providers following directions contained in a form developed pursuant to RCW 43.70.480. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

January 30, 2013

HB 1006 Prime Sponsor, Representative Schmick: Removing the requirement that earnings from the Washington horse racing commission operating account be credited to the Washington horse racing commission class C purse fund account. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority

Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1008 Prime Sponsor, Representative Hunt: Allowing sales of growlers of cider. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Alexander; Blake; Kirby and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1009 Prime Sponsor, Representative Hunt: Prohibiting certain liquor self-checkout machines. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Alexander; Blake; Kirby and Shea.

Passed to Committee on Rules for second reading.

January 30, 2013
HB 1024 Prime Sponsor, Representative Moeller: Addressing service animals. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Hope; Klippert and Nealey.

Referred to Committee on Appropriations Subcommittee on General Government.

January 30, 2013
HB 1027 Prime Sponsor, Representative Moeller: Implementing changes to child support based on the child support schedule work group report. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

Referred to Committee on Appropriations.

January 29, 2013

HB 1032 Prime Sponsor, Representative Kirby: Addressing portable electronics insurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Habib; Hawkins; Hudgins; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1115 Prime Sponsor, Representative Pedersen: Concerning the Uniform Commercial code. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1116 Prime Sponsor, Representative Pedersen: Adopting the uniform collaborative law act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1132 Prime Sponsor, Representative Hayes: Authorizing spouses of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

January 29, 2013
HB 1256 Prime Sponsor, Representative Fey: Addressing project selection by the freight mobility strategic investment board. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representatives Overstreet, Assistant Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

There being no objection, the Committee on Judiciary was relieved of HOUSE BILL NO. 1597, and the bill was referred to the Committee on Government Accountability & Oversight.

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

There being no objection, the House adjourned until 10:00 a.m., February 4, 2013, the 22ND Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

January 30, 2013

HB 1326 Prime Sponsor, Representative Ryu: Addressing the consumer loan act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

January 29, 2013

HB 1351 Prime Sponsor, Representative Condotta: Concerning the identification of wineries, breweries, and microbreweries on private labels. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby and Shea.

Passed to Committee on Rules for second reading.

January 29, 2013

HB 1414 Prime Sponsor, Representative Chandler: Concerning Yakima river basin water resource management. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Capital Budget.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

TWENTY SECOND DAY

House Chamber, Olympia, Monday, February 4, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Austin Seith and Lilly Sedlak. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Padre Jeff, US Air Force Chaplain, Ret.

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

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

INTRODUCTION & FIRST READING

HB 1632 by Representatives Shea, Blake, Kristiansen, Sells, Warnick, Upthegrove, Wilcox, Scott, Moscoso, Fagan and Condotta

AN ACT Relating to regulating the use of off-road vehicles in certain areas; amending RCW 46.09.310, 46.09.360, 46.09.400, 46.09.410, 46.09.420, 46.09.450, 46.09.460, 46.09.530, 46.17.350, 46.30.020, 79A.80.010, and 46.63.030; reenacting and amending RCW 46.09.470, 46.63.020, 43.84.092, and 43.84.092; adding new sections to chapter 46.09 RCW; creating a new section; prescribing penalties; providing an effective date; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Transportation.

HB 1634 by Representatives Warnick and Manweller

AN ACT Relating to including the value of solar, biomass, and geothermal facilities in the property tax levy limit calculation; amending RCW 84.55.010, 84.55.015, 84.55.020, 84.55.030, and 84.55.120; and creating a new section.

Referred to Committee on Finance.

HB 1635 by Representatives Morrell, Cody, Jinkins, Ryu and Pollet

AN ACT Relating to disproportionate share hospital adjustments; and amending RCW 74.09.730.

Referred to Committee on Appropriations.

HB 1636 by Representatives Rodne, Cody, Ryu and Morrell

AN ACT Relating to ensuring chapter 19.68 RCW is interpreted in a manner consistent with the federal

antikickback statute; adding new sections to chapter 19.68 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1637 by Representatives Morrell, Short, Cody, Rodne, Harris, Green, Angel, Jinkins, Moeller, Ryu, Moscoso and Pollet

AN ACT Relating to prescription review for medicaid managed care enrollees; and reenacting and amending RCW 74.09.522.

Referred to Committee on Health Care & Wellness.

HB 1638 by Representatives Ryu, Kirby, Cody and Morrell

AN ACT Relating to insurance; amending RCW 48.02.060, 48.02.120, 48.15.050, 48.15.120, 48.16.030, 48.20.435, 48.21.157, 48.43.700, 48.43.705, 48.46.040, 48.140.040, 48.140.050, 48.155.010, 48.175.005, and 48.175.020; and repealing RCW 48.140.070.

Referred to Committee on Business & Financial Services.

HB 1639 by Representatives Bergquist, Pike, Riccelli, Carlyle, Walsh, Ryu and Moscoso

AN ACT Relating to presidential elector compensation; and amending RCW 29A.56.350.

Referred to Committee on Government Operations & Elections.

HB 1640 by Representatives Pettigrew, Springer and Magendanz

AN ACT Relating to policies regarding assignment of certificated instructional staff in public schools; adding a new section to chapter 28A.405 RCW; and adding a new section to chapter 41.59 RCW.

Referred to Committee on Education.

HB 1641 by Representatives Pettigrew, Springer and Magendanz

AN ACT Relating to creating a statewide school district for the purpose of dramatically improving the performance of the most persistently lowest achieving schools; amending RCW 28A.310.140; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; adding a new section to chapter 28A.315 RCW; adding a new section to chapter 28A.323 RCW; adding a new section to chapter 28A.343 RCW; and adding a new chapter to Title 28A RCW.

Referred to Committee on Education.

HB 1642 by Representatives Pettigrew, Springer, Habib, Holy, Ryu and Magendanz

AN ACT Relating to establishing policies to support academic acceleration for high school students; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1643 by Representatives Fey, Short, Upthegrove, Nealey, Pollet, Lias, Ormsby, Ryu and Moscoso

AN ACT Relating to energy conservation under the energy independence act; and amending RCW 19.285.060.

Referred to Committee on Environment.

HB 1644 by Representatives Fey, Klippert, Ryu, Clibborn, Rodne, Hargrove, Moscoso and Pollet

AN ACT Relating to transportation planning objectives and performance measures for local and regional agencies; and amending RCW 47.04.280.

Referred to Committee on Transportation.

HB 1645 by Representatives Riccelli, Sells, Ryu and Moscoso

AN ACT Relating to the Washington higher education facilities authority; and amending RCW 28B.07.030.

Referred to Committee on Higher Education.

HB 1646 by Representatives Stanford, Warnick, Smith, Hunt, Ryu and Pollet

AN ACT Relating to the creation of a council on state debt; amending RCW 43.88.030 and 43.88.031; reenacting and amending RCW 39.42.070; adding a new section to chapter 39.42 RCW; adding a new section to chapter 43.08 RCW; adding a new section to chapter 43.88 RCW; creating a new section; repealing RCW 39.42.140; and repealing 2011 1st s.p.s. c 46 ss 1 and 2 (uncodified).

Referred to Committee on Capital Budget.

HB 1647 by Representatives Tarleton, Haler, Riccelli, Maxwell, Sawyer, Scott, Bergquist, Farrell, Morrell, Jinkins, Roberts and Pollet

AN ACT Relating to landlord responsibilities regarding keys to leased premises; and amending RCW 59.18.060.

Referred to Committee on Judiciary.

HB 1648 by Representatives Appleton, Johnson, McCoy, Pike, Ryu, Moscoso and Hansen

AN ACT Relating to community economic revitalization in incorporated areas; and adding a new section to chapter 43.160 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1649 by Representatives Hudgins, Buys, Upthegrove, Bergquist, Ryu and Pollet

AN ACT Relating to promoting innovation in the transportation sector while ensuring safety by encouraging development of autonomous vehicles; adding a new section to chapter 46.04 RCW; adding a new chapter to Title 46 RCW; and providing an expiration date.

Referred to Committee on Transportation.

HB 1650 by Representatives McCoy, Haler, Orcutt, Moscoso, Hunt, Seaquist, Santos, Maxwell, Bergquist, Ormsby, Orwall, Riccelli, Sells, Stonier, Reykdal, Van De Wege, Fey, Ryu, Morrell, Freeman and Magendanz

AN ACT Relating to supporting K-12 career education, exploration, and planning; amending RCW 28A.150.220, 28A.230.090, 28A.600.045, 28A.230.097, 28A.700.070, 28A.700.030, and 28A.700.040; adding new sections to chapter 28A.230 RCW; adding a new section to chapter 43.41 RCW; adding a new section to chapter 28A.410 RCW; and creating a new section.

Referred to Committee on Education.

HB 1651 by Representatives Kagi, Walsh, Freeman, Roberts, Farrell, Zeiger, Goodman, Pollet, Sawyer, Appleton, Bergquist, Hunt, Moscoso, Jinkins, Ryu and Morrell

AN ACT Relating to access to juvenile records; amending RCW 13.50.050 and 10.97.050; creating new sections; and providing an effective date.

Referred to Committee on Early Learning & Human Services.

HB 1652 by Representatives Lias, Dahlquist, Takko, Kretz, Clibborn, Condotta, Upthegrove, Springer, Buys and Ryu

AN ACT Relating to establishing a process for the payment of impact fees through provisions stipulated in recorded covenants; and amending RCW 82.02.050 and 36.70A.070.

Referred to Committee on Local Government.

HB 1653 by Representatives Goodman, Hope, Pettigrew, Dahlquist, Pedersen, Van De Wege, Ryu and Moscoso

AN ACT Relating to assault in the third degree occurring in areas used in connection with court proceedings; amending RCW 9.94A.535; reenacting and amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1654 by Representatives Riccelli, Ormsby, Fitzgibbon, Tarleton, Van De Wege and Ryu

AN ACT Relating to establishing a regional fire protection service authority within the boundaries of a single city; amending RCW 52.26.010, 52.26.030, 52.26.040, and 52.26.060; and reenacting and amending RCW 52.26.020.

Referred to Committee on Local Government.

HB 1655 by Representatives Pollet, Fitzgibbon, Upthegrove, Appleton, Ormsby, Maxwell and Ryu

AN ACT Relating to the attorney general's authority and power to prosecute environmental law violations; amending RCW 77.15.065; adding a new section to chapter 43.10 RCW; creating a new section; repealing RCW 70.105.120; and providing an effective date.

Referred to Committee on Judiciary.

HB 1656 by Representatives Stonier, Harris, Pike, Haigh, Wylie, Orwall, Hunt, Farrell, Sawyer, Roberts, Ormsby, Jinkins, Bergquist, Fey, Ryu, Moscoso, Freeman and Pollet

AN ACT Relating to establishing statewide high school graduation requirements that permit increased flexibility for students to select courses based on their interests and plans; amending RCW 28A.230.090 and 28A.150.220; and creating a new section.

Referred to Committee on Education.

HCR 4403 by Representatives Sells, Seaquist, Manweller, Haler, Moscoso, Hansen, Reykdal, Wylie, Santos, Hayes, Fagan, Condotta, Smith, Pollet, Maxwell, Ormsby, Ryu, Morrell, Parker and Riccelli

Concerning the workforce training and education coordinating board's high skills high wages plan.

Referred to Committee on Labor & Workforce Development.

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

REPORTS OF STANDING COMMITTEES

HB 1001 Prime Sponsor, Representative Moeller: Creating a beer and wine theater license. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Alexander; Blake; Kirby and Shea.

Passed to Committee on Rules for second reading.

HB 1047 Prime Sponsor, Representative Dahlquist: Concerning photographs, microphotographs, and electronic images from traffic safety cameras and toll systems. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

HB 1059 Prime Sponsor, Representative Goodman: Providing that a proclamation of a state of emergency is effective upon the governor's signature. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

HB 1060 Prime Sponsor, Representative Goodman: Scoring an offense a class C felony equivalent if the offense was a felony under the relevant out-of-state statute when there is no clearly comparable offense under Washington law. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Roberts, Vice Chair and Appleton.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1126 Prime Sponsor, Representative Goodman: Concerning state fire service mobilization. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations.

HB 1127 Prime Sponsor, Representative Klippert: Developing prefire mitigation plans. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations.

January 30, 2013

HB 1131 Prime Sponsor, Representative Takko: Adding persons who serve legal process to assault in the third degree provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Appleton; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes, Assistant Ranking Minority Member and Holy.

Referred to Committee on Appropriations Subcommittee on General Government.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., February 5, 2013, the 23rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, February 5, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4610, by Representative Van De Wege

WHEREAS, Washington's pulp and paper mill workers have dedicated their time, sweat, and labor to one of our state's most vital manufacturing industries; and

WHEREAS, In 2008 Washington's economy succumbed to the economic crisis that spread across our nation and around the globe; and

WHEREAS, This crisis was the worst economic disaster in our nation's history since the Great Depression; and

WHEREAS, As a result of the economic downturn, Washington's pulp and paper mill workers saw their once prosperous livelihood suffer; and

WHEREAS, These workers made great concessions, so that despite the hardships they and their families would face, the industry would endure; and

WHEREAS, Some of these workers accepted austerity measures and continued to work with severe cuts to both their pay and hours; and

WHEREAS, Other workers were forced to make even greater sacrifices, finding themselves jobless after decades of working in the industry; and

WHEREAS, There is now a burgeoning future for pulp and paper mill workers in Washington; and

WHEREAS, One mill in Grays Harbor that shut down during the peak of the economic downturn has since reopened; and

WHEREAS, As the industry continues to regain its momentum, we must remember the workers who accepted the unfortunate but necessary austerity and unemployment measures in the face of the industry's potential demise; and

WHEREAS, These workers had a direct yet difficult role in keeping Washington's pulp and paper mill industry alive;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington thank the pulp and paper mill workers of our state for their sacrifice and dedication both before and during the economic crisis, and into the future as the industry rebounds.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4610.

HOUSE RESOLUTION NO. 4610 was adopted.

HOUSE RESOLUTION NO. 2013-4611, by Representatives Zeiger, Walsh, Hargrove, Haler, Scott, Manweller, Appleton, McCoy, Morrell, Fagan, Magendanz, O'Ban, and Angel

WHEREAS, The Independent Colleges of Washington is a nonprofit organization composed of ten independent nonprofit liberal arts colleges that provide educational opportunity, choice, and success to 40,000 students, two-thirds of whom are Washington residents; and

WHEREAS, ICW is passionate about ensuring students enjoy maximum access to a transformative educational experience from a diverse and affordable set of options, in keeping with its vision of providing Washington with college graduates who are critical thinkers, ethical leaders, and engaged citizens by virtue of a rigorous education grounded in the liberal arts; and

WHEREAS, ICW member colleges produce one in five baccalaureate and advanced degrees conferred in Washington at a cost to the state of just two percent of the higher education budget, all in the form of student financial assistance; and

WHEREAS, ICW member colleges produce 35 percent of math degrees awarded in Washington, 23 percent of science degrees, 20 percent of engineering degrees, and 34 percent of nursing degrees in Washington, helping the state address the need for more degrees in high-demand fields of study; and

WHEREAS, ICW colleges employ 7,000 people, contribute nearly \$2.5 billion to state and local economies, and provide communities in Washington with over 500,000 hours of volunteer service each year; and

WHEREAS, ICW colleges provide access to high quality, rigorous higher education opportunities, enrolling a diverse population of students, including 25 percent first-generation and 31 percent low-income students; and

WHEREAS, ICW colleges are providing over \$324 million in grant aid to students this academic year to help keep college affordable for students and their families; and

WHEREAS, ICW raised over \$1.3 million in 2011 and 2012 to fund scholarships for students attending ICW member colleges, further supporting access to higher education for students; and

WHEREAS, Since November 30, 1953, ICW has served member colleges and their students and has worked to improve collaborative partnerships among the colleges, with the State of Washington, and with Washington's public colleges and universities, thus earning the motto "Better Together: Partners in Student Success for 60 Years";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate the Independent Colleges of Washington on the occasion of its 60th anniversary and commend the Independent Colleges of Washington for its excellent service to the State and its tireless efforts to support students and to strengthen all sectors of the higher education system in Washington.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4611.

HOUSE RESOLUTION NO. 4611 was adopted.

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

INTRODUCTION & FIRST READING

HB 1657 by Representatives Stanford, Kirby, Clibborn, Pettigrew, Blake, Hurst, Parker, Morris, Takko, Liias, Springer, Kristiansen, Kochmar, MacEwen, Chandler, Vick and Pollet

AN ACT Relating to small consumer installment loans; adding a new chapter to Title 31 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1658 by Representatives Kirby, Blake, Hurst, Rodne and Clibborn

AN ACT Relating to the cap on the total number of small loans a borrower may have in a twelve-month period; and amending RCW 31.45.073.

Referred to Committee on Business & Financial Services.

HB 1659 by Representatives Sells, Manweller, Green, Condotta, Moeller and Ryu

AN ACT Relating to the employment status of independent contractors in the news business; amending RCW 50.04.240 and 51.12.020; and reenacting and amending RCW 49.46.010.

Referred to Committee on Labor & Workforce Development.

HB 1660 by Representatives Hansen, Cody, Clibborn, Green, Morrell, Riccelli and Ryu

AN ACT Relating to convening a work group to develop a standardized clinical affiliation agreement for clinical placements associated with the education of physicians and nurses; adding a new section to chapter 43.70 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

HB 1661 by Representatives Fitzgibbon, Condotta, Roberts, Jinkins, Green, Upthegrove, Walsh, Moscoso, Tharinger, Cody, Kagi, Hunt, Appleton, Ryu, Lytton, Farrell, Pollet, Van De Wege, Ormsby, Liias, Reykdal and Stanford

AN ACT Relating to misdemeanor marijuana offense convictions; and reenacting and amending RCW 9.96.060.

Referred to Committee on Public Safety.

HB 1662 by Representatives Appleton, Goodman, Hunt, Sawyer, Pollet, Tharinger, Farrell, Freeman, Reykdal, Fitzgibbon, Ryu, Riccelli, Roberts, Jinkins and Moeller

AN ACT Relating to the medical use of cannabis; and amending RCW 69.51A.010, and 69.51A.040.

Referred to Committee on Health Care & Wellness.

HB 1663 by Representatives Tharinger, Nealey, Van De Wege, Johnson, Takko, Blake, Haigh, Kretz, Fey, Hayes, Short, Crouse and Ryu

AN ACT Relating to extending the sales and use tax exemption for hog fuel used to produce electricity, steam, heat, or biofuel; amending RCW 82.08.956 and 82.12.956; adding a new section to chapter 82.32 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Technology & Economic Development.

HB 1664 by Representatives Liias, Hope, Santos, Maxwell, Clibborn, Green, Morrell, Van De Wege, Ryu and Pollet

AN ACT Relating to clarifying the authority of a nurse working in a school setting; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

HB 1665 by Representatives Hunt, Pollet, Appleton, Sells, Moscoso, Reykdal, Cody, Van De Wege, Green, Ryu and Freeman

AN ACT Relating to providing retirement benefits at earlier ages in the plans 2 and 3 of the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.40.630, 41.40.820, 41.32.765, 41.32.875, 41.35.420, and 41.35.680; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1666 by Representatives Reykdal, Appleton, Hunt, Moscoso, Sells, Pollet, Ormsby, Morrell, Cody, Dunshee, Tarleton, Van De Wege and Ryu

AN ACT Relating to vesting after five years of service in the defined benefit portion of the public employees' retirement system, the school employees' retirement system, and the teachers' retirement system plan 3; and amending RCW 41.32.875, 41.35.680, and 41.40.820.

Referred to Committee on Appropriations.

HB 1667 by Representatives Moscoso, Appleton, Hunt, Pollet, Sells, Reykdal, Ormsby, Morrell, Cody, Dunshee and Ryu

AN ACT Relating to postretirement employment; and amending RCW 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820.

Referred to Committee on Appropriations.

HB 1668 by Representatives Cody, Reykdal, Hunt, Moscoso, Sells, Pollet, Wylie, Morrell, Appleton, Dunshee, Van De Wege, Green, Ryu and Freeman

AN ACT Relating to participating in insurance plans and contracts by separated plan 2 members of certain retirement systems; amending RCW 41.05.011; and providing an effective date.

Referred to Committee on Appropriations.

HB 1669 by Representatives Pollet, Haler, Cody, Tarleton, Johnson, Seaquist, Farrell, Magendanz, Riccelli and Ryu

AN ACT Relating to self-supporting, fee-based programs at four-year institutions of higher education; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

HB 1670 by Representatives Farrell and Pollet

AN ACT Relating to clarifying the use of automated traffic safety cameras at intersections with two or more arterial highways; and reenacting and amending RCW 46.63.170.

Referred to Committee on Transportation.

HB 1671 by Representatives Farrell, Walsh, Kagi, Green, Sullivan, Jinkins, Pettigrew, Hunt, Ormsby, Stonier, Fitzgibbon, Goodman, Cody, Morrell, Maxwell, Appleton, Wylie, Orwall, Reykdal, Freeman, Riccelli, Fey, Tarleton, Ryu, Pollet, Bergquist and Santos

AN ACT Relating to child care reform; reenacting and amending RCW 43.215.010 and 43.215.135; adding new sections to chapter 43.215 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1672 by Representatives Condotta, Short and Manweller

AN ACT Relating to determinations of prevailing wage rates on public works projects; adding a new section to chapter 39.12 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1673 by Representatives Liias, Sells, Appleton, Maxwell, Morrell, Lytton, Pollet, Hunt, McCoy, Seaquist, Santos, Reykdal, Ryu and Bergquist

AN ACT Relating to enhancing the basic education allocation formula to adopt the staffing resources recommended by the quality education council; amending RCW 28A.150.260, 28A.150.260, 28A.150.260, 28A.150.260, and 28A.150.260; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Education.

HB 1674 by Representatives Santos, Morris and Maxwell

AN ACT Relating to increasing the regulatory oversight and accountability of the office of minority and women's business enterprises; amending RCW 39.19.020, 39.19.080, 39.19.090, and 39.19.200; and prescribing penalties.

Referred to Committee on Technology & Economic Development.

HB 1675 by Representatives Roberts, Orwall, Goodman, Kirby, Jinkins, Pedersen, Farrell, Kagi, Freeman and Ryu

AN ACT Relating to improving the adoption process; amending RCW 26.33.020, 26.33.190, and 26.33.200; reenacting and amending RCW 74.15.030; and creating a new section.

Referred to Committee on Judiciary.

HB 1676 by Representatives Kagi, Jinkins, Cody, Pedersen, Roberts, Freeman, Fitzgibbon, Hunt, Orwall, Appleton, Maxwell, Ryu, Pollet and Santos

AN ACT Relating to safe storage of firearms; amending RCW 9A.36.050; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1677 by Representatives Klippert, Morrell, Hope, Cody, Nealey, Walsh, Fagan and Ryu

AN ACT Relating to operators of multiple adult family homes; and amending RCW 70.128.065.

Referred to Committee on Health Care & Wellness.

HB 1678 by Representatives Klippert, Blake, Hayes, Takko, Holy, Hope and Ross

AN ACT Relating to peace officers; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1679 by Representatives Cody, Jinkins and Ryu

AN ACT Relating to disclosure of health care information; amending RCW 70.02.010, 70.02.020, 70.02.050, 70.02.060, 71.05.660, 71.05.680, 71.05.690, and 71.24.035; adding new sections to chapter 70.02 RCW; repealing RCW 70.24.105, 71.05.390, 71.05.640, 71.05.385, 71.05.420, 71.05.440, 71.05.427, 71.05.510, 71.34.340, 71.34.345, and 71.34.350; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care & Wellness.

HB 1680 by Representatives Santos, Uptegrove, Maxwell, Ryu and Bergquist

AN ACT Relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee; amending RCW 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040, 28A.180.090, 28A.300.042, and 28A.300.505; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28B.50 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

HB 1681 by Representatives Taylor, Shea, Overstreet, Short and Condotta

AN ACT Relating to criminal trespass on private property; amending RCW 15.08.040, 15.09.070, 15.13.265, 15.13.265, 15.14.035, 15.37.120, 15.49.370, 15.54.370, 15.58.280, 15.115.300, 16.52.085, 16.57.170, 17.04.280, 17.10.160, 17.21.320, 17.24.021, 18.39.170, 19.28.101, 19.28.470, 19.94.260, 22.16.020, 35.43.045, 35.67.310, 35.80.030, 35.80A.040, 35.81.070, 36.70.500, 36.88.390, 38.32.030, 43.30.450, 43.44.010, 43.44.020, 43.92.080, 43.190.080, 47.01.170, 47.41.070, 47.42.080, 57.08.005, 59.18.115, 59.20.130, 64.44.020, 66.28.090, 69.50.501, 70.77.450, 70.87.120, 70.97.160, 70.105D.030, 70.119A.150, 76.04.035, 76.06.130, 76.09.150, 76.09.160, 77.12.154, 78.04.015, 78.04.040, 79.14.440, 79.14.450, 79.14.530, 79.14.540, 80.32.070, 80.36.020, 80.36.030, 81.36.020, 81.64.050, 82.26.060, 82.26.080, 86.09.226, 87.03.140, 89.30.211, 90.16.040, 90.48.090, and 90.76.060; reenacting and amending RCW 9A.52.010; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1682 by Representatives Fitzgibbon, Fey, Upthegrove, Roberts, Ryu and Jinkins

AN ACT Relating to incentivizing up-front environmental planning, review, and infrastructure construction actions of local governments; amending RCW 82.02.020; reenacting and amending RCW 35.91.020; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

HB 1683 by Representatives Reykdal, Haler and Van De Wege

AN ACT Relating to authorizing recognition of institutions of postsecondary study in order to retain federal financial aid eligibility; adding a new section to chapter 18.16 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1684 by Representatives Reykdal, Manweller, Sells and Ryu

AN ACT Relating to defining suitable work to include a minimum age requirement; amending RCW 50.20.100; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1685 by Representatives Wilcox, Blake and Chandler

AN ACT Relating to utilizing a portion of public utility tax collected for water distribution to fund the health programs of the departments of ecology and health; and amending RCW 82.16.020, 90.03.650, and 70.119A.120.

Referred to Committee on Appropriations.

HB 1686 by Representatives Seaquist, Haler, Roberts, Zeiger, Reykdal, Springer, Pettigrew, Pollet, Dahlquist, McCoy, Maxwell, Fagan, Morrell and Ryu

AN ACT Relating to high school equivalency certificates; amending RCW 18.55.040, 28A.150.305, 28A.175.105, 28A.205.040, 28A.305.190, 28B.50.536, 28B.116.010, 28B.117.005, 28B.119.010, 28B.145.010, 28B.145.060,

28C.10.050, 35.21.333, 36.110.140, 41.04.015, 43.215.510, 70.128.120, 72.09.410, 72.09.460, 72.09.670, 74.04.535, 74.08A.250, 74.08A.380, 74.12.035, 74.13.540, and 74.15.230; amending 2011 c 330 s 1 (uncodified); amending 2010 c 20 s 1 (uncodified); and reenacting and amending RCW 28A.205.030, 28C.18.010, and 72.09.015.

Referred to Committee on Higher Education.

HB 1687 by Representatives Ormsby, Haler, Sullivan, Parker, Pettigrew, Liias and Ryu

AN ACT Relating to the taxing authority of public facilities districts; and amending RCW 82.14.390.

Referred to Committee on Finance.

HB 1688 by Representatives Stonier, Pike, Santos, Hayes, Orwall, Bergquist, McCoy, Scott, Ryu, Pollet, Freeman, Farrell and Parker

AN ACT Relating to reporting of incidents of student restraint and isolation in public schools; adding a new section to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Education.

HB 1689 by Representatives Appleton, Cody, Ryu and Pollet

AN ACT Relating to creating a silver alert system; and adding a new chapter to Title 70 RCW.

Referred to Committee on Public Safety.

HB 1690 by Representative Orcutt

AN ACT Relating to permitting entities to qualify for cost recovery incentives from solar energy systems located on real property of the entity's controlling owner; and amending RCW 82.16.110.

Referred to Committee on Finance.

HB 1691 by Representatives Haigh, Maxwell, Reykdal and Ryu

AN ACT Relating to authorizing the educational service district board or local school board to fill vacancies on the board of directors in second-class school districts with an at-large appointment if after one hundred twenty days a candidate from the director district cannot be recruited; and amending RCW 28A.343.370.

Referred to Committee on Education.

HB 1692 by Representatives Sullivan, Pettigrew, Maxwell, Lytton and Pollet

AN ACT Relating to implementing career and college ready graduation requirements; amending RCW 28A.150.220, 28A.150.260, 28A.180.030, 28A.180.040, 28A.230.090, 28A.165.015, 28A.165.055, and 28A.165.065; adding a new section to chapter 28A.165 RCW; creating a new section; repealing RCW 28A.165.025 and 28A.165.045; and providing an effective date.

Referred to Committee on Education.

HB 1693 by Representatives Habib, Magendanz, Morris, Tarleton and Ryu

AN ACT Relating to providing tax relief for new businesses in high growth business sectors; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Technology & Economic Development.

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

REPORTS OF STANDING COMMITTEES

February 1, 2013

HB 1016 Prime Sponsor, Representative Angel: Designating facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias and Springer.

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

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1017 Prime Sponsor, Representative Morris: Creating new efficiency standards. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 1, 2013

HB 1040 Prime Sponsor, Representative Takko: Concerning real property valuation notices. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Referred to Committee on Finance.

January 31, 2013

HB 1049 Prime Sponsor, Representative Takko: Concerning the administration and operation of flood control districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Upthegrove.

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

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1075 Prime Sponsor, Representative Lytton: Concerning the number of Puget Sound Dungeness crab fishery licenses that one vessel may be designated to carry. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haigh; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee and Van De Wege.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1090 Prime Sponsor, Representative Shea: Increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon, Vice Chair and Buys.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1158 Prime Sponsor, Representative Kirby: Concerning the annexation of property owned by the state for military purposes. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor,

Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Referred to Committee on Appropriations Subcommittee on General Government.

January 31, 2013

HB 1179 Prime Sponsor, Representative Morrell: Revising the lien for collection of sewer charges by counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1183 Prime Sponsor, Representative Morris: Regarding wireless communications structures. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1185 Prime Sponsor, Representative Takko: Concerning equitable allocation of auditor costs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1192 Prime Sponsor, Representative Short: Regarding license fees under Title 77 RCW for veterans with disabilities. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations Subcommittee on General Government.

January 31, 2013

HB 1207 Prime Sponsor, Representative Haigh: Concerning cemetery district formation requirements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1217 Prime Sponsor, Representative Takko: Strengthening the integrity, fairness, and equity in Washington's property assessment system. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Referred to Committee on Finance.

January 31, 2013

HB 1239 Prime Sponsor, Representative Takko: Concerning the powers of water-sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Upthegrove.

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

Passed to Committee on Rules for second reading.

January 31, 2013

HB 1241 Prime Sponsor, Representative Takko: Concerning contractor's bond. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 10:00 a.m., February 6, 2013, the 24th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, February 6, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTION & FIRST READING

HB 1694 by Representatives Kirby and Goodman

AN ACT Relating to establishing a residential schedule adjustment for determinations of child support obligations; amending RCW 26.19.075, 26.09.170, and 26.19.050; and adding new sections to chapter 26.19 RCW.

Referred to Committee on Judiciary.

HB 1695 by Representatives Fitzgibbon, Sullivan, Springer, Kochmar, Ryu and Moscoso

AN ACT Relating to allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities; and amending RCW 67.28.150, 67.28.160, and 67.28.180.

HELD ON FIRST READING

HB 1696 by Representatives Rodne, Goodman and Ryu

AN ACT Relating to admissibility in a civil action of failing to wear safety belt assemblies and failing to use child restraint systems; amending RCW 46.61.687; and reenacting and amending RCW 46.61.688.

Referred to Committee on Judiciary.

HB 1697 by Representative Hunt

AN ACT Relating to exempting from disclosure and copying valuable commercial information in records pertaining to solid waste collection companies in possession of the Washington utilities and transportation commission; amending RCW 42.56.270; and adding a new section to chapter 81.77 RCW.

Referred to Committee on Government Operations & Elections.

HB 1698 by Representatives Hunt, Ryu and Appleton

AN ACT Relating to school speed zone signs; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

HB 1699 by Representatives Pollet, Nealey, Fey, Blake, Haler, Morrell, Wylie, Kretz, Tharinger, Moscoso and Ryu

AN ACT Relating to making energy conservation a top priority by adding new incentives and aligning the timing of the acquisitions of eligible renewable resources, electricity, or equivalent renewable energy credits, with the need for additional electric generating resources to serve consumers' loads, without changing the eligible renewable targets; amending RCW 19.285.040; and creating a new section.

Referred to Committee on Environment.

HB 1700 by Representatives Schmick, Cody, Short, Blake, Ryu, Angel, Tharinger and Fagan

AN ACT Relating to health plans provided through associations or member-governed groups; amending RCW 48.21.047, 48.44.024, and 48.46.068; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1701 by Representatives Moeller, Angel, Tharinger and Pollet

AN ACT Relating to the enactment of the Engrossed Substitute House Bill No. 1277 adult family home quality assurance panel; amending RCW 70.128.060 and 70.128.160; and adding new sections to chapter 70.128 RCW.

Referred to Committee on Health Care & Wellness.

HB 1702 by Representatives Uptegrove, Sells, Orwall, Moscoso, Reykdal, Stanford, Sullivan, Fitzgibbon, Fey, Green and Liias

AN ACT Relating to commercial transportation of passengers; and amending RCW 46.72.020, 46.72.100, 46.72A.080, and 46.72A.090.

Referred to Committee on Transportation.

HB 1703 by Representatives Jinkins, Farrell, Morris, Cody, Kagi, Wylie, Roberts, Pollet, Ryu, Bergquist, Fey, Hunt, Tarleton, Fitzgibbon, Appleton, Moscoso and Santos

AN ACT Relating to promoting firearm safety through an education program funded through fees on firearms and ammunition and creating a sales tax exemption on gun locks; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.70 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1704 by Representatives Angel, Pike and Johnson

AN ACT Relating to notice required by the parks and recreation commission; amending RCW 43.17.400 and 79A.05.179; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1705 by Representatives Haler, Pollet, Ryu, Roberts, Tharinger, Fey and Moscoso

AN ACT Relating to providing incentives for solar energy; amending RCW 82.08.963 and 82.12.963; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 1706 by Representatives Haler and Takko

AN ACT Relating to allowing county treasurers to retain a portion of the state property tax to defray the costs of collection; amending RCW 84.56.280; and creating a new section.

Referred to Committee on Local Government.

HB 1707 by Representatives Springer, Warnick, Parker, Liias, Manweller and Lytton

AN ACT Relating to the taxation of large airplanes; amending RCW 47.68.250, 82.48.100, and 82.48.100; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Technology & Economic Development.

HB 1708 by Representative Wylie

AN ACT Relating to the enforcement powers of the office of financial recovery; amending RCW 43.20B.010 and 43.20B.030; and adding new sections to chapter 43.20B RCW.

Referred to Committee on Early Learning & Human Services.

HB 1709 by Representatives Dahlquist, Santos, Magendanz, Moscoso, Fagan, Ryu, Maxwell, Pollet and Bergquist

AN ACT Relating to training for volunteer foreign language interpreters in K-12 public schools; and creating new sections.

Referred to Committee on Education.

HB 1710 by Representatives Springer, Walsh, Sells, Chandler, Morris and Kagi

AN ACT Relating to the taxation of commuter air carriers; amending RCW 84.12.200, 82.48.010, and 82.48.030; adding

a new section to chapter 84.36 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1711 by Representatives Condotta and Hurst

AN ACT Relating to allowing multiple liquor licenses at the same physical premises; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1712 by Representative Schmick

AN ACT Relating to state implementation of the federal patient protection and affordable care act; amending RCW 43.71.010, 43.71.030, 43.71.075, 43.71.065, and 48.43.715; and repealing RCW 48.43.700, 48.43.705, and 70.47.250.

Referred to Committee on Health Care & Wellness.

HB 1713 by Representative Schmick

AN ACT Relating to requesting and implementing a federal waiver to allow Washington to expand the medicaid program through private insurance markets; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1714 by Representatives Pollet, Ross, Johnson and Magendanz

AN ACT Relating to the open public meetings act; and amending RCW 42.30.030, 42.30.120, and 42.30.210.

Referred to Committee on Government Operations & Elections.

HB 1715 by Representatives Klippert, Goodman and Moscoso

AN ACT Relating to exemption of information contained in the department of corrections' security threat group database; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Government Operations & Elections.

HB 1716 by Representatives Smith, Sells, Haler, Springer, Kristiansen and Ryu

AN ACT Relating to the standard of evidence for appeals of valuation of property for purposes of taxation; amending RCW 84.40.0301; and creating a new section.

Referred to Committee on Finance.

HB 1717 by Representatives Fitzgibbon, Jinkins, Liias, Maxwell, Roberts, Pollet, Upthegrove, Morrell and Springer

AN ACT Relating to incentivizing up-front environmental planning, review, and infrastructure construction actions; amending RCW 82.02.020; reenacting and amending RCW 35.91.020; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

HB 1718 by Representatives Pettigrew, Manweller, Moscoso, Sells, Appleton, Seaquist, Green, Condotta, Moeller, Upthegrove and Angel

AN ACT Relating to for hire vehicles, limousines, and taxicabs; amending RCW 51.12.183; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1719 by Representatives Freeman, Sells, Moscoso, Ryu, Green, Fitzgibbon, Stanford, Orwall, Goodman, Pettigrew, Appleton, Roberts, Reykdal, Hunt, Santos, Liias, Hudgins, Van De Wege, Moeller, Upthegrove, Jinkins, Pollet and Bergquist

AN ACT Relating to drayage truck operators at certain ports; amending RCW 53.08.005; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1720 by Representatives Moeller, Ryu, Jinkins, Fitzgibbon, Roberts, Pollet, Fey, Moscoso and Ormsby

AN ACT Relating to increasing transparency of donors to candidates and ballot measures; amending RCW 29A.32.031, 29A.32.070, 29A.36.106, and 29A.36.161; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1721 by Representatives Pike, Alexander, Wilcox, Harris, Crouse, Overstreet, Hayes and Ross

AN ACT Relating to establishing a period of public and legislative review of appropriations legislation; adding new sections to chapter 44.04 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1722 by Representatives Pike, Chandler, Pettigrew, Orcutt, Blake, Scott and Taylor

AN ACT Relating to sales and use tax exemption for propane or natural gas used to heat greenhouses; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1723 by Representatives Kagi, Walsh, Farrell, Maxwell, Roberts, Freeman, Goodman, Sawyer, Sullivan, Jinkins, Seaquist, Lytton, Haigh, Hunter, Morrell, Sells, Ryu, Morris, McCoy, Reykdal, Tarleton, Tharinger, Pollet, Fey, Moscoso, Bergquist, Ormsby and Santos

AN ACT Relating to expanding and streamlining early learning services and programs; amending RCW 43.215.100, 43.215.430, and 43.215.545; reenacting and amending RCW 43.215.020 and 43.215.405; adding new sections to chapter 43.215 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1724 by Representatives Roberts, Kagi, Pettigrew, Goodman, Green, Reykdal, Cody, Jinkins, Appleton, Freeman, Moeller, Ryu, Pollet, Moscoso and Bergquist

AN ACT Relating to statements made by juveniles during assessments or screenings for mental health or chemical dependency treatment; and amending RCW 13.40.020 and 13.40.140.

Referred to Committee on Early Learning & Human Services.

HB 1725 by Representatives Tarleton, Haler, Pollet, Haigh, Wylie, Roberts, Farrell, Riccelli, Sawyer, Fitzgibbon, Sells, Ryu, Zeiger and Tharinger

AN ACT Relating to creating the tuition support fund program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1726 by Representatives Wylie, Roberts and Ryu

AN ACT Relating to vehicle registration renewal requirements; amending RCW 46.16A.090, 46.16A.200, and 46.17.200; and creating a new section.

Referred to Committee on Transportation.

HB 1727 by Representatives Morrell, Green, Walsh, Ryu, Appleton, Tharinger and Pollet

AN ACT Relating to raising licensure limits to allow assisted living facilities to serve a higher acuity resident population; amending RCW 18.20.330 and 18.20.160; and adding a new section to chapter 18.20 RCW.

Referred to Committee on Health Care & Wellness.

HB 1728 by Representatives Dahlquist, Hurst, Ryu and Morrell

AN ACT Relating to the disposable income calculation for property tax relief programs for low-income, disabled, and retired persons; amending RCW 84.36.383; and creating a new section.

Referred to Committee on Finance.

HB 1729 by Representatives Warnick, Manweller, Ross, Angel, O'Ban and Fagan

AN ACT Relating to prohibiting the possession of firearms by a criminal street gang associate or member; amending RCW 9.41.040; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1730 by Representatives Warnick, Manweller, Ross, Angel, O'Ban, Magendanz and Fagan

AN ACT Relating to adding drive-by shooting to the list of most serious offenses; and amending RCW 9.94A.030.

Referred to Committee on Public Safety.

HB 1731 by Representatives Manweller, Warnick, Ross, O'Ban and Fagan

AN ACT Relating to adding unlawful possession of a firearm in the first degree to the list of most serious offenses; and amending RCW 9.94A.030.

Referred to Committee on Judiciary.

HB 1732 by Representatives Manweller, Warnick and Ross

AN ACT Relating to criminal street gang-related offenses; and amending RCW 9.94A.533.

Referred to Committee on Public Safety.

HB 1733 by Representatives Riccelli, Hawkins, Bergquist, Alexander, Fitzgibbon, Buys, Tarleton, Manweller, Vick, Reykdal, Sawyer, Sells, Springer, Ryu, Clibborn, Angel, Jinkins, Maxwell, Pollet, Farrell, Moscoso, Ormsby, Morrell and Magendanz

AN ACT Relating to transparency in state capital and transportation budget appropriations and expenditures; amending RCW 44.48.150; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1734 by Representatives Sawyer, Kagi, Goodman, Orwall, Jinkins, Moscoso, Cody, Farrell, Reykdal, Pollet, Ormsby, Riccelli, Wylie, Ryu, Appleton, Roberts, Fey, Bergquist and Santos

AN ACT Relating to exemptions from the five-year time limit for recipients of the temporary assistance for needy families program; and amending RCW 74.08A.010.

Referred to Committee on Early Learning & Human Services.

HB 1735 by Representatives Reykdal, Parker, Seaquist, Walsh, Bergquist, Holy, Maxwell, Haigh, Stonier, Kagi, Hargrove, Ryu, Clibborn, Tarleton, Tharinger, Pollet, Morrell, Santos and Magendanz

AN ACT Relating to holding state agencies accountable for providing opportunities for certain students to participate in transition services; and adding a new section to chapter 28A.155 RCW.

Referred to Committee on Education.

HB 1736 by Representatives Zeiger, Seaquist, Haler, Pollet, Ryu, Sawyer, Bergquist, Magendanz and Farrell

AN ACT Relating to higher education operating efficiencies; amending RCW 28B.85.020; adding a new section to chapter 28B.10 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

HB 1737 by Representatives Morrell, Manweller, Clibborn and Moeller

AN ACT Relating to supervision of physician assistants; amending RCW 18.57A.030, 18.57A.040, 18.57A.080, and 18.71A.030; reenacting and amending RCW 18.71A.040; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71A RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1738 by Representatives Hayes, Sells, Seaquist, Dunshee and Ryu

AN ACT Relating to authorized purchases by political subdivisions; and amending RCW 39.32.090.

Referred to Committee on Local Government.

HB 1739 by Representatives Haler, Seaquist and Pollet

AN ACT Relating to setting guidelines for the percentages of resident, nonresident, and foreign students at four-year institutions of higher education; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HJR 4208 by Representatives Klippert and Shea

Limiting regular sessions of the legislature to ninety days in odd-numbered years.

Referred to Committee on Government Operations & Elections.

SB 5112 by Senators Holmquist Newbry, Sheldon, Braun and Hewitt

AN ACT Relating to independent medical exam and consultation and vocational rehabilitation assessment scheduling authority for qualified retrospective rating plan employers and groups; amending RCW 51.04.1101; and adding a new section to chapter 51.18 RCW.

Referred to Committee on Labor & Workforce Development.

ESSB 5128 by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Braun, King, Baumgartner, Sheldon, Rivers, Ericksen, Benton, Litzow, Becker, Dammeier, Smith, Hill, Bailey, Honeyford, Tom, Schoesler, Parlette, Padden and Hewitt)

AN ACT Relating to compensation for injured workers; amending RCW 51.32.090; adding new sections to chapter 51.04 RCW; creating a new section; and repealing RCW 51.04.063, 51.04.065, and 51.04.069.

Referred to Committee on Labor & Workforce Development.

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

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

There being no objection, the House adjourned until 9:55 a.m.,
February 7, 2013, the 24th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIFTH DAY

House Chamber, Olympia, Thursday, February 7, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Springer presiding).

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

MESSAGES FROM THE SENATE

February 4, 2013

MR. SPEAKER: The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5127 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

February 6, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5002
SENATE BILL NO. 5056
SENATE BILL NO. 5136
SENATE BILL NO. 5139
SUBSTITUTE SENATE BILL NO. 5152
SENATE JOINT MEMORIAL NO. 8001

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1695 by Representatives Fitzgibbon, Sullivan, Springer, Kochmar, Ryu, Moscoso and Roberts

AN ACT Relating to allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities; and amending RCW 67.28.150, 67.28.160, and 67.28.180.

Referred to Committee on Finance.

HB 1740 by Representatives Kirby, Ryu and Moscoso

AN ACT Relating to fingerprint-based background checks for state- registered appraiser trainee applicants and existing credential holders; amending RCW 18.140.060 and 18.140.120; and adding a new section to chapter 18.140 RCW.

Referred to Committee on Business & Financial Services.

HB 1741 by Representatives Cody, Hunt, Ryu, Appleton and Pollet

AN ACT Relating to allowing certain retirees to participate in the insurance programs under chapter 41.05 RCW; and amending RCW 41.04.205.

Referred to Committee on Appropriations.

HB 1742 by Representatives Wylie, Ryu, Hunter, Hunt and Moscoso

AN ACT Relating to allowing sales of growlers of wine; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1743 by Representatives Parker, Riccelli, Fagan, Angel, Klippert, Fitzgibbon, Farrell, Tarleton, Kochmar, Bergquist, Moeller, Ryu, Pollet and Fey

AN ACT Relating to vehicles overtaking and passing pedestrians or bicyclists; and amending RCW 46.61.100.

Referred to Committee on Transportation.

HB 1744 by Representatives Moscoso, Appleton, Ryu, McCoy, Pollet, Santos, O'Ban, Hunt and Maxwell

AN ACT Relating to excusing work and school absences for a reason of faith or conscience; and amending RCW 1.16.050 and 28A.225.010.

Referred to Committee on Judiciary.

HB 1745 by Representatives Clibborn, Liias, Farrell, Fitzgibbon, Moscoso, Habib, Bergquist, Ryu, Tarleton, Moeller, Riccelli and Fey

AN ACT Relating to high occupancy toll lanes on state route 167; and amending RCW 47.56.403.

Referred to Committee on Transportation.

HB 1746 by Representatives Fey, Jinkins, Sawyer and Kirby

AN ACT Relating to a municipal officer's beneficial interest in certain renewable energy or conservation programs; and amending RCW 42.23.030 and 42.23.060.

Referred to Committee on Government Operations & Elections.

HB 1747 by Representatives Green, Appleton, Harris, Fey, Walsh, Morrell, Haler, Roberts, Zeiger, Fitzgibbon, Goodman, Stanford, Moeller, Ryu, Pollet and Santos

AN ACT Relating to the department of social and health services' supported living program; adding a new chapter to Title 71A RCW; and prescribing penalties.

Referred to Committee on Early Learning & Human Services.

HB 1748 by Representatives Blake, Wilcox, Chandler, Buys, Lytton, Haigh and Ryu

AN ACT Relating to the business and occupation taxation of dairy products; amending RCW 82.04.260 and 82.04.4268; and providing an effective date.

Referred to Committee on Finance.

HB 1749 by Representative Angel

AN ACT Relating to modifying metropolitan park district property tax levies to assist park districts with populations less than twenty thousand; amending RCW 84.52.010 and 84.52.120; creating a new section; and repealing 2011 1st sp.s. c 28 s 7 (uncodified).

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1750 by Representatives Pettigrew, Carlyle, Hurst, Condotta, Blake, Kirby, Chandler, Goodman, Springer, Johnson, Rodne, Shea, Buys, MacEwen and Moscoso

AN ACT Relating to establishing special license endorsements for cigar lounges and retail tobacconist shops; amending RCW 70.160.060; and adding new sections to chapter 82.26 RCW.

Referred to Committee on Business & Financial Services.

HB 1751 by Representatives Springer, Chandler, Ryu, Harris, Reykdal, Orcutt and Santos

AN ACT Relating to providing for equal tax treatment of investment securities for in-state and out-of-state banks; amending RCW 82.04.460; and creating a new section.

Referred to Committee on Business & Financial Services.

HB 1752 by Representatives Orcutt, Clibborn and Ryu

AN ACT Relating to requirements for the operation of commercial motor vehicles in compliance with federal regulations; amending RCW 46.01.130, 46.25.010, 46.25.010, 46.25.050, 46.25.060, 46.25.070, 46.25.075, 46.25.080, 46.25.100, 46.25.130, 46.25.160, 46.61.667, and 46.61.668; adding new sections to chapter 46.25 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1753 by Representatives Jinkins, Hunt, Cody, Goodman, Freeman, Stanford, Fitzgibbon, Bergquist, Sawyer, Green, Ryu, Hope, Moscoso, Liias, Haler, Hudgins, Sullivan, Appleton and Pollet

AN ACT Relating to interpreter services; amending RCW 39.26.100, 39.26.090, 41.56.030, and 41.56.510; adding new sections to chapter 39.26 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

HB 1754 by Representatives Blake, Haigh, Clibborn, Ryu and Santos

AN ACT Relating to projects of statewide significance for economic development and transportation; amending RCW 43.157.005, 43.157.020, and 43.157.030; and reenacting and amending RCW 43.157.010.

Referred to Committee on Local Government.

HB 1755 by Representatives Hayes, Takko, Buys, Smith and Condotta

AN ACT Relating to an exemption from discover pass requirements for off-road vehicles; and amending RCW 79A.80.010.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1756 by Representatives Hurst, Dahlquist, Haigh, Hope, Morris and Morrell

AN ACT Relating to scrap metal licensing; amending RCW 19.290.030, 19.290.060, and 19.290.080; adding new sections to chapter 19.290 RCW; adding a new section to chapter 43.24 RCW; and prescribing penalties.

Referred to Committee on Business & Financial Services.

HB 1757 by Representatives Smith, Morris, Dahlquist, Seaquist, Magendanz, Rodne, Zeiger, Vick, Crouse, Ryu, Buys, Hayes, O'Ban, Holy, Bergquist, Hansen, Green, Riccelli, Condotta and Morrell

AN ACT Relating to monitoring the development of a one-stop portal for Washington businesses; adding a new section to chapter 43.41A RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Technology & Economic Development.

HB 1758 by Representatives Habib, Hayes, Kirby, Klippert, Takko, Seaquist, Roberts, Fitzgibbon, Bergquist, Farrell, Liias, Ryu and Buys

AN ACT Relating to boating safety; amending RCW 79A.60.040, 10.31.100, and 79A.60.150; reenacting and amending RCW 7.80.120; adding new sections to chapter 79A.60 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1759 by Representatives Seaquist, Hunt and Ryu

AN ACT Relating to veterans' assistance levies; amending RCW 73.08.080, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

SSB 5002 by Senate Committee on Governmental Operations (originally sponsored by Senators Honeyford, Fraser and Ericksen)

AN ACT Relating to mosquito control districts; and amending RCW 17.28.160.

Referred to Committee on Local Government.

SB 5056 by Senators Honeyford, Keiser, Shin and Hewitt

AN ACT Relating to the submission of new master applications by persons seeking work permits for the employment of minors; and adding a new section to chapter 19.02 RCW.

Referred to Committee on Labor & Workforce Development.

ESSB 5127 by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Tom, King, Sheldon, Baumgartner, Ericksen, Rivers, Litzow, Benton, Dammeier, Carrell, Braun, Bailey, Honeyford, Becker, Hill, Roach, Schoesler, Parlette, Padden and Hewitt)

AN ACT Relating to amending provisions governing structured settlements by lowering age barriers and clarifying legislative intent; amending RCW 51.04.063; and creating a new section.

Referred to Committee on Labor & Workforce Development.

SB 5136 by Senators Padden and Kline

AN ACT Relating to electronic presentment of claims against the state arising out of tortious conduct; and amending RCW 4.92.100.

Referred to Committee on Judiciary.

SB 5139 by Senators Hatfield, Schoesler, Hobbs, Honeyford and Shin

AN ACT Relating to milk and milk products; amending RCW 15.36.201, 15.36.451, and 15.36.454; repealing RCW 15.36.457 and 15.36.471; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SSB 5152 by Senate Committee on Transportation (originally sponsored by Senators Eide, King, Hobbs, Fain, Hatfield, Delvin, Murray, Frockt, Conway, Kohl-Welles and Shin)

AN ACT Relating to Seattle Sounders FC and Seattle Seahawks special license plates; amending RCW 46.18.200, 46.17.220, 46.68.420, 46.18.100, and 46.18.060; adding new sections to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SJM 8001 by Senators Sheldon, Bailey, Holmquist Newbry, Becker, Cleveland, Carrell, Frockt, Delvin, Padden, Ericksen, Dammeier, Rivers, Benton, Honeyford, Braun,

Hill, Parlette, Roach, Tom, Schoesler, King, Hewitt and Conway

Requesting that Interstate 5 be named the "Purple Heart Trail."

Referred to Committee on Transportation.

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

REPORTS OF STANDING COMMITTEES

February 5, 2013

HB 1117 Prime Sponsor, Representative Hansen: Concerning the transfer of real property by deed taking effect at the grantor's death. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1119 Prime Sponsor, Representative Goodman: Allowing the sheriff to waive fees associated with the service of a writ of habeas corpus under certain circumstances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1145 Prime Sponsor, Representative Goodman: Providing credit towards child support obligations for veterans benefits. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

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

February 5, 2013

HB 1148 Prime Sponsor, Representative Pedersen: Addressing dissenters' rights under the

Washington business corporation act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1159 Prime Sponsor, Representative Lytton: Increasing the number of superior court judges in Whatcom county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

February 5, 2013

HB 1175 Prime Sponsor, Representative Nealey: Increasing the number of superior court judges in Benton and Franklin counties jointly. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

February 5, 2013

HB 1186 Prime Sponsor, Representative Haigh: Concerning veterinarian immunity from liability when reporting suspected animal cruelty. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

February 5, 2013

HB 1187 Prime Sponsor, Representative Stanford: Concerning grants for community outdoor and indoor athletic facilities. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Haler.

Referred to Committee on Appropriations.

February 5, 2013

HB 1194 Prime Sponsor, Representative Stanford: Limiting liability for habitat projects. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1203 Prime Sponsor, Representative Farrell: Exempting personal information relating to children from public inspection and copying. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

February 5, 2013

HB 1211 Prime Sponsor, Representative Alexander: Concerning primary election voters' pamphlets. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Referred to Committee on Appropriations.

February 5, 2013

HB 1226 Prime Sponsor, Representative Ormsby: Addressing the restrictions on collecting a pension in the public employees' retirement system for retirees returning to work in an ineligible position or a position covered by another state retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking

Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

HB 1227 February 5, 2013
Prime Sponsor, Representative Hunt: Regarding cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

HB 1260 February 5, 2013
Prime Sponsor, Representative Warnick: Concerning public facilities' grants and loans. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Freeman; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Capital Budget.

HB 1266 February 5, 2013
Prime Sponsor, Representative Rodne: Modifying the mandatory retirement provision for district judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

HB 1269 February 5, 2013
Prime Sponsor, Representative Smith: Allowing legal entities to cast votes in diking district elections. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse and Springer.

MINORITY recommendation: Without recommendation. Signed by Representative Liias.

Passed to Committee on Rules for second reading.

HB 1367 February 5, 2013
Prime Sponsor, Representative Kirby: Authorizing assessments for nuisance abatement in cities and towns. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Crouse; Liias and Springer.

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

Passed to Committee on Rules for second reading.

HB 1370 February 5, 2013
Prime Sponsor, Representative Seaquist: Concerning notice requirements for homeowners' associations meetings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

HJM 4000 February 4, 2013
Prime Sponsor, Representative Hayes: Requesting that Interstate 5 be named the "Purple Heart Trail." Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Rodne; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

There being no objection, the bills memorial listed on the day's committee reports under the fifth order of business were referred to the committees so designated, with the exceptions of HOUSE BILL NO. 1186 and HOUSE BILL NO. 1203 which were placed on the second reading calendar.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

HB 1014 February 5, 2013
Prime Sponsor, Representative McCoy: Recognizing "Native American Heritage Day." Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel,

Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

February 5, 2013

HB 1063 Prime Sponsor, Representative Fitzgibbon: Creating a senior center license. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Shea.

Passed to Committee on Rules for second reading.

February 6, 2013

HB 1072 Prime Sponsor, Representative Chandler: Creating the agricultural labor skills and safety grant program. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Green; Holy; Moeller and Ormsby.

MINORITY recommendation: Without recommendation. Signed by Representatives Condotta, Assistant Ranking Minority Member and Short.

Referred to Committee on Appropriations.

February 5, 2013

HB 1083 Prime Sponsor, Representative Appleton: Authorizing judges of tribal courts to solemnize marriages. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1134 Prime Sponsor, Representative McCoy: Authorizing state-tribal education compact schools. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Haler.

Referred to Committee on Appropriations.

February 6, 2013

HB 1199 Prime Sponsor, Representative Blake: Ensuring hunter safety. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Pettigrew; Schmick; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Representative MacEwen, Assistant Ranking Minority Member.

Referred to Committee on Appropriations Subcommittee on General Government.

February 6, 2013

HB 1200 Prime Sponsor, Representative Blake: Concerning the labeling of seafood. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Pettigrew; Schmick; Stanford and Warnick.

February 7, 2013

HB 1204 Prime Sponsor, Representative Roberts: Concerning sibling visitation for children in foster care. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

February 6, 2013

HB 1218 Prime Sponsor, Representative Takko: Concerning department of fish and wildlife license suspensions. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

February 6, 2013

HB 1247 Prime Sponsor, Representative Hansen: Modifying job skills program provisions. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller,

Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations Subcommittee on Education.

HB 1277 February 5, 2013
Prime Sponsor, Representative Sawyer: Concerning tribes holding conservation easements. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

HB 1286 February 5, 2013
Prime Sponsor, Representative Sawyer: Authorizing the sale or exchange of unused department of transportation lands to federally recognized Indian tribes. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Haler.

Referred to Committee on Transportation.

HB 1311 February 6, 2013
Prime Sponsor, Representative Chandler: Making coverage of certain maritime service elective for purposes of unemployment compensation. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

HB 1319 February 6, 2013
Prime Sponsor, Representative Johnson: Recognizing a welcome home Vietnam veterans day. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller and Orwall.

Passed to Committee on Rules for second reading.

HB 1394 February 6, 2013
Prime Sponsor, Representative Reykdal: Changing the employment security department's settlement authority. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

HB 1395 February 6, 2013
Prime Sponsor, Representative Sells: Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

HB 1396 February 6, 2013
Prime Sponsor, Representative Manweller: Changing the unemployment insurance shared work program by adopting short-time compensation provisions in the federal middle class tax relief and job creation act of 2012. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

HB 1468 February 6, 2013
Prime Sponsor, Representative Sells: Modifying payment methods on certain claimants' benefits. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

HB 1469 February 6, 2013
Prime Sponsor, Representative Schmick: Addressing industrial insurance for horse racing employment. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller,

Ranking Minority Member; Condotta, Assistant Ranking
Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

February 6, 2013

HB 1470 Prime Sponsor, Representative Ormsby:
Addressing the recommendations of the
vocational rehabilitation subcommittee for
workers' compensation. Reported by Committee
on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by
Representatives Sells, Chair; Reykdal, Vice Chair; Manweller,
Ranking Minority Member; Condotta, Assistant Ranking
Minority Member; Green; Holy; Moeller; Ormsby and Short.

There being no objection, the bills listed on the day's
committee reports under the fifth order of business were referred to
the committees so designated, with the exceptions of HOUSE
BILL NO. 1014, HOUSE BILL NO. 1200, HOUSE BILL NO.
1204 and HOUSE BILL NO. 1470 which were placed on the
second reading calendar.

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

There being no objection, the Committee on Rules was
relieved of HOUSE BILL NO. 1010 and the bill was placed on the
second reading calendar:

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

There being no objection, the House adjourned until 10:00
a.m., February 8, 2013, the 26th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, February 8, 2013

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

The flags were escorted to the rostrum by the Washington Air National Guard Color Guard, comprised of SR MSTR SGT. Mark Soulier, TEC SGT Jason Harper, SSGT David Williams and SSGT Marcos Tadeo. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by CPT Kent Smaciarz, Chaplain, Washington Air Guard.

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4609, by Representatives Klippert, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Chopp, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, Nearly eighty-six hundred men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts and to protect lives and property; and

WHEREAS, The Washington Army and Air National Guard continue to provide critical mission support to Operation Enduring Freedom around the world to include Afghanistan, Kuwait, the Philippines, and the Horn of Africa, as well as supporting Federal mission requirements throughout the continental United States; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security; and

WHEREAS, The Guard continues to promote positive lifestyles and activities for Washington's youth through involvement in and support of highly effective drug prevention programs with school-aged children and community-based organizations and the continued success and ongoing work of the invaluable Washington Youth Academy; and

WHEREAS, The Guard continues to actively participate in the state's counterdrug efforts by providing soldiers, airmen, and specialized equipment to over thirty-four local, state, and federal law enforcement agencies and community-based and other organizations; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for public and other community and youth activities use. The Guard continues to build upon these Readiness Centers and Armories throughout the state to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Representative Klippert moved adoption of HOUSE RESOLUTION NO. 4609

Representatives Klippert and Morrell spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4609 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 1760 by Representatives Buys, Haler and Vick

AN ACT Relating to replacement of like-in-kind household appliances; amending RCW 18.27.090, 18.106.150, and 19.28.006; and reenacting and amending RCW 19.28.091.

Referred to Committee on Labor & Workforce Development.

HB 1761 by Representative Seaquist

AN ACT Relating to shellfish aquaculture; amending RCW 28B.30.632, 28B.30.634, and 28B.20.475; amending 2007 c 216 s 4 (uncodified); adding a new section to chapter 43.21A

RCW; creating a new section; and repealing RCW 43.21A.681.

Referred to Committee on Agriculture & Natural Resources.

HB 1762 by Representatives Orwall, Buys, Hunt, Bergquist and Ryu

AN ACT Relating to electronic presentment of claims against the state arising out of tortious conduct; and amending RCW 4.92.100.

Referred to Committee on Judiciary.

HB 1763 by Representative Klippert

AN ACT Relating to hours of availability for inspection and copying of public records; and amending RCW 42.56.090.

Referred to Committee on Government Operations & Elections.

HB 1764 by Representatives Chandler, Stanford, Blake, Appleton and Dunshee

AN ACT Relating to geoduck diver licenses; amending RCW 77.65.410; adding a new section to chapter 77.65 RCW; adding a new section to chapter 43.30 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Natural Resources.

HB 1765 by Representatives Bergquist, Dahlquist, Santos, Maxwell, Seaquist, Stonier, Hawkins and Ryu

AN ACT Relating to authorizing the suspension or revocation of certificates or permits to teach based on the fraudulent submission of tests for educators; and amending RCW 28A.410.090.

Referred to Committee on Education.

HB 1766 by Representatives Cody, Jinkins, Sullivan, Morrell and Ryu

AN ACT Relating to modifying the nonprofit tax exemption for qualifying blood, tissue, or blood and tissue banks; and amending RCW 82.04.324.

Referred to Committee on Finance.

HB 1767 by Representatives Moeller, Lias, Ryu and Moscoso

AN ACT Relating to outdoor advertising sign fees, labels, and prohibitions; amending RCW 47.42.120 and 47.42.130; and repealing RCW 47.42.048.

Referred to Committee on Transportation.

HB 1768 by Representatives Moscoso, Lias, Ryu, Moeller, Johnson, Kochmar and McCoy

AN ACT Relating to use of the job order contracting procedure by the department of transportation; and amending RCW 39.10.420 and 43.131.408.

Referred to Committee on Transportation.

HB 1769 by Representatives Stonier, Zeiger, Stanford, Warnick, Seaquist, Haler, Ryu, Springer, Morrell, Fey, Pollet, Riccelli and Fagan

AN ACT Relating to creating efficiencies for institutions of higher education; amending RCW 43.88.110 and 28B.10.022; and reenacting and amending RCW 39.94.040.

Referred to Committee on Higher Education.

HB 1770 by Representatives Buys, Blake, Chandler, Lytton and Ryu

AN ACT Relating to the appointment of nonvoting advisory members to commodity boards; and adding a new section to chapter 15.65 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1771 by Representatives Taylor, Shea, Overstreet, Condotta, Ryu, Scott, Pike, Blake, Schmick, Morris, Haler, MacEwen, Hope, Appleton, Goodman, Buys, Moscoso, Kristiansen and Upthegrove

AN ACT Relating to protecting Washington citizens from warrantless surveillance, reducing liability, and establishing clear standards under which agencies may utilize unmanned aerial vehicles; adding a new chapter to Title 10 RCW; prescribing penalties; and declaring an emergency.

HELD ON FIRST READING

HB 1772 by Representatives Goodman and Ryu

AN ACT Relating to extending physician-patient privilege to other health care providers; and amending RCW 5.60.060 and 18.73.270.

Referred to Committee on Judiciary.

HB 1773 by Representatives Morrell, Rodne, Cody, Green, Ryu, Lias, Farrell and Santos

AN ACT Relating to the practice of midwifery; and amending RCW 18.50.010, 18.50.065, and 18.50.102.

Referred to Committee on Health Care & Wellness.

HB 1774 by Representatives Freeman, Goodman, Haler, Roberts, Farrell, Kagi, Stanford, Stonier, Bergquist, Ryu, O'Ban, Morrell, Fey, Pollet and Santos

AN ACT Relating to measuring performance of the child welfare system; adding new sections to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1775 by Representative Schmick

AN ACT Relating to due process in the filing and approval of insurance rates, forms, and agreements and insurance regulatory policies and procedures; and adding a new section to chapter 48.02 RCW.

Referred to Committee on Business & Financial Services.

HB 1776 by Representatives Schmick, Cody, Hope, Morrell, Angel, Ryu and Pollet

AN ACT Relating to wellness programs offered by a health carrier; adding a new section to chapter 48.43 RCW; adding a new section to chapter 48.30 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1777 by Representatives Green, Reykdal, Ryu, Morrell, Roberts, Fey, Pollet and McCoy

AN ACT Relating to accelerating expansion of mental health involuntary commitment laws; amending 2011 2nd sp.s. c 6 ss 1 and 3 (uncodified); creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 1778 by Representatives Green, Reykdal, Jinkins, Ryu, Morrell, Fey and McCoy

AN ACT Relating to detentions under the involuntary treatment act; amending RCW 71.05.040 and 71.05.150; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Judiciary.

HB 1779 by Representatives Kirby and Ryu

AN ACT Relating to esthetics; and amending RCW 18.16.020, 18.16.030, 18.16.050, 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.180, 18.16.190, 18.16.200, 18.16.260, and 18.16.290.

Referred to Committee on Business & Financial Services.

HB 1780 by Representatives Manweller, Short, Condotta and Kristiansen

AN ACT Relating to state preemption of local paid sick and paid safe leave regulation; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1781 by Representatives Manweller, Short, Condotta and Kristiansen

AN ACT Relating to geographic limitations on local paid sick leave and paid safe leave programs; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1782 by Representatives Nealey, Appleton, Ryu and Orwall

AN ACT Relating to veterans' homes; amending RCW 72.36.020, 72.36.030, 72.36.035, 72.36.055, 72.36.070,

72.36.075, and 43.60A.075; and adding a new section to chapter 72.36 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1783 by Representatives Seaquist, Hansen, Buys, Springer, Angel and Ryu

AN ACT Relating to health district banking; and adding a new section to chapter 70.46 RCW.

Referred to Committee on Local Government.

HB 1784 by Representatives Farrell, Riccelli, Jinkins, Freeman, Stonier, Ryu, Pettigrew, Carlyle, Kagi, Morrell, Reykdal, Maxwell, Roberts, Fey, Pollet, Bergquist and Kochmar

AN ACT Relating to the prevention of childhood obesity in early learning programs; and reenacting and amending RCW 43.215.020.

Referred to Committee on Early Learning & Human Services.

HB 1785 by Representatives Hunt, Kristiansen and Ryu

AN ACT Relating to authorizing de minimis use of state resources to provide information about programs that may be authorized payroll deductions; and amending RCW 42.52.160.

Referred to Committee on Government Operations & Elections.

HB 1786 by Representatives Stanford, Moscoso, Fitzgibbon, Lytton and Ryu

AN ACT Relating to creation of an animal abuser registry; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1787 by Representatives Stanford, Moscoso, Dunshee, Fitzgibbon, Haigh, Lytton, Ryu and Pollet

AN ACT Relating to the humane treatment of cows; adding new sections to chapter 16.52 RCW; providing an effective date; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1788 by Representatives Pike, Blake, Scott, Overstreet, Taylor, Takko, Shea, Condotta, Klippert, Orcutt and Vick

AN ACT Relating to allowing public school districts and private schools to adopt a policy authorizing permanent employees to possess firearms on school grounds under certain conditions; amending RCW 9.41.280; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.195 RCW; adding a new section to chapter 43.101 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1789 by Representatives Hunter, Carlyle, Hurst, Wylie, Ryu, Morrell and Pollet

AN ACT Relating to creating greater consistency in the regulatory schemes applied to marijuana during the transition to the implementation of Initiative Measure No. 502; adding a new chapter to Title 82 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1790 by Representatives Parker, Ormsby, Riccelli and Ryu

AN ACT Relating to the use of traffic school fees; and amending RCW 46.83.070.

Referred to Committee on Transportation.

HB 1791 by Representatives Parker, Orwall, Fagan, Riccelli, Ryu, O'Ban, Haler, Moscoso and Santos

AN ACT Relating to trafficking; amending RCW 9A.44.128; and reenacting and amending RCW 9A.40.100.

Referred to Committee on Public Safety.

HB 1792 by Representatives Parker, Orwall, Riccelli, Fagan, Hawkins, Ryu, O'Ban, Moscoso and Santos

AN ACT Relating to seizure and forfeiture; and amending RCW 9A.88.150.

Referred to Committee on Public Safety.

HB 1793 by Representatives Parker, Orwall, Hawkins, Fagan, Ryu, O'Ban, Moscoso, Bergquist and Santos

AN ACT Relating to criminal profiteering; and amending RCW 9A.82.010.

Referred to Committee on Public Safety.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1771, which was held on first reading.

REPORTS OF STANDING COMMITTEES

HB 1043 February 7, 2013
Prime Sponsor, Representative Seaquist: Limiting differential tuition. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Magendanz; Pedersen; Reykdal; Riccelli; Scott; Sells; Smith; Tarleton and Wylie.

Referred to Committee on Appropriations.

February 7, 2013

HB 1071 Prime Sponsor, Representative Blake: Regarding state and private partnerships for managing salmonid hatcheries. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1078 Prime Sponsor, Representative Appleton: Requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller and Orwall.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1098 Prime Sponsor, Representative Hope: Addressing bail practices. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1101 Prime Sponsor, Representative Ryu: Designating July 25th as patient safety day. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller and Orwall.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1146 Prime Sponsor, Representative Nealey: Concerning certified water right examiner bonding requirements. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler,

Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1209 Prime Sponsor, Representative MacEwen: Extending the program establishing Christmas tree grower licensure. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1225 Prime Sponsor, Representative Hunt: Regarding cost savings and efficiencies in mailing notices of revocation to habitual traffic offenders. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1228 Prime Sponsor, Representative Hunt: Exempting certain family day care providers who have been operating for at least five years from any requirement to have a high school diploma or equivalent education. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; MacEwen and Overstreet.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1264 Prime Sponsor, Representative Haigh: Concerning partial fire district mergers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Crouse; Liias and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Buys.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1274 Prime Sponsor, Representative Alexander: Concerning local government practices and procedures. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Liias.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1305 Prime Sponsor, Representative Hope: Modifying vehicle prowling provisions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

February 7, 2013

HB 1320 Prime Sponsor, Representative Zeiger: Requiring an online higher education transfer and student advising system. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Reykdal.

Referred to Committee on Appropriations.

February 7, 2013

HB 1325 Prime Sponsor, Representative Ryu: Addressing fees and semiannual assessments, powers, lending limits, and technical amendments related to state-chartered banks, savings banks, savings associations, and trust companies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority

Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Representative Smith was appointed to the Committee on Government Accountability and Oversight, replacing Representative Alexander.

Passed to Committee on Rules for second reading.

There being no objection, the House adjourned until 10:00 a.m., February 11, 2013, the 29th Day of the Regular Session.

February 7, 2013

HB 1331 Prime Sponsor, Representative Riccelli:
Authorizing student advisory committees at institutions of higher education. Reported by Committee on Higher Education

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

February 5, 2013

HB 1332 Prime Sponsor, Representative Kirby: Concerning limited on-premise spirits sampling. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Shea.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1440 Prime Sponsor, Representative McCoy: Ensuring fairness to employers by protecting employees. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

COMMITTEE APPOINTMENTS

The Speaker (Representative Orwall presiding) announced the following committee appointment:

TWENTY NINTH DAY

House Chamber, Olympia, Monday, February 11, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jacob Lewis and Kelby Hunt. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Elsa Peters, The United Churches, Olympia, Washington.

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

MESSAGE FROM THE SENATE

February 8, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5077
SENATE BILL NO. 5102
ENGROSSED SENATE BILL NO. 5104
ENGROSSED SUBSTITUTE SENATE BILL NO. 5110
SENATE BILL NO. 5113

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTION & FIRST READING

HB 1771 by Representatives Taylor, Shea, Overstreet, Condotta, Ryu, Scott, Pike, Blake, Schmick, Morris, Haler, MacEwen, Hope, Appleton, Goodman, Buys, Moscoso, Kristiansen and Upthegrove

AN ACT Relating to protecting Washington citizens from warrantless surveillance, reducing liability, and establishing clear standards under which agencies may utilize unmanned aerial vehicles; adding a new chapter to Title 10 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Public Safety.

HB 1794 by Representatives Moscoso, Sells, Zeiger, Appleton and Liias

AN ACT Relating to shoreline development permits; and amending RCW 90.58.140.

Referred to Committee on Local Government.

HB 1795 by Representatives Jinkins, Schmick, Morrell, Harris, Green and Hope

AN ACT Relating to containing the scope and costs of the diabetes epidemic in Washington; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care & Wellness.

HB 1796 by Representative Goodman

AN ACT Relating to sentencing guidelines for multiple mitigating offenses; and amending RCW 9.94A.533, 9.94A.535, and 9.94A.589.

Referred to Committee on Public Safety.

HB 1797 by Representatives Haler and Hunt

AN ACT Relating to tax collection by the county treasurer; and amending RCW 84.56.020 and 84.56.070.

Referred to Committee on Local Government.

HB 1798 by Representatives Haler, Hunt and Nealey

AN ACT Relating to amounts received by taxing districts from property tax refunds and abatements; and amending RCW 84.69.180.

Referred to Committee on Finance.

HB 1799 by Representatives Ross, Johnson, Warnick, Pettigrew and Chandler

AN ACT Relating to criminal activities occurring at rental properties; amending RCW 9A.52.070, 59.04.050, and 59.18.075; and creating a new section.

Referred to Committee on Judiciary.

HB 1800 by Representative Cody

AN ACT Relating to compounding of medications; reenacting and amending RCW 18.64.011; adding a new section to chapter 18.64 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 1801 by Representatives Orcutt, Clibborn and Hargrove

AN ACT Relating to preventing conflicts of interest in construction contracts; adding a new section to chapter 47.28 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1802 by Representatives Orcutt, Clibborn and Hargrove

AN ACT Relating to responsibility for compensation paid to peace officers while enrolled in basic law enforcement training; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Public Safety.

HB 1803 by Representative Orcutt

AN ACT Relating to proof of financial responsibility or motor vehicle liability insurance; amending RCW 46.16A.130 and 46.30.040; reenacting and amending RCW 46.16A.110; adding new sections to chapter 46.29 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1804 by Representatives Reykdal, Hunt, Green, Fey, Sells, Pollet, Appleton, McCoy, Ryu, Ormsby and Moeller

AN ACT Relating to supplemental bargaining under the personnel system reform act; and reenacting and amending RCW 41.80.010.

Referred to Committee on Labor & Workforce Development.

HB 1805 by Representatives Hansen, Haler, Nealey and Appleton

AN ACT Relating to culinary class wine restaurant specialty licenses; adding a new section to chapter 66.24 RCW; and prescribing penalties.

Referred to Committee on Government Accountability & Oversight.

HB 1806 by Representatives Hansen, Magendanz and Appleton

AN ACT Relating to the definition of veteran for purposes of veterans' assistance programs; and amending RCW 41.04.007 and 73.08.005.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1807 by Representatives Warnick, Hope and Dunshee

AN ACT Relating to restricting the sale of energy drinks; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Health Care & Wellness.

HB 1808 by Representatives Nealey and Hurst

AN ACT Relating to the proper disposal of legal amounts of marijuana inadvertently left at retail stores holding a pharmacy license; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1809 by Representatives McCoy, Appleton, Ryu, Moscoso, Fitzgibbon and Dunshee

AN ACT Relating to protecting the state's cultural resources; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1810 by Representatives Walsh, Scott, Appleton and Roberts

AN ACT Relating to optional payments by parents who receive working connections child care benefits; and amending RCW 43.215.545.

Referred to Committee on Early Learning & Human Services.

HB 1811 by Representatives Zeiger, Magendanz, Maxwell and Dahlquist

AN ACT Relating to safe school buildings; amending RCW 28A.335.010; and adding new sections to chapter 28A.335 RCW.

Referred to Committee on Education.

HB 1812 by Representatives Haigh, Pettigrew, Springer, Haler, Hunt, Fagan, Morrell, Hunter, Hudgins and Santos

AN ACT Relating to expenditure limitations on the urban school turnaround initiative grant; and amending 2012 2nd sp.s. c 7 s 501 (uncodified).

Referred to Committee on Appropriations Subcommittee on Education.

HB 1813 by Representatives Hudgins and Liias

AN ACT Relating to allowing proof of motor vehicle liability insurance to be provided in an electronic format; and amending RCW 46.30.020, 46.30.030, 46.61.020, and 46.61.021.

Referred to Committee on Transportation.

HB 1814 by Representatives Ryu, Clibborn, Johnson, Angel, Freeman, Zeiger, Bergquist, Reykdal, Liias and Moeller

AN ACT Relating to the agency council on coordinated transportation; and adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation.

HB 1815 by Representatives Moscoso, Appleton, Dahlquist, Ryu, Roberts, Pettigrew and Takko

AN ACT Relating to assuring that education-related information is appropriately provided by public schools to parents with diverse cultural and linguistic backgrounds; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1816 by Representatives Kagi, Kirby, Jinkins and Wilcox

AN ACT Relating to improving protections for incapacitated adults; amending RCW 11.88.020, 11.88.030, 11.88.040,

11.88.120, 11.88.090, 11.92.043, and 43.190.060; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Judiciary.

HB 1817 by Representatives Hudgins, Pettigrew, Van De Wege, Appleton, Moscoso, Santos, Goodman, McCoy, Hunt, Springer, Pollet, Freeman, Habib, Reykdal, Tarleton, Liias, Sawyer, Wylie, Sells, Fitzgibbon, Pedersen, Ryu, Riccelli, Farrell, Cody, Dunshee and Bergquist

AN ACT Relating to adding eligibility criteria for higher education financial aid; amending RCW 28B.92.010; reenacting and amending RCW 28B.118.010; and creating a new section.

Referred to Committee on Higher Education.

HB 1818 by Representatives Smith, Maxwell, Magendanz, Morris, Hargrove, Sells, Angel, Ryu, Hayes, Zeiger and Vick

AN ACT Relating to promoting economic development through business and government streamlining projects; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1819 by Representatives Tarleton, Habib, Maxwell and Orwall

AN ACT Relating to creating and using digital infrastructure maps to inform economic development decisions; amending RCW 43.330.010; and adding new sections to chapter 43.330 RCW.

Referred to Committee on Technology & Economic Development.

HB 1820 by Representative Bergquist

AN ACT Relating to determining average salary for the pension purposes of state and local government employees as certified by their employer; amending RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, 41.40.010, and 43.43.120; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1821 by Representative Freeman

AN ACT Relating to good cause exceptions during permanency hearings; and amending RCW 13.34.145.

Referred to Committee on Early Learning & Human Services.

HB 1822 by Representative Stanford

AN ACT Relating to debt collection practices; amending RCW 19.16.100, 19.16.250, 19.16.260, 19.16.270, 19.16.450, 4.16.040, 4.16.270, 4.56.110, and 4.84.330; adding new sections to chapter 19.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1823 by Representatives Sells, Tarleton and Seaquist

AN ACT Relating to centers of excellence; and amending RCW 28B.50.902.

Referred to Committee on Labor & Workforce Development.

HB 1824 by Representative Harris

AN ACT Relating to reducing the penalty for a person conducting unlawful internet gambling in his or her primary residence for recreational purposes; amending RCW 9.46.240; and prescribing penalties.

Referred to Committee on Government Accountability & Oversight.

HB 1825 by Representatives Parker, Goodman, Hawkins, Kretz, Kagi and Fagan

AN ACT Relating to the removal and discharge of peace officers; amending RCW 41.12.080, 41.14.110, and 43.43.070; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1826 by Representative Morris

AN ACT Relating to updating integrated resource plan requirements to address changing energy markets; and amending RCW 19.280.010, 19.280.020, 19.280.030, and 19.280.060.

Referred to Committee on Environment.

SSB 5077 by Senate Committee on Commerce & Labor (originally sponsored by Senators Kohl-Welles, Holmquist Newbry and Keiser)

AN ACT Relating to technical corrections to gender-based terms; amending RCW 2.48.210, 6.13.080, 8.16.090, 9.91.020, 13.34.105, 13.50.010, 13.50.100, 13.50.140, 18.20.185, 18.20.305, 18.20.390, 18.20.420, 18.27.090, 18.106.010, 18.106.020, 18.106.030, 18.106.040, 18.106.050, 18.106.070, 18.106.075, 18.106.080, 18.106.090, 18.106.100, 18.106.110, 18.106.150, 18.106.155, 19.28.006, 19.28.161, 19.28.191, 19.28.201, 19.28.205, 19.28.211, 19.28.221, 19.28.231, 19.28.241, 19.28.261, 20.01.030, 22.09.860, 24.34.010, 26.12.185, 26.44.030, 26.44.220, 28A.175.075, 28A.175.140, 28A.230.020, 28A.300.136, 28A.300.285, 28A.300.2851, 28B.10.053, 28B.15.102, 28B.45.020, 28B.45.030, 28B.45.040, 28B.50.278, 28B.76.502, 28B.77.090, 28B.77.220, 35.39.060, 35.50.260, 35A.37.010, 35A.42.040, 35A.84.010, 36.39.060, 41.04.130, 41.26.110, 41.26.150, 43.06A.010, 43.06A.020, 43.06A.030, 43.06A.050, 43.06A.060, 43.06A.070, 43.06A.080, 43.06A.085, 43.06A.090, 43.06A.100, 43.06A.110, 43.06B.010, 43.06B.020, 43.06B.030, 43.06B.040, 43.06B.050, 43.06B.060, 43.190.010, 43.190.030, 43.190.040, 43.190.050, 43.190.060, 43.190.065, 43.190.070, 43.190.080, 43.190.090, 43.190.110, 43.190.120, 43.215.520, 44.04.220, 48.02.093, 48.18A.070, 50.22.010, 51.04.063, 51.14.300, 51.14.310, 51.14.320, 51.14.330, 51.14.340, 51.14.350, 51.14.360, 51.14.370, 51.14.380, 51.14.390, 51.14.400, 51.44.150, 59.20.210, 60.13.020, 60.13.040, 60.13.050, 60.13.060, 60.36.030, 60.36.040, 60.42.040, 62A.2-201, 62A.2-210, 62A.2-304, 62A.2-305, 62A.2-308,

62A.2-311, 62A.2-312, 62A.2-313, 62A.2-316, 62A.2-318,
 62A.2-319, 62A.2-320, 62A.2-324, 62A.2-325, 62A.2-328,
 62A.2-402, 62A.2-501, 62A.2-502, 62A.2-504, 62A.2-507,
 62A.2-508, 62A.2-510, 62A.2-602, 62A.2-603, 62A.2-604,
 62A.2-606, 62A.2-607, 62A.2-608, 62A.2-609, 62A.2-610,
 62A.2-611, 62A.2-612, 62A.2-613, 62A.2-615, 62A.2-616,
 62A.2-702, 62A.2-704, 62A.2-706, 62A.2-707, 62A.2-709,
 62A.2-711, 62A.2-712, 62A.2-714, 62A.2-716, 62A.2-717,
 62A.2-718, 62A.2-722, 62A.2-723, 62A.11-109, 64.34.364,
 66.20.120, 67.08.080, 67.16.200, 70.97.040, 70.97.100,
 70.128.150, 70.128.163, 70.128.200, 70.129.030, 70.129.090,
 70.129.110, 70.129.160, 70.129.170, 71.24.350, 73.16.061,
 73.20.010, 74.04.011, 74.04.014, 74.04.080, 74.04.350,
 74.04.385, 74.04.480, 74.08.050, 74.08.280, 74.08.340,
 74.08.370, 74.09.210, 74.09.230, 74.12.010, 74.12.250,
 74.13.334, 74.13.368, 74.13.640, 74.13A.025, 74.13A.040,
 74.13A.075, 74.15.140, 74.20.260, 74.20A.040, 74.20A.130,
 74.20A.150, 74.34.095, 74.34.200, 76.09.100, 76.36.100,
 74.36.110, 74.36.120, 74.36.130, 74.38.040, 74.38.050,
 74.39A.060, 74.39A.380, 74.42.450, 74.42.640, 76.09.320,
 76.14.080, 76.14.090, 76.14.100, 76.14.110, 76.42.030,
 76.52.020, 77.04.060, 77.12.370, 77.12.620, 77.12.760,
 77.15.570, 77.32.155, 77.65.280, 77.65.340, 77.95.030,
 78.04.030, 78.08.080, 78.08.100, 78.12.070, 78.16.030,
 78.16.040, 78.52.550, 78.60.110, 78.60.170, 78.60.250,
 79.02.150, 79.14.060, 79.22.120, 79.24.030, 79.24.150,
 79.24.660, 79.44.050, 79.44.100, 79A.05.085, 79A.05.105,
 79A.05.700, 80.01.020, 80.01.100, 80.04.020, 80.04.040,
 80.04.050, 80.04.070, 80.04.120, 80.04.170, 80.04.280,
 80.04.460, 80.04.470, 80.04.510, 80.08.110, 80.32.100,
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 81.04.120, 81.04.280, 81.04.460, 81.04.500, 81.04.510,
 81.08.110, 81.24.070, 81.28.290, 81.40.060, 81.40.110,
 81.44.070, 81.48.060, 81.48.070, 81.52.050, 81.53.010,
 81.53.030, 81.53.120, 81.53.261, 81.64.160, 81.77.020,
 81.80.100, 81.80.355, 81.96.030, 82.03.050, 82.03.060,
 82.03.080, 82.04.290, 82.04.425, 82.08.0266, 82.08.0269,
 82.08.100, 82.12.070, 82.24.210, 82.24.250, 82.32.070,
 82.32.120, 82.32.170, 82.32.260, 82.32.270, 82.32.310,
 82.36.110, 82.36.250, 82.36.410, 82.38.060, 82.38.275,
 82.41.080, 82.42.040, 82.42.100, 82.44.140, 82.50.520,
 82.56.030, 82.56.040, 83.100.020, 84.08.120, 84.08.140,
 84.08.190, 84.09.040, 84.12.240, 84.16.032, 84.36.300,
 84.36.320, 84.36.400, 84.36.813, 84.36.850, 84.38.040,
 84.38.060, 84.38.080, 84.38.090, 84.40.070, 84.40.110,
 84.40.160, 84.40.185, 84.40.210, 84.40.220, 84.40.240,
 84.40.370, 84.41.080, 84.41.120, 84.44.080, 84.48.018,
 84.56.090, 84.56.210, 84.56.210, 84.56.270, 84.56.320,
 84.60.040, 84.64.040, 84.64.130, 84.64.180, 84.68.110,
 84.68.120, 84.68.150, 84.69.090, 85.05.076, 85.05.100,
 85.05.120, 85.05.130, 85.05.150, 85.05.160, 85.05.180,
 85.06.100, 85.06.120, 85.06.130, 85.06.150, 85.06.160,
 85.06.180, 85.06.210, 85.06.250, 85.06.330, 85.06.550,
 85.06.560, 85.06.570, 85.06.600, 85.06.630, 85.06.750,
 85.07.070, 85.07.090, 85.07.120, 85.07.140, 85.08.340,
 85.08.360, 85.08.400, 85.08.410, 85.08.420, 85.08.440,
 85.08.490, 85.08.500, 85.08.570, 85.08.820, 85.08.840,
 85.15.030, 85.15.090, 85.15.110, 85.15.150, 85.16.130,
 85.16.150, 85.18.160, 85.16.210, 85.16.230, 85.18.040,
 85.18.100, 85.18.120, 85.24.070, 85.24.075, 85.24.130,
 85.24.140, 85.24.150, 85.24.160, 85.24.170, 85.24.180,
 85.24.290, 85.28.030, 85.28.040, 85.28.060, 85.28.080,
 85.28.090, 85.32.050, 85.32.060, 85.32.170, 86.09.259,
 86.09.292, 86.09.301, 86.09.304, 86.09.310, 86.09.319,
 86.09.325, 86.09.328, 86.09.391, 86.09.430, 86.09.433,
 86.09.448, 86.09.466, 86.09.493, 86.09.496, 86.09.499,

86.09.502, 86.09.508, 86.09.511, 86.09.556, 86.09.562,
 86.09.619, 86.09.703, 86.13.030, 86.13.050, 86.13.060,
 86.13.090, 86.13.100, 86.15.060, 86.15.130, 86.16.035,
 86.24.030, 87.03.025, 87.03.031, 87.03.032, 87.03.033,
 87.03.045, 87.03.075, 87.03.080, 87.03.081, 87.03.082,
 87.03.090, 87.03.100, 87.03.110, 87.03.115, 87.03.175,
 87.03.180, 87.03.245, 87.03.250, 87.03.255, 87.03.260,
 87.03.270, 87.03.272, 87.03.280, 87.03.442, 87.03.570,
 87.03.610, 87.03.660, 87.03.690, 87.03.760, 87.03.765,
 87.03.820, 87.04.010, 87.22.065, 87.22.215, 87.25.030,
 87.25.060, 87.25.100, 87.52.030, 87.52.040, 87.52.060,
 87.53.100, 87.53.120, 87.53.150, 87.56.040, 87.56.180,
 87.56.190, 87.56.203, 87.56.210, 87.64.010, 87.64.020,
 87.64.040, 87.84.070, 88.08.060, 88.16.130, 88.24.010,
 88.24.020, 88.24.030, 88.32.020, 88.32.040, 88.32.090,
 88.32.100, 88.32.140, 88.32.160, 88.32.170, 88.32.190,
 88.32.200, 88.32.210, 89.08.010, 89.08.170, 89.08.180,
 89.08.200, 89.08.210, 89.12.020, 89.12.050, 89.12.150,
 89.16.040, 89.16.045, 89.16.050, 89.30.025, 89.30.034,
 89.30.055, 89.30.058, 89.30.109, 89.30.229, 89.30.259,
 89.30.265, 89.30.301, 89.30.304, 89.30.307, 89.30.313,
 89.30.316, 89.30.322, 89.30.325, 89.30.328, 89.30.352,
 89.30.367, 89.30.382, 89.30.565, 89.30.604, 89.30.625,
 89.30.649, 89.30.652, 89.30.655, 89.30.670, 89.30.676,
 89.30.685, 89.30.700, 89.30.709, 89.30.721, 89.30.724,
 89.30.730, 89.30.790, 90.03.040, 90.03.070, 90.03.210,
 90.03.220, 90.03.250, 90.03.270, 90.03.410, 90.03.440,
 90.03.450, 90.08.040, 90.08.050, 90.08.060, 90.08.070,
 90.14.061, 90.14.101, 90.14.130, 90.14.170, 90.24.020,
 90.24.050, 90.44.110, 90.44.130, 90.48.095, 90.58.170,
 91.08.030, 91.08.080, 91.08.130, 91.08.150, 91.08.170,
 91.08.220, 91.08.250, 91.08.250, 91.08.280, 91.08.340,
 91.08.370, 91.08.390, 91.08.400, 91.08.410, 91.08.430,
 91.08.460, 91.08.500, 91.08.510, 91.08.550, 91.08.560,
 91.08.590, 91.08.600, and 91.08.620; reenacting and
 amending RCW 19.28.041, 26.44.030, 27.53.030,
 28B.50.100, 60.13.010, 74.13.333, 80.50.150, 82.36.310, and
 87.03.440; providing an effective date; and providing an
 expiration date.

Referred to Committee on Judiciary.

SB 5102 by Senators Pearson, Darneille, Padden, Kohl-Welles and Conway

AN ACT Relating to veterinarian immunity from liability when reporting suspected animal cruelty; and adding a new section to chapter 16.52 RCW.

Referred to Committee on Judiciary.

ESB 5104 by Senators Mullet, Frockt, Hatfield, Litzow, Ericksen, Fain and Kohl-Welles

AN ACT Relating to placing epinephrine autoinjectors in schools; adding a new section to chapter 28A.210 RCW; and creating a new section.

Referred to Committee on Education.

ESSB 5110 by Senate Committee on Governmental Operations (originally sponsored by Senators Tom, Murray, Hill and McAuliffe)

AN ACT Relating to local government purchasing of supplies, materials, or equipment; and amending RCW 39.30.040.

Referred to Committee on Local Government.

SB 5113 by Senators Bailey, Padden, Carrell, Roach, Benton and Hobbs

AN ACT Relating to enforcing speed limits within condominium association communities; and amending RCW 46.61.419.

Referred to Committee on Transportation.

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

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

There being no objection, the House adjourned until 9:55 a.m., February 12, 2013, the 30th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTIETH DAY

House Chamber, Olympia, Tuesday, February 12, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4612, by Representative Zeiger

WHEREAS, Civic education is the foundation of a representative democracy and an educated citizenry; and

WHEREAS, It is important to have strong educational resources aimed at teaching students and the public about government to encourage meaningful participation in our democratic institutions and processes; and

WHEREAS, Civic Education Day establishes a forum for civic educators from across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the ACLU of Washington, City Club, 4H Know Your Government, iCivics, League of Women Voters, Legislative Page School, Office of the Secretary of State, Office of the Superintendent of Public Instruction, Project Citizen, Street Law, TVW, Washington State PTA, YMCA Youth & Government, and Youth Ambassadors are dedicated to making civic education a priority for Washington State and its citizens; and

WHEREAS, The Washington State Legislative Internship Program is the longest running state intern organization in the United States, illustrating the commitment of the House of Representatives to civic education; and

WHEREAS, The 2013 House Internship Program includes twenty-three students from Washington State's public and private institutions of higher learning who will leave the Legislature prepared to participate in their communities, return to school as stronger students, and lead their lives as engaged citizens; and

WHEREAS, For their role as outstanding civic educators the following individuals have been nominated for the Civic Educator of the Year Award: Karin Ashabraner, Brandon Bouge, Lisa Browitt, Kelly Clark, Stephen Cowdrey, Steven Cross, Scott Darby, Donnetta Elsasser, Tuck Gionet, and Web Hutchins; and

WHEREAS, The House of Representatives celebrate Civic Education Day and recognize the contributions of committed teachers, principals, community leaders, parents, state employees, interns, and volunteers as they help to create an engaged citizenry;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor, thank, and celebrate the civic educators of the state; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the civic education organizations participating in Civic Education Day and the colleges and universities participating in the Washington State Legislative Internship Program.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4612.

HOUSE RESOLUTION NO. 4612 was adopted.

HOUSE RESOLUTION NO. 2013-4613, by Representatives Johnson, Ross, and Chandler

WHEREAS, The State of Washington has previously recognized the proud history of Filipino-Americans; and

WHEREAS, The earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California; and

WHEREAS, The Filipino-American National Historical Society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo Parrish, Louisiana; and

WHEREAS, Washington State contributed to this history with the recognition of the 1888 documents of Port Blakely on Bainbridge Island, Washington, at the time the largest lumber mill in the world, as listing a "Manilla," the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, These events set in motion the focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino-Americans have made in countless ways toward the development of the United States; and

WHEREAS, Efforts must continue to promote the study of Filipino-American history and culture, as mandated in the mission statement of the Filipino-American National Historical Society; and

WHEREAS, It is imperative for Filipino-American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

WHEREAS, Washington State is home to Filipinos, one of the largest Asian/Pacific Islander populations found in the state, and is the location of historic Filipino-American communities; and

WHEREAS, Filipinos have served with special distinction in all of the United States military branches; and

WHEREAS, The United States and the Republic of the Philippines continue to hold a special bond; and

WHEREAS, The national office of the Filipino-American National Historical Society is located in the city of Seattle, Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize October 2013 as the 426th anniversary of the presence of Filipinos in the United States and as a significant time to study the advancement of Filipino-Americans in the history of the State of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Washington State House of Representatives to Rey Pascua, President of the Filipino-American Community of the Yakima Valley for further distribution to the Filipino-American National Historical Society, to Asian and Pacific Islander organizations, to other historical societies and government entities, and to the Superintendent of Public Instruction.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4613.

HOUSE RESOLUTION NO. 4613 was adopted.

HOUSE RESOLUTION NO. 2013-4614, by Representatives Moeller and Maxwell

WHEREAS, Approximately more than one hundred million Americans live with chronic pain caused by various diseases or disorders, and, each year, nearly twenty-five million Americans suffer with acute pain; and

WHEREAS, Though medical knowledge and technology exist to relieve or greatly ease pain, most pain is untreated, undertreated, or improperly treated, and many health care professionals are still unaware of how to effectively treat pain; and

WHEREAS, People who suffer from chronic pain often are stigmatized and marginalized and often are not informed about the right to effective pain assessment and management, and most people with pain, including those at the end of life, get little or no relief; and

WHEREAS, There is a growing coalition of pain sufferers, physicians, nurses, social workers, pharmacists, therapists, civic leaders, nonprofit organizations, and health care businesses whose mission is to improve the quality of life for people in Washington experiencing pain; and

WHEREAS, It is the collective mission of this movement to provide practical information for people with pain, inform health care professionals about pain management, and serve as an advocate for people experiencing pain; and

WHEREAS, The American Pain Foundation recognizes September 2013 as Pain Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives call upon all Washingtonians to observe this month by participating in appropriate ceremonies and activities, and by learning how to improve the quality of life for people in Washington suffering from pain.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4614.

HOUSE RESOLUTION NO. 4614 was adopted.

HOUSE RESOLUTION NO. 2013-4615, by Representatives Angel, Klippert, Johnson, Overstreet, Shea, Riccelli, Farrell, O'Ban, and Hayes

WHEREAS, Tens of thousands of Washington motorcyclists travel the roads, streets, and highways of the Evergreen State in their regular work and school commutes, and in their weekend adventures and vacation rides; and

WHEREAS, Motorcycles are fuel efficient, congestion-busting users of our transportation infrastructure for which they help provide funding; and

WHEREAS, Our state and nation are world leaders in motorcycle safety and licensing, and in rider training and public awareness; and

WHEREAS, The vast majority of the members of the motorcycling community are genuinely committed to upholding safe and sane policies and procedures for themselves and their passengers, and certainly also for their fellow motorists with whom they share the highways and roads of our state; and

WHEREAS, A recent comprehensive study of crashes involving motorcycles and motor vehicles, the "Motorcycle Accident Cause Factors and Identification of Countermeasures" report, found that, in

approximately two-thirds of the cases, the driver of the car, pickup, or some other motor vehicle was in fact the cause of the crash; and

WHEREAS, A stronger emphasis on motorcycle safety and awareness will make our roads, streets, and highways safer for everyone; and

WHEREAS, Although every day of the year, in a very real sense, can and must be considered "Motorcycle Safety Awareness Day," the month of May is set aside at the national level for special and particular emphasis on both safety on the part of riders of the road and respect from their fellow users of the road; and

WHEREAS, The month of May enjoys a special status as Motorcycle Safety Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives joins the rest of the state and nation in saluting and celebrating the month of May as Motorcycle Safety Awareness Month; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the AAA Washington office, the ABATE of Washington office, and the headquarters of the Washington State Patrol and the Washington State Department of Transportation.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4615.

HOUSE RESOLUTION NO. 4615 was adopted.

MESSAGE FROM THE SENATE

February 11, 2013

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5197

SUBSTITUTE SENATE BILL NO. 5445

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

REPORTS OF STANDING COMMITTEES

February 8, 2013

HB 1003

Prime Sponsor, Representative Moeller: Concerning disciplinary actions against the health professions license of the subject of a department of social and health services' finding. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1044

Prime Sponsor, Representative Cody: Concerning health plan coverage for the voluntary termination of a pregnancy. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Clibborn;

Green; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Harris; Manweller; Ross and Short.

Passed to Committee on Rules for second reading.

HB 1061 February 7, 2013
Prime Sponsor, Representative Goodman:
Changing provisions regarding the finding of
aggravating circumstances. Reported by
Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Appleton.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1093 February 7, 2013
Prime Sponsor, Representative Shea: Regarding
state agency lobbying activities. Reported by
Committee on Government Operations &
Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Fitzgibbon; Kristiansen; Manweller and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Carlyle.

Passed to Committee on Rules for second reading.

HB 1128 February 8, 2013
Prime Sponsor, Representative Takko: Regarding
local agencies' responses to public records
requests. Reported by Committee on Local
Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

HB 1157 February 7, 2013
Prime Sponsor, Representative Hunt: Making
nonsubstantive changes to election laws.
Reported by Committee on Government
Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller and Orwall.

Passed to Committee on Rules for second reading.

HB 1213 February 8, 2013
Prime Sponsor, Representative Orwall:
Concerning social worker licensing. Reported by
Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1216 February 8, 2013
Prime Sponsor, Representative Habib:
Concerning insurance coverage of treatment of
eosinophilia gastrointestinal associated disorders.
Reported by Committee on Health Care &
Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1230 February 8, 2013
Prime Sponsor, Representative Green:
Concerning persons who are pursuing a course of
study leading to a degree as a physical therapist or
physical therapist assistant. Reported by
Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1242 February 7, 2013
Prime Sponsor, Representative Moscoso:
Concerning the authority of a vehicle subagent to
recommend a successor. Reported by Committee
on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz;

Kristiansen; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1268 Prime Sponsor, Representative Springer:
Regarding local government purchasing.
Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Upthegrove.

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

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1270 Prime Sponsor, Representative Morrell: Making the board of denturists the disciplining authority for licensed denturists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1330 Prime Sponsor, Representative Moeller: Allowing dental hygienists and dental assistants to provide certain services under the supervision of a dentist. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1334 Prime Sponsor, Representative Shea: Concerning conversion kits on motorcycles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1339 Prime Sponsor, Representative Tharinger: Clarifying the scope of practice for East Asian medicine practitioners and removing certain referral requirements. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1344 Prime Sponsor, Representative Cody: Authorizing occupational therapists to participate in online access to the University of Washington health sciences library. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

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

February 8, 2013

HB 1360 Prime Sponsor, Representative Wylie: Extending the deadline to designate one or more industrial land banks. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1376 Prime Sponsor, Representative Orwall: Clarifying the requirement that certain health professionals complete training in suicide assessment, treatment, and management. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1379 Prime Sponsor, Representative Liias: Concerning private motorcycle skills education programs. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1382 Prime Sponsor, Representative Jinkins: Allowing for redistribution of medications under certain conditions. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Schmick, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 7, 2013

HB 1473 Prime Sponsor, Representative Sells: Requiring certain entities to report payments for construction services. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 8, 2013

SB 5147 Prime Sponsor, Senator Hargrove: Concerning juveniles and runaway children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

INTRODUCTION & FIRST READING

HB 1827 by Representatives Shea and Crouse

AN ACT Relating to pass-through wholesale food distributors; amending RCW 43.20.145; adding a new section to chapter 43.24 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 1828 by Representatives Springer, Wilcox, Takko, Chandler, Hunter, Condotta and Nealey

AN ACT Relating to the fiscal conditions of local government; and adding a new chapter to Title 43 RCW.

Referred to Committee on Local Government.

HB 1829 by Representatives Ormsby, Alexander and Hunter

AN ACT Relating to eliminating accounts and funds; amending RCW 41.06.280, 43.19.025, 64.44.060, 70.116.134, 41.05.140, 82.45.180, and 70.122.130; reenacting and amending RCW 43.84.092, 43.84.092, 43.79A.040, 70.47.100, and 82.44.180; creating new sections; repealing RCW 43.19.730, 43.70.325, 43.338.030, 46.68.210, 46.68.330, and 70.122.140; repealing 2006 c 372 s 715 (uncodified); providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1830 by Representative Haler

AN ACT Relating to penalties for causing harm to dog guides, service animals, and on-duty search and rescue dogs; amending RCW 9.91.170 and 9.91.175; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1831 by Representatives Hudgins, Klippert, Orwall and Morrell

AN ACT Relating to a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1832 by Representatives Klippert, Liias and Bergquist

AN ACT Relating to confidential license plates, drivers' licenses, identicards, and vessel registrations; amending RCW

46.01.130 and 46.08.066; and reenacting and amending RCW 42.56.230.

Referred to Committee on Government Operations & Elections.

HB 1833 by Representatives Bergquist and Hargrove

AN ACT Relating to exempting tax information from public inspection and copying; reenacting and amending RCW 42.56.230; adding a new section to chapter 82.36 RCW; adding a new section to chapter 82.38 RCW; and adding a new section to chapter 82.42 RCW.

Referred to Committee on Government Operations & Elections.

HB 1834 by Representatives Kagi, Freeman, Green and Jinkins

AN ACT Relating to including family treatment courts in the definition of drug courts; and amending RCW 2.28.170.

Referred to Committee on Early Learning & Human Services.

HB 1835 by Representatives Hunt and Condotta

AN ACT Relating to enhanced raffles; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Government Accountability & Oversight.

HB 1836 by Representatives Holy, Goodman, Roberts, Hope and Hayes

AN ACT Relating to introduction of contraband into or possession of contraband in a secure facility; amending RCW 9A.76.140, 9A.76.150, and 9A.76.160; reenacting and amending RCW 9A.76.010; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1837 by Representatives Hope, Goodman, Roberts and Hayes

AN ACT Relating to allowing residents of total confinement facilities and secure community transition facilities to engage in therapeutic occupational assignments within the confines of McNeil Island; and adding a new section to chapter 71.09 RCW.

Referred to Committee on Public Safety.

HB 1838 by Representative Moeller

AN ACT Relating to surname changes; amending RCW 4.24.130; adding a new section to chapter 26.04 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1839 by Representatives Goodman, Blake, Shea and Takko

AN ACT Relating to the criminal background check and other requirements applicable to the purchase and transfer of firearms; and amending RCW 9.41.090.

Referred to Committee on Judiciary.

HB 1840 by Representatives Goodman, Hope, Hunter, Pedersen and Bergquist

AN ACT Relating to firearms laws concerning persons subject to no-contact orders, protection orders, and restraining orders; amending RCW 9.41.040 and 9.41.800; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1841 by Representatives Stonier, Warnick and Dunshee

AN ACT Relating to electronic competitive bidding for state public works contracting; and adding a new section to chapter 39.04 RCW.

Referred to Committee on Capital Budget.

HB 1842 by Representative Goodman

AN ACT Relating to partial and total confinement options for offenders; amending RCW 9.94A.030, 9.94A.190, 9.94A.704, 9.94A.728, 9.94A.731, and 72.65.010; adding new sections to chapter 72.65 RCW; and repealing RCW 9.94A.734.

Referred to Committee on Public Safety.

HB 1843 by Representatives Pollet, Haler, Seaquist and Tarleton

AN ACT Relating to evaluating compliance and performance for participation in financial aid programs; and amending RCW 28B.92.050.

Referred to Committee on Higher Education.

HB 1844 by Representative Kagi

AN ACT Relating to family assessment response in child protective services; amending RCW 26.44.270; reenacting and amending RCW 26.44.030; adding a new section to chapter 26.44 RCW; repealing 2012 c 259 ss 9 and 10 (uncodified); and providing an effective date.

Referred to Committee on Early Learning & Human Services.

HB 1845 by Representatives Ryu, Haler, Takko, Reykdal, Zeiger, Stanford, Haigh, McCoy, Blake, Wilcox, Dunshee and Farrell

AN ACT Relating to the utilities and transportation commission's regulatory authority over railroads and the transfer and consolidation of all state railroad matters within the commission; adding new sections to chapter 81.48 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Transportation.

HB 1846 by Representatives Schmick and Cody

AN ACT Relating to stand-alone dental coverage; and amending RCW 48.43.715.

Referred to Committee on Health Care & Wellness.

HB 1847 by Representative Pike

AN ACT Relating to the sufficiency of signatures for petitions in cities, towns, and code cities; and amending RCW 35.21.005 and 35A.01.040.

Referred to Committee on Local Government.

HB 1848 by Representatives Springer, Lytton, Moeller, Maxwell, Sullivan, Haigh, Goodman, Orwall, Pettigrew, Magendanz, Dahlquist, Hargrove, Fagan and Pike

AN ACT Relating to school siting; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

HB 1849 by Representatives Klippert, Hudgins, Pike, Takko and Warnick

AN ACT Relating to combining the state's natural resources law enforcement efforts; amending RCW 77.15.075 and 43.12.065; reenacting and amending RCW 77.08.010; creating new sections; repealing RCW 79.135.430; and providing an effective date.

Referred to Committee on Public Safety.

HB 1850 by Representative Klippert

AN ACT Relating to authorizing school districts to take actions related to certificated school employees charged with certain felony crimes; and amending RCW 28A.405.470.

Referred to Committee on Education.

HB 1851 by Representative Klippert

AN ACT Relating to compensation for certificated employees in the event of notice of probable cause for discharge; and amending RCW 28A.405.300 and 28A.405.310.

Referred to Committee on Education.

HB 1852 by Representative Kagi

AN ACT Relating to building code council rules that impact before or after-school programs; and amending RCW 19.27.113.

Referred to Committee on Early Learning & Human Services.

HB 1853 by Representatives Maxwell, Hayes, Van De Wege, Kretz, Springer, Sells and Seaquist

AN ACT Relating to clarifying that real estate brokers licensed under chapter 18.85 RCW are independent contractors; and amending RCW 49.46.130.

Referred to Committee on Labor & Workforce Development.

HB 1854 by Representatives Schmick and Fagan

AN ACT Relating to public approval of annexations by cities and towns; and amending RCW 35.13.182, 35.13.238,

35.13.470, 35.13.480, 35A.14.295, 35A.14.460, 35A.14.470, and 35A.14.480.

Referred to Committee on Local Government.

HB 1855 by Representative Hargrove

Concerning credential and permit requirements for generator load bank testing.

Referred to Committee on Labor & Workforce Development.

HB 1856 by Representative Morris

AN ACT Relating to fossil fuel production; amending RCW 43.180.260 and 43.30.385; adding a new section to chapter 84.36 RCW; adding a new chapter to Title 82 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1857 by Representative McCoy

AN ACT Relating to creating a state universal communications service program; amending RCW 80.36.610; reenacting and amending RCW 80.36.005; adding new sections to chapter 80.36 RCW; creating new sections; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Technology & Economic Development.

HB 1858 by Representative McCoy

AN ACT Relating to awarding academic credit for military training; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 1859 by Representative McCoy

AN ACT Relating to evaluating military training and experience toward meeting licensing requirements; amending RCW 18.340.010, 18.340.020, 19.105.570, 42.44.220, 46.82.440, 64.36.350, and 67.08.320; adding new sections to chapter 18.340 RCW; and repealing RCW 18.08.500, 18.11.290, 18.16.300, 18.39.570, 18.43.190, 18.85.490, 18.96.230, 18.140.290, 18.145.150, 18.165.310, 18.170.310, 18.185.310, 18.210.230, 18.220.211, 18.280.200, and 18.300.160.

Referred to Committee on Business & Financial Services.

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

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

There being no objection, the House adjourned until 9:55 a.m., February 13, 2013, the 31st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY FIRST DAY

House Chamber, Olympia, Wednesday, February 13, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1860 by Representatives Alexander and Haigh

AN ACT Relating to continuing the use of the legislature's sunset review process; amending RCW 43.131.900; creating a new section; and providing an expiration date.

Referred to Committee on Government Accountability & Oversight.

HB 1861 by Representatives Ormsby and Sells

AN ACT Relating to down payment assistance for single-family homeownership; amending RCW 43.180.050; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1862 by Representative Goodman

AN ACT Relating to determining sentences for multiple offenses and enhancements; and amending RCW 9.94A.533, 9.94A.535, and 9.94A.589.

Referred to Committee on Public Safety.

HB 1863 by Representatives Stonier, Chandler, Sells, Haler, Fitzgibbon, Ross, Bergquist, Goodman, Carlyle, Hope, Reykdal, Ormsby, Stanford and Green

AN ACT Relating to allowing the department of labor and industries to provide information about scholarships available to children and spouses of certain injured or deceased workers; adding a new section to chapter 42.52 RCW; and adding a new section to chapter 51.04 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1864 by Representatives Clibborn and Liias

AN ACT Relating to transportation funding and appropriations; amending RCW 47.64.170, 47.64.270, 46.68.030, 46.68.070, 46.68.170, 46.68.325, 46.68.370, 47.12.244, 47.12.340, 47.56.876, 47.66.070, and 82.44.190; amending 2012 c 86 ss 201, 202, 203, 205, 206, 207, 208,

209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 305, 306, 307, 308, 309, 310, 401, 402, 404, 405, 406, and 407 (uncodified); amending 2011 c 367 ss 702, 710, and 711 (uncodified); reenacting and amending RCW 46.68.060 and 70.105D.070; creating new sections; making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

HB 1865 by Representatives Sawyer, Fey and Farrell

AN ACT Relating to sales and use tax imposition by public transportation benefit areas; and amending RCW 36.57A.050 and 82.14.045.

Referred to Committee on Transportation.

HB 1866 by Representatives Morris, Smith and Liias

AN ACT Relating to the joint center for aerospace technology innovation; amending RCW 43.330.250; and repealing RCW 43.131.417 and 43.131.418.

Referred to Committee on Technology & Economic Development.

HB 1867 by Representatives Pollet, Hudgins, Upthegrove, Bergquist and Fitzgibbon

AN ACT Relating to ethical standards for public officers and agencies; and amending RCW 42.23.020, 42.23.030, 42.23.040, 42.23.050, and 42.23.070.

Referred to Committee on Government Operations & Elections.

HB 1868 by Representatives Freeman, Goodman and Van De Wege

AN ACT Relating to providing access to health insurance for certain law enforcement officers' and firefighters' plan 2 members catastrophically disabled in the line of duty; and amending RCW 41.26.470.

Referred to Committee on Appropriations.

HB 1869 by Representatives Liias and Morrell

AN ACT Relating to training school employees in the prevention of sexual abuse; amending RCW 28A.300.145 and 28A.400.317; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

HB 1870 by Representatives Habib and Kirby

AN ACT Relating to methods of payment; amending RCW 19.200.010; and adding new sections to chapter 19.200 RCW.

Referred to Committee on Business & Financial Services.

HB 1871 by Representatives Maxwell, Dahlquist, Lytton and Sullivan

AN ACT Relating to integrated career learning opportunities and employment training for at-risk youth; adding a new section to chapter 28C.18 RCW; and adding a new section to chapter 28A.700 RCW.

Referred to Committee on Labor & Workforce Development.

HB 1872 by Representatives Maxwell, Dahlquist, Lytton and Sullivan

AN ACT Relating to establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships; amending RCW 28B.77.020 and 28A.290.010; adding a new chapter to Title 28A RCW; and recodifying RCW 28A.300.515, 28A.630.065, 28A.630.066, 28A.700.120, 28A.625.200, 28A.625.210, 28A.625.220, 28A.625.230, and 28A.625.240.

Referred to Committee on Education.

HB 1873 by Representatives Riccelli, Sawyer, Pollet, Tarleton, Farrell and Reykdal

AN ACT Relating to funding higher education child care grants; and amending RCW 67.70.190, 28B.135.010, and 28B.135.040.

Referred to Committee on Appropriations.

HB 1874 by Representatives Moscoso, Jinkins, Appleton, Roberts, Reykdal and Hunt

AN ACT Relating to federal immigration policy enforcement; adding new sections to chapter 10.31 RCW; and creating a new section.

Referred to Committee on Public Safety.

HB 1875 by Representatives Moscoso and Hope

AN ACT Relating to state park rangers from the state parks and recreation commission; amending RCW 10.93.020, 10.93.140, 79A.05.160, 43.101.180, 41.26.030, 43.101.010, and 43.101.020; adding a new section to chapter 43.43 RCW; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Public Safety.

HB 1876 by Representatives Moscoso, Hope, Goodman, Pettigrew, Hayes and Takko

AN ACT Relating to the liquor control board; amending RCW 10.93.020, 10.93.140, 66.08.030, 43.101.180, 41.26.030, 43.101.010, and 43.101.020; adding a new section

to chapter 66.08 RCW; adding a new section to chapter 43.43 RCW; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Public Safety.

HB 1877 by Representatives Hargrove, Freeman, Hurst, Blake, Kristiansen and Rodne

AN ACT Relating to regional transit authority boards; and amending RCW 81.112.040.

Referred to Committee on Transportation.

HB 1878 by Representatives Haler, Seaquist and Zeiger

AN ACT Relating to restoring state need grant award amounts for students at private, nonprofit degree-granting institutions; amending RCW 28B.92.060; and creating a new section.

Referred to Committee on Higher Education.

HB 1879 by Representative Seaquist

AN ACT Relating to ferry fares; amending RCW 47.60.315; adding new sections to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1880 by Representative Seaquist

AN ACT Relating to limiting the scope of the department of transportation's administration of the state's ferry system; adding a new section to chapter 47.60 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SSB 5197 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Rolfes, Litzow, Billig, Mullet, Becker, Hill, Hargrove, Braun, Honeyford, Roach and Hewitt)

AN ACT Relating to safe school buildings; amending RCW 28A.335.010; adding a new section to chapter 28A.320 RCW; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Education.

SSB 5445 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Schoesler, Dammeier, Braun, Parlette, Litzow, Baumgartner, Carrell, Sheldon, Ericksen, Becker, King, Fain, Bailey and Tom)

AN ACT Relating to funding public school capital projects; adding a new chapter to Title 43 RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Capital Budget.

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

REPORTS OF STANDING COMMITTEES

February 8, 2013

HB 1076 February 8, 2013
Prime Sponsor, Representative Haigh: Expanding participation in innovation academy cooperatives. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

HB 1139 February 8, 2013
Prime Sponsor, Representative Roberts: Concerning public notification of local health conditions. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Clibborn; Green; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Harris; Manweller; Ross and Short.

Passed to Committee on Rules for second reading.

HB 1144 February 8, 2013
Prime Sponsor, Representative Dahlquist: Regarding qualifications for educational interpreters. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

HB 1155 February 8, 2013
Prime Sponsor, Representative Cody: Concerning prescription information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1173 February 8, 2013
Prime Sponsor, Representative Santos: Regarding the financial education public-private partnership. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

HB 1182 February 8, 2013
Prime Sponsor, Representative Harris: Including pharmacists in the legend drug act. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1263 February 8, 2013
Prime Sponsor, Representative Angel: Reducing the financial loss to emergency medical care and transportation services by ensuring direct payment for emergency transportation services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Riccelli; Ross; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Morrell.

Passed to Committee on Rules for second reading.

HB 1345 February 8, 2013
Prime Sponsor, Representative Hayes: Regarding access to K-12 campuses for occupational or educational information. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

HB 1409 February 8, 2013
Prime Sponsor, Representative Tharinger: Regarding the requirements of allopathic

physician licensure. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 8, 2013

HB 1518 Prime Sponsor, Representative Cody: Providing certain disciplining authorities with additional authority over budget development, spending, and staffing. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

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

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., February 14, 2013, the 32nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SECOND DAY

House Chamber, Olympia, Thursday, February 14, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1881 by Representative Dahlquist

AN ACT Relating to narrowing the definition of resident student for holders of certain nonimmigrant status visas; and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

HB 1882 by Representatives Liias, Jinkins, Habib, Kagi, Upthegrove, Fey, Riccelli, Sells, Ormsby, Fitzgibbon, Orwall, Roberts and Moeller

AN ACT Relating to reviewing sexual orientation change efforts for children; adding a new section to chapter 43.70 RCW; and providing an expiration date.

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

HB 1883 by Representatives Fitzgibbon, Orcutt, Riccelli, Farrell and Liias

AN ACT Relating to simplifying and updating statutes related to fuel tax administration; amending RCW 82.38.010, 82.38.020, 82.38.030, 82.38.032, 82.38.035, 82.38.050, 82.38.060, 82.38.065, 82.38.066, 82.38.075, 82.38.080, 82.38.090, 82.38.110, 82.38.140, 82.38.150, 82.38.160, 82.38.170, 82.38.180, 82.38.190, 82.38.210, 82.38.220, 82.38.230, 82.38.235, 82.38.245, 82.38.260, 82.38.270, 82.38.280, 82.38.290, 82.38.310, 82.38.320, 82.38.360, 82.38.365, 82.38.370, 82.38.380, 82.38.385, 82.42.010, 82.42.020, 82.42.030, 82.42.040, 82.42.090, 82.42.110, 82.42.125, 19.112.110, 19.112.120, 35A.81.010, 36.70A.340, 43.06.400, 46.01.040, 46.09.310, 46.87.080, 47.02.070, 47.02.160, 47.10.040, 47.10.180, 47.10.310, 47.10.440, 47.10.714, 47.10.729, 47.10.756, 47.10.766, 47.10.793, 47.10.804, 47.10.815, 47.10.822, 47.10.838, 47.10.846, 47.10.864, 47.10.876, 47.10.883, 47.26.404, 47.26.424, 47.26.4252, 47.26.4254, 47.26.504, 47.56.771, 47.60.580, 79A.25.010, 79A.25.040, 79A.25.050, 82.04.4285, 82.08.0255, 82.80.010, 82.80.110, 82.80.120, 46.68.080, 46.68.090, and 82.12.0256; reenacting and amending RCW 82.38.120 and 46.09.520; adding new sections to chapter 82.38 RCW; adding new sections to chapter 82.42 RCW; decodifying RCW 82.38.800, 82.38.900, 82.38.910,

82.38.920, 82.38.930, 82.38.940, and 82.38.941; repealing RCW 82.36.010, 82.36.020, 82.36.022, 82.36.025, 82.36.026, 82.36.027, 82.36.028, 82.36.029, 82.36.031, 82.36.032, 82.36.035, 82.36.040, 82.36.044, 82.36.045, 82.36.047, 82.36.050, 82.36.060, 82.36.070, 82.36.075, 82.36.080, 82.36.090, 82.36.095, 82.36.100, 82.36.110, 82.36.120, 82.36.130, 82.36.140, 82.36.150, 82.36.160, 82.36.170, 82.36.180, 82.36.190, 82.36.200, 82.36.210, 82.36.230, 82.36.240, 82.36.245, 82.36.247, 82.36.250, 82.36.260, 82.36.270, 82.36.275, 82.36.280, 82.36.285, 82.36.290, 82.36.300, 82.36.310, 82.36.320, 82.36.330, 82.36.335, 82.36.340, 82.36.350, 82.36.370, 82.36.375, 82.36.380, 82.36.390, 82.36.400, 82.36.410, 82.36.415, 82.36.420, 82.36.430, 82.36.435, 82.36.440, 82.36.450, 82.36.460, 82.36.470, 82.36.475, 82.36.480, 82.36.485, 82.36.490, 82.36.495, 82.36.800, 82.36.900, 82.36.901, 82.38.045, 82.38.047, 82.38.130, 82.38.240, 82.38.250, 82.38.265, 82.38.350, 82.41.060, 82.42.050, 82.42.060, 82.42.070, 82.42.080, and 82.42.120; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 1884 by Representatives Sells, Hope, Dunshee, Rodne and Riccelli

AN ACT Relating to the rate of compensation for occupational diseases; and amending RCW 51.32.180.

Referred to Committee on Labor & Workforce Development.

HB 1885 by Representatives Cody, Morrell, Harris, Ross, Chandler, Johnson and Van De Wege

AN ACT Relating to restoring some of the nursing facility payment methodology changes made during 2011; amending RCW 74.46.431, 74.46.435, 74.46.437, 74.46.485, 74.46.501, 74.46.506, 74.46.515, and 74.46.521; adding a new section to chapter 74.46 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1886 by Representatives Chandler and Haigh

AN ACT Relating to the recoverable costs of the department of agriculture under chapter 16.36 RCW; and amending RCW 16.36.025.

Referred to Committee on Agriculture & Natural Resources.

HB 1887 by Representative Sawyer

AN ACT Relating to increasing educational options under vocational rehabilitation plans; amending RCW 51.32.095 and 51.32.099; amending 2011 c 291 s 3 (uncodified);

amending 2009 c 353 s 7 (uncodified); amending 2007 c 72 s 6 (uncodified); adding a new section to chapter 51.32 RCW; providing expiration dates; and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

HB 1888 by Representatives Shea, Hurst, Condotta and Holy

AN ACT Relating to industrial hemp; adding a new chapter to Title 15 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1889 by Representatives Chandler and Blake

AN ACT Relating to the fruit and vegetable district fund; amending RCW 15.17.247; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1890 by Representatives Reykdal, Jinkins, Appleton, Moscoso, Sawyer, Lytton, Fitzgibbon, Ormsby, Freeman, Green, Ryu, Roberts, Goodman, McCoy, Hunt, Hudgins, Pollet, Sells, Bergquist, Van De Wege, Fey, Liias, Dunshee, Riccelli, Kirby and Farrell

AN ACT Relating to modifying sales tax exemptions for working families; amending RCW 82.08.0206; and repealing RCW 82.08.0273.

Referred to Committee on Finance.

HB 1891 by Representatives Reykdal, Ormsby, Sells and Moeller

AN ACT Relating to increasing protections for employees under the Washington industrial safety and health act of 1973; amending RCW 49.17.160, 49.17.180, and 49.17.190; adding new sections to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 1892 by Representatives Reykdal, Hunt and Liias

AN ACT Relating to modifying certain provisions regarding transportation benefit districts; and amending RCW 36.73.065, 82.80.140, and 36.73.015.

Referred to Committee on Transportation.

HB 1893 by Representatives Shea and Klippert

AN ACT Relating to requiring the display of the national league of families' POW/MIA flag on certain days; and amending RCW 1.20.017.

Referred to Committee on Government Operations & Elections.

HB 1894 by Representatives Seaquist, Blake, Haigh, Takko, Lytton, Tharinger and MacEwen

AN ACT Relating to shellfish aquaculture research; amending RCW 28B.30.632, 28B.30.634, 28B.20.475, and 28B.20.476; amending 2007 c 216 s 4 (uncodified); adding a new section to chapter 43.21A RCW; creating a new section; and repealing RCW 43.21A.681.

Referred to Committee on Agriculture & Natural Resources.

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

REPORTS OF STANDING COMMITTEES

February 12, 2013

HB 1005 Prime Sponsor, Representative Moeller: Concerning responsibilities and funding of the public disclosure commission. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Referred to Committee on Appropriations.

February 13, 2013

HB 1043 Prime Sponsor, Representative Seaquist: Limiting differential tuition. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

February 12, 2013

HB 1103 Prime Sponsor, Representative Van De Wege: Concerning uniform ballot design. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1112 Prime Sponsor, Representative Short: Concerning standards for the use of science to support public policy. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1153 Prime Sponsor, Representative Reykdal: Regulating mandatory overtime for employees of health care facilities. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1154 Prime Sponsor, Representative Upthegrove: Modifying the definition of nonpower attributes in the energy independence act. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Farrell; Fey; Kagi; Liias; Morris and Nealey.

MINORITY recommendation: Do not pass. Signed by Representative Overstreet.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1188 Prime Sponsor, Representative Lytton: Creating a focused effort on reestablishing a rural agricultural economy in western Washington by making investments aimed at returning underproducing land back into a state of active agricultural production. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations Subcommittee on General Government.

February 12, 2013

HB 1198 Prime Sponsor, Representative Pollet: Requiring training of public officials and employees regarding public records and open public meetings. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Assistant Ranking Minority Member.

Referred to Committee on Appropriations Subcommittee on General Government.

February 12, 2013

HB 1267 Prime Sponsor, Representative Fitzgibbon: Extending the time period for voter registration. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1279 Prime Sponsor, Representative Bergquist: Allowing motor voter preregistration for sixteen and seventeen year olds. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1290 Prime Sponsor, Representative Orwall: Requiring county auditors to place ballot drop boxes at various locations throughout the county. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor,

Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1314 Prime Sponsor, Representative Green:
Concerning municipally produced class A biosolids. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; Crouse; Farrell; Fey; Kagi; Liias and Nealey.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Morris and Overstreet.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1341 Prime Sponsor, Representative Orwall: Creating a claim for compensation for wrongful conviction and imprisonment. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and Nealey.

Referred to Committee on Appropriations.

February 13, 2013

HB 1348 Prime Sponsor, Representative Reykdal: Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 12, 2013

HB 1368 Prime Sponsor, Representative Tharinger: Concerning the distribution of state liquor revenues to cities and counties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Appropriations.

February 12, 2013

HB 1416 Prime Sponsor, Representative Warnick: Regarding the financing of irrigation district improvements. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Buys; Crouse; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member Kochmar, Assistant Ranking Minority Member.

Referred to Committee on Finance.

February 12, 2013

HB 1442 Prime Sponsor, Representative Schmick: Providing increased access to parimutuel satellite locations in counties with a population exceeding one million. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1453 Prime Sponsor, Representative Seaquist: Changing state need grant eligibility provisions. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Referred to Committee on Appropriations Subcommittee on Education.

February 12, 2013

HB 1574 Prime Sponsor, Representative Kagi: Establishing a fee for certification for the residential services and supports program to cover investigative costs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; MacEwen; Overstreet and Zeiger.

Referred to Committee on Appropriations.

February 12, 2013

HB 1594 Prime Sponsor, Representative Sawyer: Concerning interviewing children in child protective services investigations at children's advocacy centers. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1597 Prime Sponsor, Representative Goodman: Making marijuana law technical corrections. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1611 Prime Sponsor, Representative Lias: Allowing lunch breaks for registered tow truck operators while requiring reasonable availability. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1808 Prime Sponsor, Representative Nealey: Addressing the proper disposal of legal amounts of marijuana inadvertently left at retail stores holding a pharmacy license. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 13, 2013

HCR 4403 Prime Sponsor, Representative Sells: Concerning the workforce training and education coordinating board's high skills high wages plan. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

There being no objection, the bills and resolution listed on the day's committee reports under the fifth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 1043 which was placed on the second reading calendar.

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

There being no objection, the House adjourned until 10:00 a.m., February 15, 2013, the 33rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY THIRD DAY

House Chamber, Olympia, Friday, February 15, 2013

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

The flags were escorted to the rostrum by Boy Scout Troop 252 from Seattle. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Brooks Andrews, Japanese Baptist Church, Seattle.

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4617, by Representatives Stonier, Santos, Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Sawyer, Seaquist, Sells, Shea, Springer, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie, and Zeiger

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066 which authorized the military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

WHEREAS, The first Civilian Evacuation Order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, farms, businesses, friends, and family and to report to hastily constructed detention centers like Camp Harmony on the grounds of the Western Washington Fair in Puyallup; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, many of whom reported for military duty from concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to questions of their loyalty and patriotism by amassing a battle record unparalleled in U.S. military history including: Seven Presidential Unit Citations; 21 Medals of Honor; 29 Distinguished Service Crosses; 1 Distinguished Service Medal; 588 Silver Stars; more than 4,000 Bronze Stars; 22 Legion of Merit Medals; 15 Soldier's Medals; 9,486 Purple Hearts; 16 decorations from France and Italy; and a Congressional Gold Medal awarded collectively to the 442nd Regimental Combat Unit, the 100th Infantry Battalion, and the Military Intelligence Service, United States Army; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through

dissent, like University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

WHEREAS, In 1982, the Congressional Commission on Wartime Relocation and Internment of Civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined it "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, As a result of this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, immeasurable physical and psychological harm, and were deprived of their constitutional liberties without due process of law; and

WHEREAS, In 1979, newly elected Congressman Mike Lowry of Washington State introduced H.R. 5977 to provide reparations and an apology to former Japanese-American internees, thus initiating a ten-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Five years earlier, the Washington State Legislature enacted and Governor John Spellman signed similar legislation sponsored by State Senators George Fleming, Jack Jones, Jim McDermott, Kent Pullen, and Phil Talmadge to provide token compensatory redress to forty state workers who lost their jobs due to the wartime incarceration of Japanese-Americans; and

WHEREAS, Throughout Washington state, Japanese-American survivors of the European and Asian battlefields of World War II and of American concentration camps live their golden years quietly, in unassuming contrast to their extraordinary acts of patriotism and valor;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, along with the people of Washington, pause to acknowledge the seventy-first anniversary of the signing of Executive Order 9066, the seventieth anniversary of the formation of the 442nd Regimental Combat Team, the thirtieth anniversary of the signing of Washington State Engrossed Substitute Senate Bill 3163, and the twenty-fifth anniversary of the Civil Liberties Act of 1988, to recognize and honor the heroism, sacrifice, patience, and loyalty of the Japanese-American World War II veterans and internees, and to remember the lessons and blessing of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nisei Veterans Committee, the Military Intelligence Service – Northwest Association, the Japanese American Citizens League, the Japanese Cultural & Community Center of Washington State, the Wing Luke Museum of the Asian Pacific American Experience, Governor Mike Lowry, and State Senator George Fleming.

Representative Stonier moved adoption of HOUSE RESOLUTION NO. 4617

Representatives Stonier, Kochmar, Santos and Overstreet spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4617 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced former Governor Mike Lowry and former State Representative Kip Tokuda seated in the gallery, and asked the Chamber to recognize them.

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

INTRODUCTIONS AND FIRST READING

HB 1895 by Representatives Pettigrew, Wilcox, Kirby, Appleton, Freeman, Roberts, Sawyer, Moscoso and Angel

AN ACT Relating to missing endangered persons; and amending RCW 13.60.010 and 13.60.020.

Referred to Committee on Public Safety.

HB 1896 by Representatives Lytton, Chandler, Blake, MacEwen and Wilcox

AN ACT Relating to enhancing compliance with the responsibilities of fishing guides; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

HB 1897 by Representative McCoy

AN ACT Relating to requiring call location information to be provided to law enforcement responding to an emergency; adding a new section to chapter 80.36 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1898 by Representatives Fey, Sawyer, Fitzgibbon, Jinkins and Farrell

AN ACT Relating to the funding of enhanced public transportation zones for public transportation systems; amending RCW 82.14.045; and providing an effective date.

Referred to Committee on Transportation.

HB 1899 by Representatives Carlyle, Hunter, Ormsby, Pedersen, Kagi, Tarleton, Sawyer and Jinkins

AN ACT Relating to investing the assets of the first class cities' retirement systems; amending RCW 43.33A.020, 43.33A.150, 35.39.060, 35.39.070, 35.39.080, 35.39.090, 41.28.080, and 41.28.085; adding a new section to chapter 43.33A RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 1900 by Representatives Stonier, Magendanz and Hunter

AN ACT Relating to caseload forecasts of common school students; amending RCW 43.88C.010; and creating a new section.

Referred to Committee on Appropriations Subcommittee on Education.

HB 1901 by Representative Hunt

AN ACT Relating to limiting use and disclosure of population enumeration data; and amending RCW 35.13.260, 35A.14.700, and 36.13.030.

Referred to Committee on Government Operations & Elections.

HB 1902 by Representatives Holy, Shea, Short, Clibborn, Schmick, Ormsby, Fagan, Crouse and Riccelli

AN ACT Relating to the creation of intermittent-use trailer license plates; amending RCW 46.17.220, 46.16A.200, 46.18.277, and 46.19.060; adding a new section to chapter 46.18 RCW; adding a new section to chapter 46.04 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1903 by Representative Fitzgibbon

AN ACT Relating to unemployment insurance benefit charging relief for part-time employers who continue to employ a claimant on a part-time basis and the claimant qualified for two consecutive claims with wages attributable to at least one employer who employed the claimant in both base years; amending RCW 50.29.021; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workforce Development.

HB 1904 by Representatives Hope and Hurst

AN ACT Relating to agreements between the Washington state patrol, the Washington state department of transportation, and other government entities for police services for projects involving state highway routes and public safety services; and amending RCW 43.43.120.

Referred to Committee on Appropriations.

HB 1905 by Representatives Riccelli, Dunshee, Hunt, Chandler, Haigh, Wilcox, Van De Wege, Buys, Orcutt and Moscoso

AN ACT Relating to the eligibility of support volunteers for the volunteer firefighters' and relief officers' relief and pension system; amending RCW 41.24.030; reenacting and amending RCW 41.24.010; and adding new sections to chapter 41.24 RCW.

Referred to Committee on Appropriations.

HB 1906 by Representative O'Ban

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Public Safety.

HB 1907 by Representatives O'Ban, Hayes, Smith and Kochmar

AN ACT Relating to body armor; amending RCW 9.94A.030, 9.94A.533, and 9.94A.728; adding a new section to chapter

9.94A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

HB 1908 by Representatives Scott and Pike

AN ACT Relating to firearms on school property; amending RCW 9.41.280; and creating a new section.

Referred to Committee on Judiciary.

HJR 4209 by Representative O'Ban

Amending the state Constitution to allow a reasonable suspicion standard in certain searches of students on school grounds.

Referred to Committee on Judiciary.

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

REPORTS OF STANDING COMMITTEES

February 12, 2013

HB 1011 Prime Sponsor, Representative Appleton: Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Pedersen.

Referred to Committee on Appropriations Subcommittee on Education.

February 12, 2013

HB 1021 Prime Sponsor, Representative Haler: Educating parents of the harmful effects of parental abduction. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1023 Prime Sponsor, Representative Moeller: Extending apprenticeship utilization requirements. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1029 Prime Sponsor, Representative Morris: Concerning private road maintenance agreements. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Hope; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1109 Prime Sponsor, Representative Hansen: Requiring institutions of higher education that offer an early course registration period to provide early registration for eligible veterans and national guard members. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1114 Prime Sponsor, Representative Pedersen: Addressing criminal incompetency and civil commitment. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations.

February 12, 2013

HB 1140 Prime Sponsor, Representative Roberts: Concerning sibling visitation after a dependency has been dismissed or concluded. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Hope; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1152 Prime Sponsor, Representative Morrell: Addressing meal and rest breaks for hospital employees. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 12, 2013

HB 1195 Prime Sponsor, Representative Wylie: Repealing provisions relating to filling unexpired terms. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Referred to Committee on Appropriations Subcommittee on General Government.

February 12, 2013

HB 1285 Prime Sponsor, Representative Goodman: Modifying provisions regarding the representation of children in dependency matters. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Hope; Klippert; Nealey and Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

February 13, 2013

HB 1323 Prime Sponsor, Representative Lytton: Regarding the sea cucumber dive fishery. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Orcutt; Schmick; Van De Wege and Warnick.

Referred to Committee on Finance.

February 12, 2013

HB 1413 Prime Sponsor, Representative Moscoso: Enacting the Washington voting rights act of 2013. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1417 Prime Sponsor, Representative Manweller: Regarding irrigation district administration. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Springer and Uptegrove.

MINORITY recommendation: Without recommendation. Signed by Representative Liias.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1436 Prime Sponsor, Representative Rodne: Concerning privileging and professional conduct reviews by health care professional review bodies. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1477 Prime Sponsor, Representative Magendanz: Providing flexibility for how school districts address truancy of students. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations.

February 12, 2013

HB 1512 Prime Sponsor, Representative Takko: Concerning fire suppression water facilities and services provided by municipal and other water purveyors. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1560 Prime Sponsor, Representative Maxwell: Implementing selected recommendations from the 2011 and 2013 reports of the quality education council. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Haigh; Hawkins; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Fagan; Hargrove; Hayes; Klippert; Pike and Warnick.

Referred to Committee on Appropriations.

February 13, 2013

HB 1587 Prime Sponsor, Representative Cody: Addressing public employee benefits. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

HOUSE BILL NO. 1043, by Representatives Seaquist, Haler, Zeiger, Fagan, Fitzgibbon, Pedersen, Pollet, Magendanz and Stanford

Limiting differential tuition.

The bill was read the second time.

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

Representatives Seaquist, Haler, Carlyle, Zeiger, Pollet, Orcutt, Manweller, Wilcox and Tarleton spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1043.

MOTIONS

On motion of Representative Van De Wege, Representative Moeller was excused. On motion of Representative Harris, Representative Condotta was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1043, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Representative Overstreet.

Excused: Representatives Condotta and Moeller.

HOUSE BILL NO. 1043, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5147, by Senators Hargrove, Carrell, Hewitt, Darnelle and Shin

Concerning juveniles and runaway children.

The bill was read the second time.

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

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

Representative Overstreet spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5147.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5147, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2.

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

Voting nay: Representatives Kristiansen, Overstreet, Pike, Rodne, Scott, Shea and Taylor.

Excused: Representatives Condotta and Moeller.

SENATE BILL NO. 5147, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 10:00 a.m., February 18, 2013, the 36th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SIXTH DAY

House Chamber, Olympia, Monday, February 18, 2013

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

The flags were escorted to the rostrum by Cub Scout Troop 320 from Vancouver Washington. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Retired Pastor Carolyn Hansen, Mercer Island Covenant Church, Mercer Island, Washington.

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4621, by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, The House of Representatives recognize that our children represent the future of our state, nation, and world; and

WHEREAS, This body has celebrated Children's Day since 1995 to commemorate the special place children hold in our hearts and communities, and to remind us to keep children central to our efforts; and

WHEREAS, Every child offers the world unique talents and abilities, and it is our responsibility to cultivate an environment where children can apply their strengths and achieve their potential; and

WHEREAS, Everyone's life is impacted by children through family, friendship, mentorship, or work; and

WHEREAS, We impact those children's lives in return, and we should do so with honesty and kindness; and

WHEREAS, Parents play a special role in their child's life as a teacher and friend whose unconditional love and unwavering support are the most cherished gifts a child can receive; and

WHEREAS, Every child deserves the chance to succeed, and their future success depends on education and guidance from early childhood onward; and

WHEREAS, No child should ever go hungry or unloved; and

WHEREAS, The former president of South Africa, Nelson Mandela, once said, "There can be no keener revelation of a society's soul than the way in which it treats its children"; and

WHEREAS, This body recognizes that in order to thrive as a state and nation we must empower children through policies that foster their success;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives celebrate the children of the State of Washington and encourage all of its citizens to celebrate children on Children's Day as well as throughout the year by nurturing them with love, attention, and encouragement, in order to keep our communities strong.

Representative Riccelli moved adoption of HOUSE RESOLUTION NO. 4621

Representatives Riccelli and Hawkins spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4621 was adopted.

HOUSE RESOLUTION NO. 2013-4616, by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, Washington is the only state named for an American president, George Washington, the father of our country, and as such, we Washingtonians hold the presidency and presidents in exceptionally high esteem; and

WHEREAS, For many years our state and nation have set aside the third Monday in February to celebrate Presidents' Day, which honors President George Washington, President Abraham Lincoln, and other former presidents of the United States of America; and

WHEREAS, George Washington, born February 22, 1732, led the Revolutionary Army with courage and fortitude, served as the first president of the United States, defined the office, and remained ever mindful of his actions and the ramifications carried by his deeds; and

WHEREAS, Abraham Lincoln, born February 12, 1809, is remembered as the savior of the Union. Through the Emancipation Proclamation, he ended slavery, and he strove to rebuild the Union at the Civil War's conclusion; and

WHEREAS, In 1968 federal legislation, the "Monday Holidays Act," was passed to install the Presidents' Day celebration that we have come to know and respect; and

WHEREAS, In 1985, the Washington State Legislature singled out the third Monday in February as a day for commemorating the births of presidents Washington and Lincoln; and

WHEREAS, It is recognized that this diverse, wonderful land of ours has been fashioned into a land of freedom and opportunity thanks to the tireless efforts of our forebearers, especially presidents George Washington and Abraham Lincoln; and

WHEREAS, A Presidents' Day celebration would not be complete without recognizing the invaluable service of the first ladies in our American presidential history; and

WHEREAS, The first ladies of our nation have provided citizens with role models who exemplify what it means to be an American, and Abigail Adams, Dolly Madison, Eleanor Roosevelt, Jacqueline Kennedy, Nancy Reagan, Hillary Rodham Clinton, and other notable first ladies have served as examples of strength and courage throughout our history;

NOW, THEREFORE, BE IT RESOLVED, That on this eighteenth day of February, 2013, the House of Representatives honor the first and sixteenth presidents of the United States for their immeasurable contributions to, and noble sacrifices for, the causes of liberty, equality, and justice.

Representative Habib moved adoption of HOUSE RESOLUTION NO. 4616

Representatives Habib and Scott spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4616 was adopted.

MESSAGE FROM THE SENATE

February 15, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082
SENATE BILL NO. 5161

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1909 by Representative Hunt

AN ACT Relating to veteran-owned businesses; amending RCW 43.60A.190, 43.60A.195, and 43.60A.200; and reenacting and amending RCW 43.60A.010.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1909 by Representative Hunt

AN ACT Relating to veteran-owned businesses; amending RCW 43.60A.190, 43.60A.195, and 43.60A.200; and reenacting and amending RCW 43.60A.010.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1910 by Representatives Fitzgibbon, Tharinger, Farrell, Upthegrove and Liias

AN ACT Relating to the sales and use tax exemption expiration date for machinery and equipment used in generating electricity; amending RCW 82.08.962 and

82.12.962; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1910 by Representatives Fitzgibbon, Tharinger, Farrell, Upthegrove and Liias

AN ACT Relating to the sales and use tax exemption expiration date for machinery and equipment used in generating electricity; amending RCW 82.08.962 and 82.12.962; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1911 by Representatives Alexander and Cody

AN ACT Relating to health care services for inmates in city, county, and regional jails; amending RCW 70.48.130; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Appropriations.

HB 1911 by Representatives Alexander and Cody

AN ACT Relating to health care services for inmates in city, county, and regional jails; amending RCW 70.48.130; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Appropriations.

HB 1912 by Representatives Warnick and Manweller

AN ACT Relating to extending the expiration date of the existing business and occupation tax rate for the manufacture and wholesale of certain solar energy systems; amending RCW 82.04.294; and providing an expiration date.

Referred to Committee on Finance.

HB 1912 by Representatives Warnick and Manweller

AN ACT Relating to extending the expiration date of the existing business and occupation tax rate for the manufacture and wholesale of certain solar energy systems; amending RCW 82.04.294; and providing an expiration date.

Referred to Committee on Finance.

HB 1913 by Representatives Ormsby, Pollet, Moscoso, Appleton and Sullivan

AN ACT Relating to service credit for certain school employee service workers; and amending RCW 41.35.010, 41.35.400, and 41.35.620.

Referred to Committee on Appropriations.

HB 1913 by Representatives Ormsby, Pollet, Moscoso, Appleton and Sullivan

AN ACT Relating to service credit for certain school employee service workers; and amending RCW 41.35.010, 41.35.400, and 41.35.620.

Referred to Committee on Appropriations.

HB 1914 by Representatives Ormsby, Pollet, Moscoso, Appleton and Sullivan

AN ACT Relating to alternate early retirement for certain school employee service workers; and amending RCW 41.35.010, 41.35.420, and 41.35.680.

Referred to Committee on Appropriations.

HB 1914 by Representatives Ormsby, Pollet, Moscoso, Appleton and Sullivan

AN ACT Relating to alternate early retirement for certain school employee service workers; and amending RCW 41.35.010, 41.35.420, and 41.35.680.

Referred to Committee on Appropriations.

HB 1915 by Representative Upthegrove

AN ACT Relating to developing recommendations to achieve the state's greenhouse gas emission limits; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Environment.

HB 1915 by Representative Upthegrove

AN ACT Relating to developing recommendations to achieve the state's greenhouse gas emission limits; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Environment.

HB 1916 by Representatives Tharinger, Warnick, Van De Wege, Manweller, Takko and Blake

AN ACT Relating to providing enhanced payment to small rural hospitals that meet the criteria of a sole community hospital; amending RCW 74.09.5225; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1916 by Representatives Tharinger, Warnick, Van De Wege, Manweller, Takko and Blake

AN ACT Relating to providing enhanced payment to small rural hospitals that meet the criteria of a sole community hospital; amending RCW 74.09.5225; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1917 by Representatives Van De Wege, Blake and Tharinger

AN ACT Relating to the creation of additional requirements for certain fishing guide activities; amending RCW 77.65.370 and 77.15.510; and adding a new section to chapter 77.65 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1917 by Representatives Van De Wege, Blake and Tharinger

AN ACT Relating to the creation of additional requirements for certain fishing guide activities; amending RCW 77.65.370 and 77.15.510; and adding a new section to chapter 77.65 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 1918 by Representatives Wilcox, Short, Angel, Kretz and Orcutt

AN ACT Relating to limiting the geographic scope of bans on the use of solid fuel burning devices in nonattainment counties; and amending RCW 70.94.473.

Referred to Committee on Environment.

HB 1918 by Representatives Wilcox, Short, Angel, Kretz and Orcutt

AN ACT Relating to limiting the geographic scope of bans on the use of solid fuel burning devices in nonattainment counties; and amending RCW 70.94.473.

Referred to Committee on Environment.

HB 1919 by Representatives Fitzgibbon, Moscoso, Springer, Pollet, Goodman, Sullivan, Maxwell and Upthegrove

AN ACT Relating to allowing certain county legislative authorities to impose a sales and use tax by ordinance; and amending RCW 82.14.450.

Referred to Committee on Local Government.

HB 1919 by Representatives Fitzgibbon, Moscoso, Springer, Pollet, Goodman, Sullivan, Maxwell and Upthegrove

AN ACT Relating to allowing certain county legislative authorities to impose a sales and use tax by ordinance; and amending RCW 82.14.450.

Referred to Committee on Local Government.

HB 1920 by Representatives Ormsby, Carlyle and Hunter

AN ACT Relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers; amending RCW 83.100.020, 83.100.047, and 83.100.047; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1920 by Representatives Ormsby, Carlyle and Hunter

AN ACT Relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers; amending RCW 83.100.020, 83.100.047, and 83.100.047; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1921 by Representatives Zeiger, Orcutt, Moscoso, O'Ban, Bergquist, Hargrove, Kochmar, Hayes, Rodne, Klippert, Kristiansen, Shea and Tarleton

AN ACT Relating to including traffic congestion relief in the state transportation system policy goals; and amending RCW 47.04.280.

Referred to Committee on Transportation.

HB 1921 by Representatives Zeiger, Orcutt, Moscoso, O'Ban, Bergquist, Hargrove, Kochmar, Hayes, Rodne, Klippert, Kristiansen, Shea and Tarleton

AN ACT Relating to including traffic congestion relief in the state transportation system policy goals; and amending RCW 47.04.280.

Referred to Committee on Transportation.

HB 1922 by Representatives Moscoso, Angel, Sells, Ryu, Upthegrove, Fitzgibbon, Zeiger, Freeman, Bergquist, Farrell, Takko, Tarleton, Kochmar, Riccelli and Moeller

AN ACT Relating to highway construction workforce development; and amending RCW 47.01.435.

Referred to Committee on Transportation.

HB 1922 by Representatives Moscoso, Angel, Sells, Ryu, Upthegrove, Fitzgibbon, Zeiger, Freeman, Bergquist, Farrell, Takko, Tarleton, Kochmar, Riccelli and Moeller

AN ACT Relating to highway construction workforce development; and amending RCW 47.01.435.

Referred to Committee on Transportation.

HB 1923 by Representatives Ormsby, Sullivan, Hayes, Pollet, Blake, Hope, Orcutt, Alexander and Moscoso

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees at city and county corrections departments, public corrections entities, the department of corrections, and the department of social and health services who provide direct care to, or ensure the custody and safety of, offender and patient populations; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1923 by Representatives Ormsby, Sullivan, Hayes, Pollet, Blake, Hope, Orcutt, Alexander and Moscoso

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees at city and county corrections departments, public corrections entities, the department of corrections, and the department of social and health services who provide direct care to, or ensure the custody and safety of, offender and patient populations; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1924 by Representatives Tharinger, Van De Wege, Takko, Lytton, Fitzgibbon and Upthegrove

AN ACT Relating to watershed planning grants; and amending RCW 90.82.040.

Referred to Committee on Agriculture & Natural Resources.

HB 1924 by Representatives Tharinger, Van De Wege, Takko, Lytton, Fitzgibbon and Upthegrove

AN ACT Relating to watershed planning grants; and amending RCW 90.82.040.

Referred to Committee on Agriculture & Natural Resources.

HB 1925 by Representatives Tharinger, Fey, Fitzgibbon, Lias, Van De Wege, McCoy and Jinkins

AN ACT Relating to allowing councilmanic approval of the public safety sales and use tax; and amending RCW 82.14.450.

Referred to Committee on Local Government.

HB 1925 by Representatives Tharinger, Fey, Fitzgibbon, Lias, Van De Wege, McCoy and Jinkins

AN ACT Relating to allowing councilmanic approval of the public safety sales and use tax; and amending RCW 82.14.450.

Referred to Committee on Local Government.

HB 1926 by Representatives Riccelli, Upthegrove, Fey, Lias, Fitzgibbon, Ormsby and Farrell

AN ACT Relating to the labeling of certain asbestos-containing building materials; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1926 by Representatives Riccelli, Upthegrove, Fey, Lias, Fitzgibbon, Ormsby and Farrell

AN ACT Relating to the labeling of certain asbestos-containing building materials; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1927 by Representatives Pettigrew, Nealey, Springer and Orcutt

AN ACT Relating to the taxation and permitting of vessels in Washington; amending RCW 82.08.700 and 82.12.700; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.14 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1927 by Representatives Pettigrew, Nealey, Springer and Orcutt

AN ACT Relating to the taxation and permitting of vessels in Washington; amending RCW 82.08.700 and 82.12.700; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.14 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1928 by Representatives Green and Johnson

AN ACT Relating to implementing the recommendations of the developmental disability service system task force; amending RCW 28A.190.020, 71A.20.020, 71A.20.170, 71A.20.180, and 71A.20.190; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1928 by Representatives Green and Johnson

AN ACT Relating to implementing the recommendations of the developmental disability service system task force; amending RCW 28A.190.020, 71A.20.020, 71A.20.170, 71A.20.180, and 71A.20.190; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

HB 1929 by Representatives Ormsby, Haler, Sells and Seaquist

AN ACT Relating to the inclusion of qualified trades people at public utility districts in the Washington public safety employees' retirement system; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1929 by Representatives Ormsby, Haler, Sells and Seaquist

AN ACT Relating to the inclusion of qualified trades people at public utility districts in the Washington public safety employees' retirement system; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Appropriations.

HB 1930 by Representative Seaquist

AN ACT Relating to facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule; adding a new section to chapter 70.96A RCW; adding a new section to chapter 71.05 RCW; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

HB 1930 by Representative Seaquist

AN ACT Relating to facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule; adding a new section to chapter 70.96A RCW;

adding a new section to chapter 71.05 RCW; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

HB 1931 by Representatives O'Ban, Kochmar and Smith

AN ACT Relating to crimes against pharmacies; amending RCW 9.94A.533; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Public Safety.

HB 1931 by Representatives O'Ban, Kochmar and Smith

AN ACT Relating to crimes against pharmacies; amending RCW 9.94A.533; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Public Safety.

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

REPORTS OF STANDING COMMITTEES

February 13, 2013

HB 1025 Prime Sponsor, Representative Moeller: Extending the application of prevailing wage requirements. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Finance.

February 13, 2013

HB 1048 Prime Sponsor, Representative Seaquist: Regarding higher education governance. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1096 Prime Sponsor, Representative Hurst: Concerning juvenile firearms and weapons crimes. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Klippert; Nealey and Shea.

Referred to Committee on Appropriations.

February 13, 2013

HB 1108 Prime Sponsor, Representative Goodman: Modifying the definition of rape in the third degree and indecent liberties. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1130 Prime Sponsor, Representative Hurst: Modifying who is authorized to redeem an impounded vehicle. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1202 Prime Sponsor, Representative Roberts: Preventing animal cruelty. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Hope; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1231 Prime Sponsor, Representative Stanford: Establishing continuing education requirements for engineers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Kirby, Chair; Ryu, Vice Chair; Blake; Habib; Hudgins; Hurst; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Chandler; Hawkins; Kochmar; MacEwen and O'Ban.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1251 Prime Sponsor, Representative Stonier: Increasing membership on the opportunity scholarship board. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1283 Prime Sponsor, Representative Maxwell: Changing compulsory school attendance requirements for children six and seven years of age. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

February 13, 2013

HB 1287 Prime Sponsor, Representative Appleton: Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Haler and Pike.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1292 Prime Sponsor, Representative Orwall: Vacating prostitution convictions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1294 Prime Sponsor, Representative Van De Wege: Concerning flame retardants. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 14, 2013

HB 1298 Prime Sponsor, Representative Springer: Implementing the recommendations of the sunshine committee. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1304 Prime Sponsor, Representative Hargrove: Authorizing approval of online school programs in private schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representative Pollet.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1307 Prime Sponsor, Representative Goodman: Concerning sexual assault protection orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1313 Prime Sponsor, Representative Jinkins: Establishing minimum standards for sick and safe leave from employment. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 14, 2013

HB 1322 Prime Sponsor, Representative Seaquist: Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Pollet, Vice Chair.

Referred to Committee on Appropriations.

February 13, 2013

HB 1327 Prime Sponsor, Representative Kirby: Addressing licensing and enforcement provisions applicable to money transmitters. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1336 Prime Sponsor, Representative Orwall: Increasing the capacity of school districts to recognize and respond to troubled youth. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

February 13, 2013

HB 1352 Prime Sponsor, Representative Holy: Addressing the statute of limitations for sexual abuse against a child. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1359 Prime Sponsor, Representative Van De Wege: Regarding the state archivist. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1377 Prime Sponsor, Representative Bergquist: Modifying time frames applicable to certain public disclosure commission requirements. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1378 Prime Sponsor, Representative Hunt: Aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Carlyle; Fitzgibbon; Orwall and Van De Wege.

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

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1383 Prime Sponsor, Representative Goodman: Modifying stalking and harassment protection order provisions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1393 Prime Sponsor, Representative Hunt: Providing information to assist in unemployment insurance overpayment recovery. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1402 Prime Sponsor, Representative Stanford: Adopting the insurer state of entry model act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1419 Prime Sponsor, Representative Warnick: Expanding membership of the Washington state horse park authority. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel,

Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1422 Prime Sponsor, Representative Condotta: Changing the criteria for the beer and wine tasting endorsement for grocery stores. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 12, 2013

HB 1446 Prime Sponsor, Representative Kirby: Concerning judicial proceedings and forms. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Nealey; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1457 Prime Sponsor, Representative Green: Implementing family and medical leave insurance. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Finance.

February 14, 2013

HB 1467 Prime Sponsor, Representative Green: Addressing the collection of unpaid wages. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1487 Prime Sponsor, Representative Parker: Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1490 Prime Sponsor, Representative Sells: Applying the public employees' collective bargaining act to department of corrections employees. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 13, 2013

HB 1531 Prime Sponsor, Representative Hayes: Modifying criminal history record information compliance audit provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1535 Prime Sponsor, Representative Fey: Concerning the reduction in force of tenured or probationary community college faculty members. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 14, 2013
HB 1536 Prime Sponsor, Representative Seaquist: Changing requirements for membership on community and technical college boards of trustees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Fagan; Hansen; Hargrove; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Assistant Ranking Minority Member; Johnson and Smith.

Passed to Committee on Rules for second reading.

February 14, 2013
HB 1540 Prime Sponsor, Representative Seaquist: Granting binding interest arbitration rights to certain uniformed personnel. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Holy; Moeller; Ormsby and Short.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member Condotta, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 13, 2013
HB 1544 Prime Sponsor, Representative Lytton: Authorizing educational specialist degrees at Central Washington University and Western Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Referred to Committee on Appropriations Subcommittee on Education.

February 13, 2013
HB 1582 Prime Sponsor, Representative Ryu: Addressing credit unions' corporate governance, investments, and capital. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 13, 2013
HB 1608 Prime Sponsor, Representative Appleton: Concerning the marine employees' commission. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

February 13, 2013
HB 1614 Prime Sponsor, Representative Reykdal: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Referred to Committee on Appropriations Subcommittee on Education.

February 13, 2013
HB 1635 Prime Sponsor, Representative Morrell: Concerning disproportionate share hospital adjustments. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 14, 2013
HB 1659 Prime Sponsor, Representative Sells: Clarifying the employment status of independent contractors in the news business. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller,

Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller and Short.

MINORITY recommendation: Do not pass. Signed by Representative Ormsby.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1684 Prime Sponsor, Representative Reykdal: Defining suitable work to include a minimum age requirement. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1736 Prime Sponsor, Representative Zeiger: Concerning higher education operating efficiencies. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1769 Prime Sponsor, Representative Stonier: Creating efficiencies for institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Wylie.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

HOUSE BILL NO. 1213, by Representatives Orwall, Pettigrew, Kagi, Morrell and Ryu

Concerning social worker licensing.

The bill was read the second time.

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

Representatives Orwall and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1213.

MOTION

On motion of Representative Harris, Representatives Chandler and Hope were excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1213, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1213, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1010, by Representatives Appleton, Hunt and Haigh

Concerning antifreeze products.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1010 was substituted for House Bill No. 1010 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1010 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1010.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1010, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

SUBSTITUTE HOUSE BILL NO. 1010, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1186, by Representatives Haigh, Nealey, Jinkins, Rodne, Shea, Ryu, Morrell and Tharinger

Concerning veterinarian immunity from liability when reporting suspected animal cruelty.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1186.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1186, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1186, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1200, by Representatives Blake, Wilcox, Takko, Lytton, Klippert, Van De Wege, Nealey, Stanford, Short and Smith

Concerning the labeling of seafood.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1200 was substituted for House Bill No. 1200 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1200 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1200.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

SUBSTITUTE HOUSE BILL NO. 1200, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1203, by Representatives Farrell, Lytton, Kagi, Freeman, Walsh, Ryu, Reykdal, Morrell, Jinkins, Bergquist and Ormsby

Exempting personal information relating to children from public inspection and copying.

The bill was read the second time.

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

Representatives Farrell, Buys, Jinkins, Carlyle, Smith and Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1203.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1203, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1203, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Pollet congratulated Representative Farrell on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

ENGROSSED HOUSE BILL NO. 1470, by Representatives Ormsby, Manweller, Sells, Reykdal, Fagan, Green, Van De Wege and Condotta

Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation.

The bill was read the second time.

Representative Ormsby moved the adoption of amendment (6).

On page 13, after line 2, insert the following:

"**NEW SECTION. Sec. 8.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

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

Amendment (6) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1470.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1470, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

ENGROSSED HOUSE BILL NO. 1470, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1006, by Representatives Schmick and Cody

Removing the requirement that earnings from the Washington horse racing commission operating account be credited to the Washington horse racing commission class C purse fund account.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1006.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1006, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1016, by Representatives Angel, Takko, Zeiger, Johnson, Haigh and Magendanz

Designating facilities and infrastructure of water purveyors as essential public facilities under growth management planning requirements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1016 was substituted for House Bill No. 1016 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1016 was read the second time.

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

Representatives Angel and Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1016.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1016, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

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

Voting nay: Representatives Condotta, Harris, Kretz, Kristiansen, Overstreet, Scott, Shea, Short and Taylor.

Excused: Representatives Chandler and Hope.

SUBSTITUTE HOUSE BILL NO. 1016, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1036, by Representatives Kirby, Ryu and Schmick

Regulating service contracts.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1036.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1036, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1036, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1045, by Representatives Ryu, Angel, Moscoso, Clibborn, Upthegrove, Fitzgibbon, Lias, Pedersen, Stanford, Farrell, Morrell, Pollet, Bergquist and Fey

Authorizing certain local authorities to establish maximum speed limits on certain nonarterial highways.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1045.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1045, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, DeBolt,

Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Haigh, Holy, Hurst, Overstreet, Pike, Shea and Taylor.

Excused: Representatives Chandler and Hope.

HOUSE BILL NO. 1045, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 9:55 a.m., February 19, 2013, the 37th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 19, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4618, by Representatives Buys and Overstreet

WHEREAS, Erik Ramstead worked in the noble service of protecting the public in the position of Everson Police Chief for 25 years; and

WHEREAS, Erik Ramstead was the longest serving police chief of Whatcom County; and

WHEREAS, Erik Ramstead consistently and honestly provided security to the 2,500 citizens of Everson; and

WHEREAS, Erik Ramstead routinely handled serious matters in law enforcement, including shootings, gang violence, and emergency response; and

WHEREAS, Erik Ramstead acquired new technology, drug-detecting canines, and new headquarters for the department during his tenure; and

WHEREAS, Erik Ramstead consistently looked for new ways to improve public safety and introduce new programs; and

WHEREAS, Erik Ramstead participated in panels dealing with law and justice issues and planning for a county jail; and

WHEREAS, Erik Ramstead went beyond his duties as police chief by volunteering, participating in local nonprofits, and acting as honorary basketball coach; and

WHEREAS, Erik Ramstead was a founder of the Nooksack Valley Dollars for Scholars Foundation, which has raised over one million dollars in scholarship money for high school seniors; and

WHEREAS, Erik Ramstead demonstrated respectfulness, empathy, and depth of character under the most difficult of circumstances; and

WHEREAS, Erik Ramstead was a living example of heroism and public service throughout his life;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives does hereby recognize the various contributions and lasting legacy made by Police Chief Erik Ramstead; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to The City of Everson, The Nooksack Valley Dollars for Scholars Foundation, and the Ramstead family.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4618.

HOUSE RESOLUTION NO. 4618 was adopted.

HOUSE RESOLUTION NO. 2013-4619, by Representatives Sawyer, Jinkins, McCoy, Goodman, Fey, and Freeman

WHEREAS, Today we remember the honorable Justice Vernon R. Pearson of the Washington State Supreme Court, who passed away this month; and

WHEREAS, Justice Vernon R. Pearson was a veteran, having served in the United States Navy during World War II. He was honorably discharged in 1946 with the rank of lieutenant, junior grade; and

WHEREAS, Justice Vernon R. Pearson served 12 years on the intermediate appeals bench and was twice chief judge of Division Two; and

WHEREAS, Justice Vernon R. Pearson served as a Supreme Court justice from 1982 to 1989, and as chief justice from 1987 to 1989; and

WHEREAS, Justice Vernon R. Pearson was a friend of and champion for all Native American tribes, understanding both tribal law and its significance; and

WHEREAS, As chair of a Council of Chief Justices' coordinating committee, he was instrumental in organizing a national conference of state supreme court justices, court officials from around the United States, and representatives of some of the nation's 150 tribal courts where an emphasis on Native American sovereignty and the understanding of mutual problems and differences were the key subjects of discussion; and

WHEREAS, Fellow Justice Barbara Durham once said Justice Pearson would "be a great healer on the court. He's the perfect chief because he'll bring us all together. He's got that kind of good spirit about him"; and

WHEREAS, Justice Vernon R. Pearson was honored in 1989 by the American Judicature Society with its coveted Herbert Harley Award and by Gonzaga University with its Law Medal award; and

WHEREAS, Immediately following his death, the Quinault Indian Nation released a statement honoring their friend and mourning his loss with "deep sadness and great respect";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor, commend, and celebrate the life work and dedication of Justice Vernon R. Pearson.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4619.

HOUSE RESOLUTION NO. 4619 was adopted.

HOUSE RESOLUTION NO. 2013-4620, by Representatives Seaquist, Tarleton, Ryu, Kochmar, Sawyer, Haler, Pollet, Johnson, Magendanz, Walsh, Fagan, Hargrove, Appleton, and Bergquist

WHEREAS, The Peace Corps was established in 1961 by President John F. Kennedy; and

WHEREAS, Currently, the Peace Corps has more than 8,000 volunteers working in 76 different countries; and

WHEREAS, The Peace Corps receives approximately 12,000 applications per year and accepts approximately 4,000 to serve; and

WHEREAS, Service in the Peace Corps is a 27-month commitment; and

WHEREAS, The Peace Corps ranks top colleges annually, in recognition of the schools that contribute the most alumni; and

WHEREAS, Schools are ranked and classified as large, medium, or small according to the size of the student body; and

WHEREAS, The 2013 Top Peace Corps Volunteer-Producing Colleges list was released on February 5, 2013; and

WHEREAS, The State of Washington has a long and distinguished record of volunteerism and community service at the local, national, and international level; and

WHEREAS, The University of Washington ranks number one in the nation among large-sized schools with 107 undergraduate alumni serving in the Peace Corps; and

WHEREAS, Western Washington University ranks number one in the nation among medium-sized schools with 73 undergraduate alumni serving in the Peace Corps; and

WHEREAS, Gonzaga University ranks number one in the nation among small-sized schools with 24 undergraduate alumni serving in the Peace Corps; and

WHEREAS, 2013 marks the first time all three categories are led by schools in the same state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the University of Washington, Western Washington University, Gonzaga University, and the commitment of all those who have served and are currently serving in the Peace Corps; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the University of Washington, Western Washington University, and Gonzaga University.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4620.

HOUSE RESOLUTION NO. 4620 was adopted.

HOUSE RESOLUTION NO. 2013-4622, by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, The House of Representatives of the state of Washington recognize extraordinary merit and achievement in all forms of endeavors; and

WHEREAS, The Seattle Seahawks thrilled fans by finishing the 2012 season with an overall record of 11-5, including a perfect 8-0 record on their home field in 2012; and

WHEREAS, The Seahawks advanced to the playoffs winning the NFC wild card round and representing the city admirably in the NFC divisional round; and

WHEREAS, The Seahawks have inspired their fans with their commitment to community and tenacity of play, inspiring the spirit of the "12th Man" to reach every part of this great state and each

Seahawks fan across the country, and leading the "12th Man" to be the loudest fans in the league producing more opponent false starts than any other fan base since 2005; and

WHEREAS, The Seahawks achieved amazing team and individual accomplishments in the 2012 season with six Pro Bowl selections and four All-Pro selections; and

WHEREAS, Though one of the youngest teams in the league, the Seahawks showed great poise throughout the season that was demonstrated by players that placed second in defensive Rookie of the Year honors, third in offensive Rookie of the Year honors, and by setting the rookie quarterback record for touchdown passes in a single season; and

WHEREAS, The Seahawks defense was the number one ranked scoring defense in the NFL, and the offense set single-season records during the regular season for total rushing yards, average rushing yards, and per-carry average; and

WHEREAS, The Seahawks inspired the "12th Man" on and off the field through its civic work with the Seattle Seahawks Charitable Foundation; and

WHEREAS, The Seahawks Charitable Foundation and Spirit of 12 Partners, including the Russell Okung's UP Foundation, the Trufant Family Foundation, the Marshawn Lynch Fam 1st Family Foundation, and the Michael Robinson's Excel 2 Excellence Foundation, embody the team's commitment to the Pacific Northwest community and its fans; and

WHEREAS, Coach Pete Carroll has been an incredible leader by guiding the Seahawks to an overall winning record since joining the team in 2010 and working with youth in our communities through the formation of A Better Seattle, a partnership to help create a culture of safety and peace while reducing violence in our communities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate the Seattle Seahawks on their outstanding success on the field and commend Seahawks players and management for their support of community activities and charitable causes; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Seattle Seahawks Football Team. Go Hawks.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4622.

HOUSE RESOLUTION NO. 4622 was adopted.

HOUSE RESOLUTION NO. 2013-4623, by Representative Kochmar

WHEREAS, Caleb Dawson, an esteemed resident of Federal Way and a student at Federal Way High School, has achieved national recognition for exemplary volunteer service by receiving a 2013 Prudential Spirit of Community Award; and

WHEREAS, This prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Mr. Dawson earned this award by giving generously of his time and energy to his community by coordinating a food drive that collected nearly 8,000 pounds of food and rallied our young people for the greater cause; and

WHEREAS, Mr. Dawson's community service extends far beyond the Prudential Spirit of Community Award, with service as student body president of Federal Way High School, among many other notable achievements; and

WHEREAS, The success of the State of Washington, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Mr. Dawson who use their considerable talents and resources to serve others;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate and honor Mr. Dawson as a recipient of a Prudential Spirit of Community Award, recognize his outstanding record of volunteer service, peer leadership, and community spirit, and extend best wishes for his continued success and happiness.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4623.

HOUSE RESOLUTION NO. 4623 was adopted.

HOUSE RESOLUTION NO. 2013-4624, by Representative O'Ban

WHEREAS, It is the policy of the Washington State House of Representatives to recognize the bravery and selflessness of Washington's military men and women; and

WHEREAS, The Third Stryker Brigade returned home to Joint Base Lewis-McChord in December 2012; and

WHEREAS, Roughly 4,000 members of the Third Stryker Brigade served with honor and distinction during their year-long deployment to Afghanistan; and

WHEREAS, The Third Stryker Brigade's mission was to defeat insurgents in the southern provinces of Zabul and Kandahar, Afghanistan; and

WHEREAS, The nation remembers and honors the many brave soldiers of the Third Stryker Brigade who gave the ultimate sacrifice to our country; and

WHEREAS, We extend our thoughts and prayers to the families who lost their loved ones who nobly served our nation in the Third Stryker Brigade; and

WHEREAS, Recognition is given to the brave soldiers of the Third Stryker Brigade who sustained life altering injuries, and we offer our support to these extraordinary heroes in a manner befitting our nation's bravest servants; and

WHEREAS, Recognition is given to Colonel Charles Webster and Command Sergeant Major Samuel Murphy for their leadership of the Third Stryker Brigade and sound judgment on the battlefield, and we thank them for accepting their call to duty; and

WHEREAS, This body recognizes the many lives these troops have made brighter through their service to our country and communities; and

WHEREAS, Communities in Washington welcome these public servants with heartfelt thanks and gratitude to serve in other ways as neighbors and friends or in their continued military careers; and

WHEREAS, Acknowledgment is given for the sacrifice made by the families of the Third Stryker Brigade, who were not on the battlefield, but bravely met the challenges at home to care for children, parents, friends, and neighbors on their own; and

WHEREAS, Recognition is given for the sacrifice we ask of those who serve in our volunteer military, and we have the utmost respect for those willing to lay down their lives for us in the cause of freedom, reminding us that "Greater love has no one than this, that he lay down his life for his friends";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor Colonel Charles Webster, Command Sergeant Major Samuel Murphy, and the brave troops of the Third Stryker Brigade who served our country so valiantly overseas. We welcome these military men and women into our communities with our thanks and gratitude and commit to doing

all we can to transition them and their families into civilian life, or to support them in their continued service in our armed forces; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Colonel Charles Webster, Sergeant Major Samuel Murphy, and the brave members of the Third Stryker Brigade.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4624.

HOUSE RESOLUTION NO. 4624 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 1932 by Representatives Upthegrove, Wilcox, Orwall and Nealey

AN ACT Relating to providing a business and occupation tax exemption for amounts received by hotel management companies for covered employee costs; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Finance.

HB 1933 by Representative Ormsby

AN ACT Relating to postretirement employment in the public employees' retirement system and the teachers' retirement system; and amending RCW 41.32.570, 41.32.802, 41.32.862, and 41.40.037.

Referred to Committee on Appropriations.

HB 1934 by Representatives Pedersen, Nealey, Hope, Kagi, Johnson, Goodman, Hansen, Orwall, Pollet, Roberts, Appleton, Hunt, Maxwell, Ormsby, Jinkins, Green, Morrell, Carlyle, Seaquist, Haigh, Hudgins, Pettigrew, Tarleton, Sells, Smith, Reykdal, Sawyer, Morris, Dunshee, Magendanz, Hunter, Wylie, Lias, Fitzgibbon, Fagan, Upthegrove, Farrell, Takko, Ryu, Riccelli, Bergquist, Freeman, Habib, Van De Wege, Haler, Clibborn, Sullivan, Walsh, Tharinger, Moeller, Blake, Cody, Springer, Lytton, McCoy, Stanford and Moscoso

AN ACT Relating to granting all persons who have an ongoing and substantial relationship with a child, including but not limited to grandparents, the right to seek visitation with that child through the courts; amending RCW 26.10.160; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Judiciary.

HB 1935 by Representatives Haler, Hudgins, Goodman, Angel, Wilcox, Alexander, Seaquist and Appleton

AN ACT Relating to state parks and recreation; amending RCW 79A.05.015, 79A.05.215, 79A.80.010, 79A.80.050, and 79A.80.090; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 79A.80 RCW; and creating new sections.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1936 by Representative Seaquist

AN ACT Relating to meeting industry demand for higher education and training credentials; reenacting and amending RCW 43.79A.040; adding a new section to chapter 82.32 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1937 by Representatives Ross, Jinkins, Angel, Green, Harris, Cody, Morrell and Hope

AN ACT Relating to prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco to a minor; and amending RCW 26.28.080.

Referred to Committee on Government Accountability & Oversight.

HB 1938 by Representatives Hunt, Green, Cody, Roberts, Pollet, Goodman, Lias, Jinkins, Van De Wege, Upthegrove, Stanford and Reykdal

AN ACT Relating to applying a purchasing preference to in-state businesses; adding new sections to chapter 39.26 RCW; and repealing RCW 39.26.260 and 39.26.271.

Referred to Committee on Government Operations & Elections.

HB 1939 by Representatives Manweller and Warnick

AN ACT Relating to permitting vehicle access along the Milwaukee Road corridor for lessees, concessionaires, and agricultural users; and amending RCW 79A.05.320.

Referred to Committee on Community Development, Housing & Tribal Affairs.

HB 1940 by Representatives Hudgins, Hunter and Carlyle

AN ACT Relating to creating the office of the forecast council; amending RCW 82.33.010, 82.33.030, 43.88C.020, 43.88.120, and 41.06.087; reenacting and amending RCW 82.33.020; adding a new chapter to Title 43 RCW; recodifying chapters 43.88C and 82.33 RCW; repealing RCW 43.88C.010; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1941 by Representatives Habib and Clibborn

AN ACT Relating to the adjudication of tolls and accompanying civil penalties; and amending RCW 46.63.160.

Referred to Committee on Transportation.

ESSB 5082 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton and Smith)

AN ACT Relating to exchange facilitator requirements; and amending RCW 19.310.010, 19.310.040, 19.310.080, 19.310.100, 19.310.110, and 19.310.120.

Referred to Committee on Business & Financial Services.

SB 5161 by Senators Braun, Carrell, Padden, Bailey, Becker, Fain, Roach, Sheldon, Dammeier, Honeyford, Schoesler, Conway, Rolfes and Kohl-Welles

AN ACT Relating to gold star license plates; amending RCW 46.18.245; and providing an effective date.

Referred to Committee on Transportation.

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

REPORTS OF STANDING COMMITTEES

February 13, 2013

HB 1007 Prime Sponsor, Representative Kagi: Concerning the covering of loads on public highways. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Shea and Zeiger.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1087 Prime Sponsor, Representative Appleton: Allowing for more than one vacation of a misdemeanor and gross misdemeanor conviction. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Appleton; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy and Hope.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1156 Prime Sponsor, Representative Blake: Consolidating designated forest lands and open space timber lands for ease of administration. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haigh; Hurst; Kretz; Orcutt; Schmick; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee; Pettigrew and Stanford.

Referred to Committee on Finance.

February 15, 2013

HB 1177 Prime Sponsor, Representative Lytton: Modifying the education accountability system to allow state criteria, resources, and strategies to be used for assistance and intervention. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Referred to Committee on Appropriations.

February 15, 2013

HB 1178 Prime Sponsor, Representative Lytton: Authorizing alternative assessments of basic skills for teacher certification. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1238 Prime Sponsor, Representative Moscoso: Allowing motorcycles to stop and proceed through traffic control signals under certain conditions. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Fitzgibbon; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris;

Riccelli; Rodne; Ryu; Sells; Shea; Takko; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Bergquist; Farrell; Freeman; Habib; Hayes; O'Ban and Tarleton.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1243 Prime Sponsor, Representative Haigh: Modifying expiration dates affecting the department of natural resources' timber sale program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations.

February 14, 2013

HB 1244 Prime Sponsor, Representative Stanford: Clarifying the department of natural resources' authority to enter into cooperative agreements. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1245 Prime Sponsor, Representative Hansen: Regarding derelict and abandoned vessels in state waters. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations Subcommittee on General Government.

February 15, 2013

HB 1248 Prime Sponsor, Representative Maxwell: Supporting music education for young children in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

February 15, 2013

HB 1252 Prime Sponsor, Representative Stonier: Establishing the Washington K-12 online professional development project. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hawkins; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hayes; Parker; Pike and Warnick.

Referred to Committee on Appropriations.

February 13, 2013

HB 1288 Prime Sponsor, Representative Moeller: Concerning the construction of a state boundary bridge. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Johnson; Klippert; Kochmar; Kristiansen; O'Ban; Shea and Zeiger.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1291 Prime Sponsor, Representative Orwall: Concerning services for victims of the sex trade. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

February 14, 2013

HB 1301 Prime Sponsor, Representative Morris: Creating clean energy jobs in Washington state through renewable energy incentives. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Crouse, Assistant Ranking Minority Member; Freeman; Hudgins; Maxwell; Morrell; Stonier; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Minority Member; Dahlquist; Kochmar; Vick and Zeiger.

Referred to Committee on Finance.

February 14, 2013

HB 1338 Prime Sponsor, Representative Roberts: Concerning juveniles sentenced to long terms of incarceration. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Appleton; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope and Ross.

Referred to Committee on Appropriations Subcommittee on General Government.

February 14, 2013

HB 1343 Prime Sponsor, Representative Cody: Removing the expiration for the additional surcharge imposed on registered nurses and licensed practical nurses. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 13, 2013

HB 1361 Prime Sponsor, Representative Kagi: Modifying the requirements for purchase of care for Indian children. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1362 Prime Sponsor, Representative Cody: Concerning electronic timekeeping for in-home personal care or respite services. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1369 Prime Sponsor, Representative Lytton: Using school days for meeting with parents and families as part of the Washington inventory of developing skills. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1404 Prime Sponsor, Representative Liias: Preventing alcohol poisoning deaths. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1420 Prime Sponsor, Representative Liias: Concerning public contracts for transportation improvement projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Referred to Committee on Finance.

February 14, 2013

HB 1437

Prime Sponsor, Representative Reykdal: Concerning small farms under the current use property tax program for farm and agricultural lands. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Dunshee; Haigh; Hurst; Pettigrew; Stanford and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Kretz; Orcutt; Schmick and Warnick.

Referred to Committee on Finance.

February 14, 2013

HB 1443 Prime Sponsor, Representative Sells: Providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Freeman; Hudgins; Maxwell; Morrell; Stonier; Tarleton; Wylie and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Kochmar and Vick.

Referred to Committee on Finance.

February 14, 2013

HB 1447 Prime Sponsor, Representative Fey: Modifying the boundaries of certain heavy haul corridors. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1459 Prime Sponsor, Representative Haler: Authorizing students under the age of twenty-one to taste wine in viticulture and enology programs. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1482 Prime Sponsor, Representative Goodman: Modifying provisions that address impaired driving. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1483 Prime Sponsor, Representative Hunt: Concerning public and private airport parking facilities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Kochmar; Kretz; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Klippert; Kristiansen; O'Ban; Rodne; Shea and Upthegrove.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1495 Prime Sponsor, Representative Sawyer: Concerning access of tribal members to state land. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Haler.

Passed to Committee on Rules for second reading.

February 14, 2013

HB 1496 Prime Sponsor, Representative Sawyer: Concerning hunting-related enforcement actions involving tribal members. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Haler.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1499 Prime Sponsor, Representative Jinkins: Concerning the program of all-inclusive care for the elderly. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

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

February 14, 2013

HB 1500 Prime Sponsor, Representative Lytton: Concerning the creation of a special license plate dedicated to raising revenue to fund preventative wolf management efforts at the department of fish and wildlife. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member and Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

February 15, 2013

HB 1519 Prime Sponsor, Representative Cody: Establishing accountability measures for service coordination organizations. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Angel and Short.

Referred to Committee on Appropriations.

February 15, 2013
HB 1522 Prime Sponsor, Representative Green: Improving behavioral health services provided to adults in Washington state. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 15, 2013
HB 1538 Prime Sponsor, Representative Morrell: Encouraging the safe practice of public health nurses dispensing certain medications. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 13, 2013
HB 1565 Prime Sponsor, Representative Harris: Funding the prescription monitoring program from the medicaid fraud penalty account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 14, 2013
HB 1580 Prime Sponsor, Representative Rodne: Allowing courts to assess additional costs to defendants if they are successful in setting aside a committed finding after failing to respond to an infraction or failing to appear for a hearing. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1593 Prime Sponsor, Representative Jinkins: Providing access to the prescription drug monitoring database for clinical laboratories. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013
HB 1609 Prime Sponsor, Representative Schmick: Renaming the board of pharmacy. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013
HB 1631 Prime Sponsor, Representative Tharinger: Concerning planning measures to provide long-term care services and supports needs of the aging population. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

February 14, 2013
HB 1644 Prime Sponsor, Representative Fey: Concerning transportation planning objectives and performance measures for local and regional agencies. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 13, 2013
HB 1648 Prime Sponsor, Representative Appleton: Providing for community economic revitalization in incorporated areas. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Capital Budget.

February 15, 2013

HB 1677 Prime Sponsor, Representative Klippert:
Concerning operators of multiple adult family homes. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jenkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SENATE BILL NO. 5147
SENATE CONCURRENT RESOLUTION NO. 8400

The Speaker called upon Representative Orwall to preside.

There being no objection, the House adjourned until 10:00 a.m., February 20, 2013, the 38th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY EIGHTH DAY

House Chamber, Olympia, Wednesday, February 20, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Emma Audette and Quinn Magendanz. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Paul Stumme-Diers, Bethany Lutheran Church, Bainbridge Island, Washington.

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

MESSAGE FROM THE SENATE

February 18, 2013

MR. SPEAKER:

The President has signed SENATE BILL NO. 5147 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1942 by Representatives Green, Harris and Moeller

AN ACT Relating to medical eye care or vision care; amending RCW 48.20.410 and 48.21.140; adding a new section to chapter 48.44 RCW; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Health Care & Wellness.

HB 1943 by Representative Harris

AN ACT Relating to clinical review criteria used by insurers or utilization review entities; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 1944 by Representative Haler

AN ACT Relating to vehicle license plate and registration fraud; reenacting and amending RCW 46.63.020; adding a new section to chapter 46.37 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 1945 by Representative Clibborn

AN ACT Relating to a toll facility on Interstate 90 west of Interstate 405; adding a new section to chapter 47.56 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1946 by Representatives Hunt and Reykdal

AN ACT Relating to special parking privileges for persons with disabilities; amending RCW 46.19.030 and 46.19.050; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

HB 1947 by Representatives Cody and Hunter

AN ACT Relating to ensuring the ongoing sustainability and vitality of the Washington health benefit exchange by providing a financing mechanism sufficient to defray the exchange's operating expenses; amending RCW 43.71.010, 43.71.060, and 48.14.0201; adding a new section to chapter 43.71 RCW; and adding a new section to chapter 43.135 RCW.

Referred to Committee on Appropriations.

HB 1948 by Representatives Tharinger and Upthegrove

AN ACT Relating to nonsubstantive changes to programs relevant to the department of ecology designed to create administrative efficiency; amending RCW 43.21B.305, 70.93.200, 70.93.220, 70.93.250, 70.94.037, 70.95.130, 70.95.140, 70.95.230, 70.95.290, 70.95.530, 70.95C.220, 70.95E.010, 70.95E.040, 70.95I.080, 70.95J.025, 70.105.160, 70.105.180, 70.105.210, and 90.58.190; reenacting and amending RCW 43.21B.110, 43.21B.110, and 43.21B.300; repealing RCW 70.93.090, 70.94.505, and 70.95.545; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

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

REPORTS OF STANDING COMMITTEES

February 15, 2013

HB 1261 Prime Sponsor, Representative Hope: Establishing receiving care centers for emergency and crisis care for children removed from their homes. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1271 Prime Sponsor, Representative Jinkins: Concerning the practice of denturism. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Morrell; Riccelli; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller and Ross.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1284 Prime Sponsor, Representative Roberts: Concerning the rights of parents who are incarcerated or in residential substance abuse treatment. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1342 Prime Sponsor, Representative Walsh: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Overstreet.

Referred to Committee on Appropriations.

February 19, 2013

HB 1364 Prime Sponsor, Representative Tharinger: Adopting the Washington small rechargeable battery stewardship act. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Upthegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 19, 2013

HB 1400 Prime Sponsor, Representative Bergquist: Clarifying that service includes electronic distribution of hearing notices and orders in administrative proceedings. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1441 Prime Sponsor, Representative Van De Wege: Addressing long-term care insurance. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1471 Prime Sponsor, Representative Riccelli: Updating and aligning with federal requirements hospital health care-associated infection rate reporting. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1480 Prime Sponsor, Representative Green: Concerning the provision of prescription drugs by direct practice providers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick,

Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 15, 2013

HB 1524 Prime Sponsor, Representative Roberts: Providing for juvenile mental health diversion and disposition strategies. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

HOUSE BILL NO. 1331, Representatives Riccelli, Zeiger, Tarleton, Seaquist, Buys, Sawyer, Tharinger, Stonier, Bergquist, Lias, Upthegrove, Freeman, Farrell, Springer, Roberts, Jinkins, Maxwell, Fagan, Magendanz, Santos, Pollet, Fitzgibbon, Moscoso, Morrell, Fey and Dahlquist

Authorizing student advisory committees at institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1331 was substituted for House Bill No. 1331 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1331 was read the second time.

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

Representatives Riccelli, Zeiger, Lias, Haigh, Fitzgibbon and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1331.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1331, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 1; Excused, 1.

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

Voting nay: Representative Overstreet.

Absent: Representative Hope.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1331, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Ormsby congratulated Representative Riccelli on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1331.

Representative Hope, 44th District

SECOND READING

HOUSE BILL NO. 1014, by Representatives McCoy, Appleton, Hunt, Hurst, Moscoso, Ryu, Sells, Dahlquist, Johnson, Zeiger, Fitzgibbon, Wilcox, Stanford, Hudgins, Haigh, Tharinger, Van De Wege, Morrell, Ormsby, Upthegrove, Pollet, Bergquist, Reykdal, Kochmar, Jinkins, O'Ban and Santos

Recognizing "Native American Heritage Day."

The bill was read the second time.

Representative Overstreet moved the adoption of amendment (8).

On page 1, line 5, after "state" strike "since time immemorial" and insert "for over thirteen thousand years"

On page 1, beginning on line 14, after "Native Americans." strike all material through "Washington." on page 2 line 3 and insert "Today we celebrate the important contributions Native Americans have made to the United States and the state of Washington."

On page 2, line 32, after "Day;" strike "~~(the day immediately following Thanksgiving Day)~~ the Friday immediately following the fourth Thursday in November, to be known as Native American Heritage Day" and insert "the day immediately following Thanksgiving Day"

On page 3, after line 28, insert "The legislature declares that the Friday immediately following the fourth Thursday in November shall be recognized as Native American Heritage Day but shall not be considered a legal holiday for any purposes."

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

Representative McCoy spoke against the adoption of the amendment.

Amendment (8) was not adopted.

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

Representatives McCoy, Angel, Zeiger, Wilcox and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1014.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1014, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

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

Excused: Representative Freeman.

HOUSE BILL NO. 1014, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1277, by Representatives Sawyer, Zeiger, McCoy, Angel, Appleton, Morris, Kirby, Maxwell, Santos, Liias, Tarleton, Freeman, Morrell, Riccelli, Wilcox, Lytton, Jinkins, Ryu, Dahlquist, Fey, Pollet and Ormsby

Concerning tribes holding conservation easements.

The bill was read the second time.

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

Representatives Sawyer, Angel, Kirby, McCoy and Smith spoke in favor of the passage of the bill.

Representatives Overstreet and Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1277.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1277, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

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

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Scott, Shea, Short, Taylor and Vick.

Excused: Representative Freeman.

HOUSE BILL NO. 1277, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Kirby congratulated Representative Sawyer on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1319, by Representatives Johnson, McCoy, Ross, Hunt, Rodne, Orwall, Green, Jinkins, Upthegrove, Chandler, Orcutt, Pedersen, Vick, Roberts, Alexander, Klippert, Holy, Short, Morrell, Smith, Buys, Kochmar, Liias, Moeller, Appleton, Angel, Zeiger, O'Ban, Wilcox, Hurst, Van De Wege, Shea, Fagan, Bergquist, Moscoso, Tarleton, Freeman and Fey

Recognizing a welcome home Vietnam veterans day.

The bill was read the second time.

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

Representatives Johnson, McCoy, Smith, Shea, Angel and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1319.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1319, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

HOUSE BILL NO. 1319, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1287, and the bill was referred to the Committee on Finance.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1769, and the bill was referred to the Committee on Capital Budget.

There being no objection, the Committee on Agriculture & Natural Resources was relieved of HOUSE BILL NO. 1888, and the bill was referred to the Committee on Government Accountability & Oversight.

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

There being no objection, the House adjourned until 9:55 a.m., February 21, 2013, the 39th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTY NINTH DAY

House Chamber, Olympia, Thursday, February 21, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTION

HOUSE RESOLUTION NO. 2013-4625, by Representatives Johnson, Wilcox, Nealey, Buys, Fagan, Ross, Taylor, Hargrove, Rodne, Holy, Hayes, Klippert, Schmick, Kretz, DeBolt, Kristiansen, Kochmar, Chandler, Warnick, Magendanz, Haler, MacEwen, Short, Vick, Pike, Hawkins, Orcutt, Angel, Van De Wege, Maxwell, Pettigrew, Sullivan, Springer, Moeller, McCoy, Appleton, Hunt, Sawyer, Pedersen, Stonier, Fey, Farrell, Carlyle, Wylie, Orwall, Pollet, Tarleton, Bergquist, Riccelli, Ormsby, Cody, Liias, Blake, Stanford, Takko, Hansen, Lytton, Fitzgibbon, Morris, Seaquist, and Goodman

WHEREAS, Jerry Tretwold, a proud son of Everett and United States Navy veteran, has provided quality skilled nursing facility care in Brewster since 1972 at Harmony House Care Center; and

WHEREAS, Jerry has been a leader in the nursing facility profession, serving in offices of the Washington Health Care Association from its founding to the present day, including the office of president from 1992 to 1994; and

WHEREAS, Jerry advanced his profession nationally with the American Health Care Association; and

WHEREAS, Jerry has served his community in many organizations, and in official capacities that include service as a deputy coroner for Okanogan County for 28 years, as a Brewster City Councilmember, and currently as a Three Rivers Hospital Board Member; and

WHEREAS, Jerry and his beloved wife Toni, who has served as a Brewster School Board member, have been recognized for the quality care they provide; and

WHEREAS, Jerry, throughout his advocacy on behalf of his profession in Olympia, has enjoyed friendships on both sides of the aisle; and

WHEREAS, While still active in his community, facility, and profession, Jerry has finally retired from his quarter century of service with the Washington Health Care Association; and

WHEREAS, Beyond the gratification of community and professional service, Jerry and Toni are additionally blessed with three children, Brenda, Brian, and Danielle, and seven grandchildren, Hunter, Rileigh, Caiden, Ethan, Gianna, Max, and Jack;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate and honor Jerry Tretwold for his longstanding service on behalf of our state's most vulnerable citizens and their dedicated caregivers, and further congratulate Toni Tretwold for putting up with him; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Jerry and Toni Tretwold.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4625.

HOUSE RESOLUTION NO. 4625 was adopted.

MESSAGE FROM THE SENATE

February 20, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5008
ENGROSSED SUBSTITUTE SENATE BILL NO. 5095
SENATE BILL NO. 5145
ENGROSSED SUBSTITUTE SENATE BILL NO. 5312
SENATE BILL NO. 5593

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1949 by Representative Buys

AN ACT Relating to the contents of requests for proposals in the procurement of enterprise application software solutions by state and local governments; adding a new section to chapter 39.26 RCW; and creating a new section.

Referred to Committee on Technology & Economic Development.

HB 1950 by Representative Haler

AN ACT Relating to designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Environment.

HB 1951 by Representative Hunter

AN ACT Relating to front license plates; and amending RCW 46.16A.200.

Referred to Committee on Transportation.

HB 1952 by Representatives Tharinger and Upthegrove

AN ACT Relating to nonsubstantive changes to programs relevant to the department of ecology designed to create administrative efficiency; amending RCW 43.21B.305,

70.93.200, 70.93.220, 70.93.250, 70.94.037, 70.95.130, 70.95.140, 70.95.230, 70.95.290, 70.95.530, 70.95C.220, 70.95E.010, 70.95E.040, 70.95I.080, 70.95J.025, 70.105.160, 70.105.180, and 70.105.210; reenacting and amending RCW 43.21B.110, 43.21B.110, and 43.21B.300; repealing RCW 70.93.090, 70.94.505, and 70.95.545; providing an effective date; and providing an expiration date.

Referred to Committee on Environment.

HB 1953 by Representatives Liias, Moscoso, Stanford, Roberts, Dunshee, Sells, McCoy and Ryu

AN ACT Relating to local option transportation revenue; and adding a new section to chapter 36.57A RCW.

Referred to Committee on Transportation.

SSB 5008 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Benton and Hatfield)

AN ACT Relating to portable electronics insurance; amending RCW 48.18.103, 48.19.040, 48.19.043, 48.120.015, 48.120.020, 48.120.020, and 48.120.025; adding a new section to chapter 48.18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Business & Financial Services.

ESSB 5095 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Roach, Tom, Rivers, Becker, Holmquist Newbry, Schoesler, Ericksen, Padden, Bailey, Hill and Honeyford)

AN ACT Relating to providing proof required documents for motor vehicle operation electronically; and amending RCW 46.30.020, 46.30.030, and 46.16A.180.

Referred to Committee on Transportation.

SB 5145 by Senators Keiser, Conway, Eide, Kohl-Welles, Shin and Schlicher

AN ACT Relating to community assistance referral and education services; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Public Safety.

ESSB 5312 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Harper, Eide, Benton, Hatfield, Schoesler, Roach, Keiser and Tom)

AN ACT Relating to small consumer installment loans; adding a new chapter to Title 31 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Business & Financial Services.

SB 5593 by Senators Smith and Parlette

AN ACT Relating to filing requirements for property tax exemption claims for certain improvements to benefit fish and

wildlife habitat, water quality, or water quantity; and amending RCW 84.36.255.

Referred to Committee on Finance.

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

REPORTS OF STANDING COMMITTEES

February 19, 2013

HB 1037 Prime Sponsor, Representative Moeller: Establishing a cost-recovery mechanism for public records sought for commercial purposes. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member Taylor, Assistant Ranking Minority Member.

Referred to Committee on Appropriations.

February 20, 2013

HB 1254 Prime Sponsor, Representative Manweller: Addressing prevailing wage filings. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations Subcommittee on General Government.

February 19, 2013

HB 1309 Prime Sponsor, Representative Upthegrove: Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 19, 2013

HB 1328 Prime Sponsor, Representative Kirby: Regulating mortgage brokers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Santos.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1403 Prime Sponsor, Representative Smith: Promoting economic development by providing information to businesses. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Freeman; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1418 Prime Sponsor, Representative Hunt: Regarding hours of availability of cities, towns, and special purpose districts for inspection and copying of public records. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1456 Prime Sponsor, Representative Hunt: Authorizing pretax payroll deductions for qualified transit and parking benefits. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Alexander; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

HB 1474 Prime Sponsor, Representative Pedersen: Giving general election voters the power to choose between the top two candidates for nonpartisan offices. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller and Orwall.

MINORITY recommendation: Do not pass. Signed by Representative Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1498 Prime Sponsor, Representative Upthegrove: Improving reports on electronic waste collection. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Overstreet.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1501 Prime Sponsor, Representative Lytton: Building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations Subcommittee on General Government.

February 19, 2013

HB 1510 Prime Sponsor, Representative Appleton: Modifying write-in voting provisions. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys,

Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1525 Prime Sponsor, Representative Orwall: Concerning birth certificates and other birth-related information. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert; Nealey and Shea.

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

February 19, 2013

HB 1533 Prime Sponsor, Representative Rodne: Clarifying notice of claims in health care actions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1542 Prime Sponsor, Representative Santos: Concerning the provision of and reimbursement for certain court interpreter services. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Hope; Klippert; Nealey and Shea.

Referred to Committee on Appropriations.

February 19, 2013

HB 1566 Prime Sponsor, Representative Carlyle: Concerning educational outcomes of youth in out-of-home care. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; MacEwen; Overstreet and Zeiger.

Referred to Committee on Appropriations.

February 19, 2013

HB 1638 Prime Sponsor, Representative Ryu: Addressing insurance, generally. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; O'Ban; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representative MacEwen.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1645 Prime Sponsor, Representative Riccelli: Increasing the number of public members on the Washington higher education facilities authority. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1647 Prime Sponsor, Representative Tarleton: Requiring landlords to maintain and safeguard keys to leased premises. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1663 Prime Sponsor, Representative Tharinger: Extending the sales and use tax exemption for hog fuel used to produce electricity, steam, heat, or biofuel. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Freeman; Hudgins; Kochmar; Magendanz;

Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Finance.

February 19, 2013
HB 1683 Prime Sponsor, Representative Reykdal: Authorizing recognition of institutions of postsecondary study in order to retain federal financial aid eligibility. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

February 19, 2013
HB 1686 Prime Sponsor, Representative Seaquist: Concerning high school equivalency certificates. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1693 Prime Sponsor, Representative Habib: Providing tax relief for new businesses in high growth business sectors. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Finance.

February 19, 2013
HB 1740 Prime Sponsor, Representative Kirby: Concerning fingerprint-based background checks for state-registered appraiser trainee applicants and existing credential holders. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 19, 2013
HB 1750 Prime Sponsor, Representative Pettigrew: Establishing special license endorsements for cigar lounges and retail tobacconist shops. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hurst; MacEwen and O'Ban.

MINORITY recommendation: Do not pass. Signed by Representatives Ryu, Vice Chair; Hawkins; Hudgins; Kochmar; Santos and Stanford.

Referred to Committee on Appropriations.

February 20, 2013
HB 1770 Prime Sponsor, Representative Buys: Concerning the appointment of nonvoting advisory members to commodity boards. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 19, 2013
HB 1804 Prime Sponsor, Representative Reykdal: Addressing supplemental bargaining under the personnel system reform act. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Referred to Committee on Appropriations.

February 19, 2013
HB 1853 Prime Sponsor, Representative Maxwell: Clarifying that real estate brokers licensed under chapter 18.85 RCW are independent contractors. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1863 Prime Sponsor, Representative Stonier: Allowing the department of labor and industries to provide information about certain scholarships. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Government Operations & Elections was relieved of HOUSE BILL NO. 1833, and the bill was referred to the Committee on Transportation.

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

There being no objection, the House adjourned until 9:00 a.m., February 22, 2013, the 40th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTIETH DAY

House Chamber, Olympia, Friday, February 22, 2013

The House was called to order at 9:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Samantha Payne and Tye Rodne. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Steve Brewer, Eastmont Baptist Church, East Wenatchee, Washington.

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

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

INTRODUCTION & FIRST READING

HB 1954 by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell and Liias

AN ACT Relating to transportation revenue; amending RCW 82.36.025, 82.38.030, 46.68.090, 46.17.200, 46.20.293, 46.29.050, 46.68.041, 46.70.061, 46.10.530, 46.17.355, 82.21.030, 82.44.125, 47.60.322, 36.73.065, 82.80.010, 82.80.140, and 82.14.045; reenacting and amending RCW 46.52.130 and 46.09.520; adding new sections to chapter 46.68 RCW; adding a new section to chapter 47.04 RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 82.80 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Transportation.

HB 1955 by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell and Liias

AN ACT Relating to additive transportation funding; creating new sections; and providing effective dates.

Referred to Committee on Transportation.

HB 1956 by Representatives Clibborn, Ryu and Liias

AN ACT Relating to authorizing bonds for transportation funding; adding new sections to chapter 47.10 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1957 by Representatives Clibborn and Liias

AN ACT Relating to department of transportation project delivery; adding a new section to chapter 47.04 RCW; and providing a contingent expiration date.

Referred to Committee on Transportation.

HB 1958 by Representatives Reykdal, Nealey, Lytton, Springer, Goodman, Wilcox, Vick and Orcutt

AN ACT Relating to affirming centralized payroll services as nontaxable between affiliated companies; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Finance.

HB 1959 by Representatives Farrell, Fitzgibbon, Kagi, Pedersen, Bergquist, Pollet, Tarleton and Cody

AN ACT Relating to local transportation revenue; amending RCW 36.73.065 and 82.80.140; adding a new section to chapter 82.80 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1960 by Representative Seaquist

AN ACT Relating to establishing benefit assessment charges for metropolitan park districts; and adding a new chapter to Title 84 RCW.

Referred to Committee on Finance.

HB 1961 by Representatives Pedersen, Rodne, Hudgins and Hunter

AN ACT Relating to judicial stabilization trust account surcharges; amending RCW 3.62.060, 36.18.018, and 36.18.020; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

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

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

SECOND READING

HOUSE BILL NO. 1204, by Representatives Roberts, Dahlquist, Kagi, Farrell, Walsh, Kochmar, Fey, Seaquist, Johnson, Freeman, Jinkins, Morrell, McCoy, Tarleton, Zeiger, Clibborn, Goodman, MacEwen, Appleton, Habib, Reykdal, Maxwell, Bergquist, Ormsby and Ryu

Concerning sibling visitation for children in foster care.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1204 was substituted for House Bill No. 1204 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1204 was read the second time.

With the consent of the house, amendment (7) was withdrawn.

Representative Roberts moved the adoption of amendment (5).

On page 4, line 9, after "department," insert "the guardian ad litem."

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

Amendment (5) was adopted.

The bill was ordered engrossed.

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

Representatives Roberts, Dahlquist, Kagi, Walsh, Freeman and Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1204.

MOTIONS

On motion of Representative Van De Wege, Representative Morris was excused. On motion of Representative Kristiansen, Representative Harris was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1204, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Harris and Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1204, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1216, by Representatives Habib, Clibborn, Jinkins, McCoy, Springer, Morrell, Goodman, Appleton, Tarleton, Ryu, Tharinger and Fey

Concerning insurance coverage of treatment of eosinophilia gastrointestinal associated disorders. Revised for 1st Substitute: Concerning sunrise review for a proposal to establish a mandated benefit of treatment of eosinophilia gastrointestinal associated disorders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1216 was substituted for House Bill No. 1216 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1216 was read the second time.

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

Representatives Habib, Schmick and Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1216.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1216, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2.

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

Voting nay: Representatives Holy, Klippert, Overstreet, Pike, Shea and Taylor.

Excused: Representatives Harris and Morris.

SUBSTITUTE HOUSE BILL NO. 1216, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Hunter congratulated Representative Habib on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1230, by Representatives Green, Warnick, Jinkins, Harris, Cody, Moeller, Clibborn, Morrell and Tharinger

SECOND READING

Concerning persons who are pursuing a course of study leading to a degree as a physical therapist or physical therapist assistant.

The bill was read the second time.

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

Representatives Green and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1230.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1230, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Harris and Morris.

HOUSE BILL NO. 1230, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Angel: "Thank you. I wanted just to share that it has been a year already since we lost Trooper Tony in my district, by Bremerton. I wanted to share, if I may read, what one of our local newspapers said about him today? I quote, "A big hearted man with a ready smile. Radulescu was known as Trooper Tony in the communities surrounding Bremerton, where he spent his entire 16 year career with the State Patrol. "Tony was the epitome of a State Trooper" said Kitsap County Sherriff Steve Boyer. "He could handle problems with courage and he had those interpersonal skills that made everyone like him. He could write somebody a ticket and they would say thank you." You know it's tough when you lose a trooper and having two grandsons, George and Nate that are troopers, I pray for them every day and still it's been one year already. Let's just pray we don't lose any more of our troopers in such a tragic situation as this. Mr. Speaker, I would like to ask for one minute of silence in honor of the loss of our troopers, with Trooper Tony in mind, and we thank them for their service, thank you."

Speaker Pro Tempore Moeller: Will the body please join me in a moment of silence, thank you."

HOUSE BILL NO. 1044, by Representatives Cody, Jinkins, Takko, Blake, Maxwell, Lytton, Moscoso, Fitzgibbon, Tharinger, Bergquist, Clibborn, Pollet, Goodman, Appleton, Reykdal, Kirby, Green, Van De Wege, Pettigrew, Sells, Springer, Hunt, Moeller, Carlyle, Ryu, Haigh, Lias, Kagi, Tarleton, Pedersen, McCoy, Stanford, Hunter, Hudgins, Farrell, Ormsby, Upthegrove, Riccelli, Stonier, Fey and Santos

Concerning health plan coverage for the voluntary termination of a pregnancy.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (12).

On page 2, beginning on line 32, after "(6)" strike all material through "70.47.160" on line 33 and insert "No individual health care provider, religiously sponsored health carrier, or health care facility may be required by law or contract in any circumstances to participate in the provision of or payment for a specific service if they object to so doing for reason of conscience or religion. No person may be discriminated against in employment or professional privileges because of such objection.

(7) No individual or organization with a religious or moral tenet opposed to a specific service may be required to purchase coverage for that service or services if they object to doing so for reason of conscience or religion"

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

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (12) and the amendment was adopted by the following vote: Yeas: 96 Nays: 0 Absent: 0 Excused: 2

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

Excused: Representatives Harris and Morris

Amendment (12) was adopted.

Representative Cody moved the adoption of amendment (13).

On page 2, beginning on line 32, after "(6)" strike all material through "70.47.160" on line 33 and insert "The legislature recognizes that every individual possesses a fundamental right to exercise their religious beliefs and conscience. The legislature further recognizes that in developing public policy, conflicting religious and moral beliefs must be respected. Therefore, while recognizing the right of

conscientious objection to participating in specific health services, the state shall also recognize the right of individuals enrolled with plans containing the basic health plan services to receive the full range of services covered under the plan.

(7)(a) No individual health care provider, religiously sponsored health carrier, or health care facility may be required by law or contract in any circumstances to participate in the provision of or payment for a specific service if they object to so doing for reason of conscience or religion. No person may be discriminated against in employment or professional privileges because of such objection.

(b) The provisions of subsections (6) through (9) of this section are not intended to result in an enrollee being denied timely access to any service included in the basic health plan services. Each health carrier shall:

(i) Provide written notice to enrollees, upon enrollment with the plan, listing services that the carrier refuses to cover for reason of conscience or religion;

(ii) Provide written information describing how an enrollee may directly access services in an expeditious manner; and

(iii) Ensure that enrollees refused services under this section have prompt access to the information developed pursuant to (b)(ii) of this subsection.

(c) The insurance commissioner shall establish by rule a mechanism or mechanisms to recognize the right to exercise conscience while ensuring enrollees timely access to services and to assure prompt payment to service providers.

(8)(a) No individual or organization with a religious or moral tenet opposed to a specific service may be required to purchase coverage for that service or services if they object to doing so for reason of conscience or religion.

(b) The provisions of subsections (6) through (9) of this section shall not result in an enrollee being denied coverage of, and timely access to, any service or services excluded from their benefits package as a result of their employer's or another individual's exercise of the conscience clause in (a) of this subsection.

(c) The insurance commissioner shall define by rule the process through which health carriers may offer the basic health plan services to individuals and organizations identified in (a) and (b) of this subsection in accordance with the provisions of subsection (7)(c) of this section.

(9) Nothing in subsections (6) through (8) of this section requires a health carrier, health care facility, or health care provider to provide any health care services without appropriate payment of premium or fee"

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

Representative Rodne spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (13) and the amendment was adopted by the following vote: Yeas: 52 Nays: 44 Absent: 0 Excused: 2

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Reykdal, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Excused: Representatives Harris and Morris

Amendment (13) was adopted.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on amendment (13) to House Bill No. 1044.

Representative Reykdal, 22nd District

SECOND READING

The bill was ordered engrossed.

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

Representatives Cody, Tharinger and Jinkins spoke in favor of the passage of the bill.

Representatives Short, O'Ban and Smith spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1044.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Freeman, Haler, Hargrove, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Harris and Morris.

ENGROSSED HOUSE BILL NO. 1044, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1047, by Representatives Dahlquist, Hurst and Magendanz

Concerning photographs, microphotographs, and electronic images from traffic safety cameras and toll systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1047 was substituted for House Bill No. 1047 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1047 was read the second time.

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

Representatives Dahlquist, Goodman and Hurst spoke in favor of the passage of the bill.

Representative Overstreet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1047.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1047, and the bill passed the House by the following vote: Yeas, 78; Nays, 18; Absent, 0; Excused, 2.

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

Voting nay: Representatives Condotta, Crouse, DeBolt, Kirby, Kretz, Kristiansen, Manweller, Orcutt, Overstreet, Pike, Rodne, Ryu, Sawyer, Scott, Shea, Taylor, Upthegrove and Vick.

Excused: Representatives Harris and Morris.

SUBSTITUTE HOUSE BILL NO. 1047, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1056, by Representatives Angel, Manweller and Sells

Authorizing certain corporate officers to receive unemployment benefits.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1056.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1056, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Harris and Morris.

HOUSE BILL NO. 1056, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1059, by Representative Goodman

Providing that a proclamation of a state of emergency is effective upon the governor's signature.

The bill was read the second time.

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

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1059.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1059, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2.

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

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

Excused: Representatives Harris and Morris.

HOUSE BILL NO. 1059, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1113, by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Smith, Fagan, Dahlquist and Fey

Concerning standards for the use of science to support public policy.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1113.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1113, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Harris and Morris.

HOUSE BILL NO. 1113, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1209, by Representatives MacEwen, Blake, Chandler, Stonier, Wilcox, Springer, Haigh, Morrell and Stanford

Extending the program establishing Christmas tree grower licensure.

The bill was read the second time.

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

Representatives MacEwen, Blake, Wilcox and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1209.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1209, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Harris and Morris.

HOUSE BILL NO. 1209, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative MacEwen on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

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

REPORTS OF STANDING COMMITTEES

February 20, 2013

HB 1011

Prime Sponsor, Representative Appleton: Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Carlyle.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1017

Prime Sponsor, Representative Morris: Creating new efficiency standards. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1124 Prime Sponsor, Representative Hurst: Concerning recommendations for streamlining reporting requirements for taxes and fees on spirits. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1159 Prime Sponsor, Representative Lytton: Increasing the number of superior court judges in Whatcom county. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1175 Prime Sponsor, Representative Nealey: Increasing the number of superior court judges in Benton and Franklin counties jointly. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1302 Prime Sponsor, Representative Roberts: Concerning extended foster care services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations.

February 20, 2013

HB 1306 Prime Sponsor, Representative Wylie: Extending the expiration dates of the local infrastructure financing tool program. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Dahlquist.

Referred to Committee on Finance.

February 20, 2013

HB 1344 Prime Sponsor, Representative Cody: Authorizing occupational therapists to participate in online access to the University of Washington health sciences library. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1427 Prime Sponsor, Representative Orcutt: Addressing the evasion of taxes by the use of certain electronic means. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1432 Prime Sponsor, Representative Stanford: Concerning county property tax levies. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1507 Prime Sponsor, Representative Pike: Concerning electronic product recycling. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey; Overstreet and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Farrell; Fey; Kagi; Liias and Morris.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1534 Prime Sponsor, Representative Riccelli: Increasing the impaired dentist program license or renewal surcharge. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jenkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1568 Prime Sponsor, Representative Carlyle: Concerning the business licensing service program administered by the department of revenue. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 19, 2013

HB 1570 Prime Sponsor, Representative Kretz: Concerning filing requirements for property tax exemption claims for certain improvements to benefit fish and wildlife habitat, water quality, or water quantity. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1575 Prime Sponsor, Representative Springer: Creating greater efficiency in the offices of county assessor by eliminating the requirement to annually

appraise tax-exempt government properties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Finance.

February 19, 2013

HB 1588 Prime Sponsor, Representative Pedersen: Requiring universal background checks for firearms transfers. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Hope; Jenkins; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Kirby; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1590 Prime Sponsor, Representative Springer: Establishing a training program for managers of manufactured housing communities. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representative Pike.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1658 Prime Sponsor, Representative Kirby: Raising the cap on the total number of small loans a borrower may have in a twelve-month period. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Ryu, Vice Chair; Habib and Stanford.

Passed to Committee on Rules for second reading.

HB 1674 February 20, 2013
 Prime Sponsor, Representative Santos: Increasing the regulatory oversight and accountability of the office of minority and women's business enterprises. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1757 February 20, 2013
 Prime Sponsor, Representative Smith: Providing monitoring of the development of a one-stop portal for Washington businesses. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations.

HB 1785 February 20, 2013
 Prime Sponsor, Representative Hunt: Authorizing de minimis use of state resources to provide information about programs that may be authorized payroll deductions. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1812 February 20, 2013
 Prime Sponsor, Representative Haigh: Extending the time frame for making expenditures under the urban school turnaround initiative. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1818 February 20, 2013
 Prime Sponsor, Representative Smith: Promoting economic development through business and government streamlining projects. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1819 February 20, 2013
 Prime Sponsor, Representative Tarleton: Creating and using digital infrastructure maps to inform economic development decisions. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Hudgins; Kochmar; Maxwell; Morrell; Stonier; Tarleton; Walsh; Wylie and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Magendanz and Vick.

Referred to Committee on Appropriations Subcommittee on General Government.

HB 1823 February 20, 2013
 Prime Sponsor, Representative Sells: Concerning centers of excellence. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations.

HB 1859 February 20, 2013
 Prime Sponsor, Representative McCoy: Evaluating military training and experience toward meeting licensing requirements. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

HB 1861 February 20, 2013
 Prime Sponsor, Representative Ormsby: Creating loan-making authority for down payment

assistance for single-family homeownership. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1871 Prime Sponsor, Representative Maxwell: Concerning integrated career learning opportunities and employment training for at-risk youth. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations.

February 20, 2013

HB 1901 Prime Sponsor, Representative Hunt: Limiting use and disclosure of population enumeration data. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 20, 2013

HJM 4001 Prime Sponsor, Representative Pedersen: Requesting an amendment to the United States Constitution to return the authority to regulate election campaign contributions to congress and state legislatures. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

FIRST SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 21, 2013

HB 1046 Prime Sponsor, Representative Fey: Concerning uncontested rate modifications for utilities and transportation commission regulated water

companies. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1144 Prime Sponsor, Representative Dahlquist: Regarding qualifications for educational interpreters. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1161 Prime Sponsor, Representative Hunter: Concerning sales for resale by retail licensees of liquor. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Smith.

Referred to Committee on Finance.

February 20, 2013

HB 1173 Prime Sponsor, Representative Santos: Regarding the financial education public-private partnership. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1275 Prime Sponsor, Representative Hunt: Regarding water discharge fees. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias and Morris.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey; Overstreet and Tharinger.

Referred to Committee on Appropriations.

February 21, 2013

HB 1276 Prime Sponsor, Representative Reykdal: Creating the dropout prevention through farm engagement pilot project. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Hargrove; Hawkins and Parker.

Referred to Committee on Appropriations Subcommittee on Education.

February 21, 2013

HB 1321 Prime Sponsor, Representative Jinkins: Establishing food and beverage provision and service policies. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1336 Prime Sponsor, Representative Orwall: Increasing the capacity of school districts to recognize and respond to troubled youth. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1350 Prime Sponsor, Representative Chandler: Providing options for local communities to

balance growth of the community with water resource goals. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chandler, Ranking Minority Member; Haigh; Hurst; Kretz; Pettigrew; Schmick; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Lytton, Vice Chair; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Orcutt and Stanford.

Referred to Committee on Appropriations Subcommittee on General Government.

February 20, 2013

HB 1374 Prime Sponsor, Representative Morris: Concerning the energy facility site evaluation council. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey and Overstreet.

Referred to Committee on Appropriations.

February 21, 2013

HB 1375 Prime Sponsor, Representative Blake: Concerning consolidating a new exempt withdrawal of groundwater into an existing public water system. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Lytton, Vice Chair; Dunshee and Stanford.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1381 Prime Sponsor, Representative Jinkins: Regarding administrative adjudicatory proceedings coming before the department of health. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority

Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1401 Prime Sponsor, Representative Fitzgibbon: Addressing the timing of penalties under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Lias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1412 Prime Sponsor, Representative Bergquist: Making community service a high school graduation requirement. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1424 Prime Sponsor, Representative Haigh: Enhancing the statewide K-12 dropout prevention, intervention, and reengagement system. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Referred to Committee on Appropriations.

February 21, 2013

HB 1429 Prime Sponsor, Representative Seaquist: Addressing the implementation of inmate postsecondary education degree programs to

reduce recidivism. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Appleton; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Hayes, Assistant Ranking Minority Member; Holy; Hope and Ross.

Referred to Committee on Appropriations.

February 21, 2013

HB 1438 Prime Sponsor, Representative Buys: Concerning de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; MacEwen, Assistant Ranking Minority Member; Buys; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Minority Member; Dunshee and Van De Wege.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1449 Prime Sponsor, Representative Bergquist: Making specific prosecution and defense documents and materials exempt from public inspection and copying. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1472 Prime Sponsor, Representative Hansen: Providing initiatives to improve and expand access to computer science education. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

HB 1486 February 21, 2013
 Prime Sponsor, Representative Fitzgibbon:
 Concerning voter-approved benefit charges for
 regional fire protection service authorities.
 Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by
 Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias;
 Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by
 Representatives Taylor, Ranking Minority Member; Kochmar,
 Assistant Ranking Minority Member; Buys and Crouse.

Referred to Committee on Finance.

HB 1488 February 21, 2013
 Prime Sponsor, Representative Liias: Modifying
 the percentage of votes required to approve
 benefit charges for fire protection districts.
 Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias;
 Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by
 Representatives Taylor, Ranking Minority Member; Kochmar,
 Assistant Ranking Minority Member; Buys and Crouse.

Referred to Committee on Finance.

HB 1530 February 20, 2013
 Prime Sponsor, Representative McCoy:
 Promoting a balanced financing system for state
 parks programs and services in order to facilitate
 resource stewardship, interpretative activities,
 cultural events, and works of art in state parks.
 Reported by Committee on Community
 Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives McCoy, Chair; Appleton, Vice Chair; Angel,
 Ranking Minority Member; Johnson, Assistant Ranking
 Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

HB 1537 February 21, 2013
 Prime Sponsor, Representative O'Ban:
 Addressing a veteran's preference for the purpose
 of public employment. Reported by Committee
 on Government Operations & Elections

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Hunt, Chair; Bergquist, Vice Chair; Buys,
 Ranking Minority Member; Taylor, Assistant Ranking
 Minority Member; Alexander; Carlyle; Fitzgibbon;
 Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

HB 1539 February 21, 2013
 Prime Sponsor, Representative Rodne:
 Concerning the annexation of unincorporated
 territory within a code city. Reported by
 Committee on Local Government

MAJORITY recommendation: Do pass. Signed by
 Representatives Takko, Chair; Taylor, Ranking Minority
 Member; Kochmar, Assistant Ranking Minority Member;
 Buys; Crouse; Liias and Springer.

MINORITY recommendation: Do not pass. Signed by
 Representatives Fitzgibbon, Vice Chair and Upthegrove.

Passed to Committee on Rules for second reading.

HB 1547 February 19, 2013
 Prime Sponsor, Representative Walsh:
 Concerning entities that provide recreational or
 educational programming for school-aged
 children. Reported by Committee on Early
 Learning & Human Services

MAJORITY recommendation: Do pass. Signed by
 Representatives Kagi, Chair; Freeman, Vice Chair; Walsh,
 Ranking Minority Member; Scott, Assistant Ranking Minority
 Member; Farrell; Goodman; MacEwen; Overstreet; Roberts;
 Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

HB 1554 February 21, 2013
 Prime Sponsor, Representative Stonier: Allowing
 fire departments to develop a community
 assistance referral and education services
 program. Reported by Committee on Public
 Safety

MAJORITY recommendation: Do pass. Signed by
 Representatives Goodman, Chair; Roberts, Vice Chair;
 Klippert, Ranking Minority Member; Hayes, Assistant
 Ranking Minority Member; Appleton; Holy; Hope; Moscoso;
 Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

HB 1556 February 21, 2013
 Prime Sponsor, Representative Van De Wege:
 Creating initiatives in high schools to save lives in
 the event of cardiac arrest. Reported by
 Committee on Education

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist,
 Ranking Minority Member; Magendanz, Assistant Ranking
 Minority Member; Bergquist; Fagan; Haigh; Hargrove;
 Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy;
 Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on
 Education.

HB 1559 February 21, 2013
 Prime Sponsor, Representative Appleton:
 Requiring crisis intervention training for peace

officers. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Appleton; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member and Holy.

Referred to Committee on Appropriations.

February 21, 2013

HB 1562 Prime Sponsor, Representative Lytton: Requiring funding for professional development for K-12 teachers. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations.

February 21, 2013

HB 1563 Prime Sponsor, Representative Farrell: Concerning the disposition of surplus property for the development of affordable housing. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler and Pike.

Referred to Committee on Capital Budget.

February 21, 2013

HB 1576 Prime Sponsor, Representative Springer: Creating greater efficiency in the offices of county assessors by allowing notification via electronic means. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Uptegrove.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1591 Prime Sponsor, Representative Smith: Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal

review process of existing rules. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Without recommendation. Signed by Representative Fitzgibbon.

Referred to Committee on Appropriations.

February 21, 2013

HB 1612 Prime Sponsor, Representative Hope: Concerning information on firearm offenders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1613 Prime Sponsor, Representative Hudgins: Establishing the criminal justice training commission firing range maintenance account. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1614 Prime Sponsor, Representative Reykdal: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

HB 1617 February 20, 2013
 Prime Sponsor, Representative McCoy:
 Concerning the administrative costs for the
 allocation, management, and oversight of housing
 trust fund investments. Reported by Committee
 on Community Development, Housing & Tribal
 Affairs

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives McCoy, Chair; Appleton, Vice Chair; Angel,
 Ranking Minority Member; Johnson, Assistant Ranking
 Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Capital Budget.

HB 1618 February 20, 2013
 Prime Sponsor, Representative Ormsby:
 Concerning the building code council account.
 Reported by Committee on Appropriations
 Subcommittee on General Government

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and
 Springer.

MINORITY recommendation: Do not pass. Signed by
 Representatives Parker, Ranking Minority Member; Buys;
 Chandler and Taylor.

Passed to Committee on Rules for second reading.

HB 1621 February 21, 2013
 Prime Sponsor, Representative Haler: Regulating
 the hours of service for certain railroad
 employees. Reported by Committee on Labor &
 Workforce Development

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Sells, Chair; Reykdal, Vice Chair; Green;
 Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by
 Representatives Manweller, Ranking Minority Member;
 Condotta, Assistant Ranking Minority Member; Holy and
 Short.

Passed to Committee on Rules for second reading.

HB 1624 February 20, 2013
 Prime Sponsor, Representative Pollet: Restricting
 tuition increases for resident undergraduate
 students at four-year institutions of higher
 education. Reported by Committee on Higher
 Education

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Seaquist, Chair; Pollet, Vice Chair; Haler,
 Ranking Minority Member; Zeiger, Assistant Ranking
 Minority Member; Fagan; Hansen; Hargrove; Johnson;
 Magendanz; Riccelli; Smith; Tarleton and Walsh.

MINORITY recommendation: Do not pass. Signed by
 Representatives Reykdal; Sawyer and Scott.

Referred to Committee on Appropriations Subcommittee on
 Education.

HB 1627 February 21, 2013
 Prime Sponsor, Representative Morrell:
 Concerning competency to stand trial evaluations.
 Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne,
 Ranking Minority Member; O'Ban, Assistant Ranking
 Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert;
 Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations.

HB 1639 February 21, 2013
 Prime Sponsor, Representative Bergquist:
 Adjusting presidential elector compensation.
 Reported by Committee on Government
 Operations & Elections

MAJORITY recommendation: Do pass. Signed by
 Representatives Hunt, Chair; Bergquist, Vice Chair; Buys,
 Ranking Minority Member; Alexander; Carlyle; Kristiansen;
 Manweller; Orwall and Van De Wege.

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

Passed to Committee on Rules for second reading.

HB 1653 February 21, 2013
 Prime Sponsor, Representative Goodman:
 Concerning assault in the third degree occurring
 in areas used in connection with court
 proceedings. Reported by Committee on Public
 Safety

MAJORITY recommendation: The substitute bill be
 substituted therefor and the substitute bill do pass. Signed by
 Representatives Goodman, Chair; Roberts, Vice Chair;
 Klippert, Ranking Minority Member; Hayes, Assistant
 Ranking Minority Member; Hope; Moscoso; Pettigrew; Ross
 and Takko.

MINORITY recommendation: Do not pass. Signed by
 Representatives Appleton and Holy.

Referred to Committee on Appropriations Subcommittee on
 General Government.

HB 1661 February 21, 2013
 Prime Sponsor, Representative Fitzgibbon:
 Addressing misdemeanor marijuana offense
 convictions. Reported by Committee on Public
 Safety

MAJORITY recommendation: Do pass. Signed by
 Representatives Goodman, Chair; Roberts, Vice Chair;
 Appleton; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope and Ross.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1671 Prime Sponsor, Representative Farrell: Concerning child care reform. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; MacEwen; Overstreet and Zeiger.

Referred to Committee on Appropriations.

February 21, 2013

HB 1697 Prime Sponsor, Representative Hunt: Exempting from disclosure and copying valuable commercial information in records pertaining to solid waste collection companies in possession of the Washington utilities and transportation commission. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1704 Prime Sponsor, Representative Angel: Regarding notice required by the parks and recreation commission. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1715 Prime Sponsor, Representative Klippert: Allowing the department of corrections to exempt information contained in the internal database on security threat group data from dissemination under the public records act. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1719 Prime Sponsor, Representative Freeman: Addressing drayage truck operators at certain ports. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1723 Prime Sponsor, Representative Kagi: Concerning early learning opportunities. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; Overstreet and Zeiger.

Referred to Committee on Appropriations.

February 21, 2013

HB 1724 Prime Sponsor, Representative Roberts: Concerning statements made by juveniles during assessments or screenings for mental health or chemical dependency treatment. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1725 Prime Sponsor, Representative Tarleton: Creating the tuition support fund program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hansen; Pedersen; Reykdal; Riccelli; Sawyer; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Fagan; Hargrove; Johnson; Magendanz; Scott; Smith and Walsh.

Referred to Committee on Appropriations Subcommittee on Education.

February 21, 2013

HB 1733 Prime Sponsor, Representative Riccelli: Requiring capital and transportation project investments to be searchable by the public for certain detailed information. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1738 Prime Sponsor, Representative Hayes: Authorizing political subdivisions to purchase certain technology and services from the United States government. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1739 Prime Sponsor, Representative Haler: Requiring guidelines for the percentage of resident, nonresident, and foreign students at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Riccelli; Scott; Sells; Smith and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Reykdal; Sawyer and Walsh.

Passed to Committee on Rules for second reading.

HB 1749

February 20, 2013
Prime Sponsor, Representative Angel: Modifying metropolitan park district property tax levies to assist park districts with populations less than twenty thousand. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Finance.

February 21, 2013

HB 1753 Prime Sponsor, Representative Jinkins: Regulating interpreter services. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Referred to Committee on Appropriations.

February 21, 2013

HB 1764 Prime Sponsor, Representative Chandler: Concerning geoduck diver licenses. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations.

February 20, 2013

HB 1768 Prime Sponsor, Representative Moscoso: Authorizing use of the job order contracting procedure by the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 21, 2013
HB 1774 Prime Sponsor, Representative Freeman:
 Measuring performance of the child welfare
 system. Reported by Committee on Early
 Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

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

February 21, 2013
HB 1777 Prime Sponsor, Representative Green:
 Accelerating changes to mental health involuntary
 commitment laws. Reported by Committee on
 Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations.

February 21, 2013
HB 1779 Prime Sponsor, Representative Kirby: Concerning
 esthetics. Reported by Committee on Business &
 Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1782 Prime Sponsor, Representative Nealey:
 Concerning veterans' homes. Reported by
 Committee on Community Development,
 Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

February 21, 2013
HB 1783 Prime Sponsor, Representative Seaquist:
 Concerning health district banking. Reported by
 Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Crouse; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 21, 2013
HB 1802 Prime Sponsor, Representative Orcutt:
 Addressing compensation paid to peace officers
 while enrolled in basic law enforcement training.
 Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Klippert, Ranking Minority Member.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013
HB 1805 Prime Sponsor, Representative Hansen:
 Concerning culinary class wine restaurant
 specialty licenses. Reported by Committee on
 Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1806 Prime Sponsor, Representative Hansen:
 Addressing the definition of veteran for purposes
 of veterans' assistance programs. Reported by
 Committee on Community Development,
 Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1809 Prime Sponsor, Representative McCoy:
 Protecting the state's cultural resources. Reported
 by Committee on Community Development,
 Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel,

Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Ryu; Santos and Sawyer.

by Committee on Government Accountability & Oversight

MINORITY recommendation: Do not pass. Signed by Representative Pike.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1814 Prime Sponsor, Representative Ryu: Concerning the agency council on coordinated transportation. Reported by Committee on Transportation

February 21, 2013
HB 1840 Prime Sponsor, Representative Goodman: Concerning firearms laws for persons subject to no-contact orders, protection orders, and restraining orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Johnson; Klippert; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Kochmar; Kretz; Kristiansen; Rodne and Shea.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Klippert and Shea.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 21, 2013
HB 1822 Prime Sponsor, Representative Stanford: Concerning debt collection practices. Reported by Committee on Judiciary

February 21, 2013
HB 1858 Prime Sponsor, Representative McCoy: Providing for awarding academic credit for military training. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Walsh.

Referred to Committee on Appropriations Subcommittee on General Government.

Passed to Committee on Rules for second reading.

February 20, 2013
HB 1826 Prime Sponsor, Representative Morris: Updating integrated resource plan requirements to address changing energy markets. Reported by Committee on Environment

February 21, 2013
HB 1860 Prime Sponsor, Representative Alexander: Continuing the use of the legislature's sunset review process. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey and Tharinger.

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 21, 2013
HB 1835 Prime Sponsor, Representative Hunt: Authorizing enhanced raffles conducted by bona fide charitable or nonprofit organizations serving individuals with intellectual disabilities. Reported

February 20, 2013
HB 1866 Prime Sponsor, Representative Morris: Concerning the joint center for aerospace technology innovation. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith,

Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations.

February 21, 2013

HB 1870 Prime Sponsor, Representative Habib: Addressing methods of payment. Reported by Committee on Business & Financial Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Blake; Chandler; Habib; Hudgins; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Hawkins; Hurst; Kochmar; MacEwen and O'Ban.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1884 Prime Sponsor, Representative Sells: Addressing the rate of compensation for occupational diseases. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1886 Prime Sponsor, Representative Chandler: Concerning the recoverable costs of the department of agriculture under chapter 16.36 RCW. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1887 Prime Sponsor, Representative Sawyer: Increasing educational options under vocational rehabilitation plans. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Assistant Ranking Minority Member; Holy and Short.

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

February 21, 2013

HB 1888 Prime Sponsor, Representative Shea: Regarding industrial hemp. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1891 Prime Sponsor, Representative Reykdal: Increasing protections for employees under the Washington industrial safety and health act of 1973. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1894 Prime Sponsor, Representative Seaquist: Concerning shellfish aquaculture research. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representative Orcutt.

Referred to Committee on Appropriations.

February 21, 2013

HB 1896 Prime Sponsor, Representative Lytton: Enhancing compliance with the responsibilities of fishing guides. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1897 Prime Sponsor, Representative McCoy: Requiring call location information to be provided to law enforcement responding to an emergency. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Freeman; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh and Zeiger.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1903 Prime Sponsor, Representative Fitzgibbon: Providing unemployment insurance benefit charging relief for part-time employers who continue to employ a claimant on a part-time basis and the claimant qualified for two consecutive claims with wages attributable to at least one employer who employed the claimant in both base years. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Green; Moeller and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Assistant Ranking Minority Member; Holy and Short.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1909 Prime Sponsor, Representative Hunt: Concerning veteran-owned businesses. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

February 21, 2013

HB 1924 Prime Sponsor, Representative Tharinger: Concerning watershed planning grants. Reported

by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representative Buys.

Referred to Committee on Appropriations Subcommittee on General Government.

February 19, 2013

HB 1934 Prime Sponsor, Representative Pedersen: Concerning visitation rights for persons, including grandparents, with an ongoing and substantial relationship with a child. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Hope; Jenkins; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Kirby; Klippert and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1935 Prime Sponsor, Representative Haler: Concerning state parks and recreation. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike and Ryu.

MINORITY recommendation: Without recommendation. Signed by Representatives Santos and Sawyer.

Referred to Committee on Appropriations.

February 21, 2013

HB 1937 Prime Sponsor, Representative Ross: Prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco to a minor. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

HB 1068 February 22, 2013
 Prime Sponsor, Representative Manweller:
 Concerning the television reception improvement
 district excise tax. Reported by Committee on
 Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

HB 1105 February 21, 2013
 Prime Sponsor, Representative McCoy:
 Modifying the renewable energy cost recovery
 program. Reported by Committee on
 Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Crouse; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Nealey and Overstreet.

Referred to Committee on Finance.

HB 1106 February 21, 2013
 Prime Sponsor, Representative McCoy:
 Regarding net metering of electricity. Reported
 by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Nealey and Overstreet.

Passed to Committee on Rules for second reading.

HB 1107 February 21, 2013
 Prime Sponsor, Representative McCoy:
 Regarding residential provisions for children of
 parents with military duties. Reported by
 Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1170 Prime Sponsor, Representative Morrell:
 Modifying the income thresholds for the
 exemption and deferral property tax relief
 programs for senior citizens and persons retired
 because of physical disability. Reported by
 Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Hansen; Lytton; Pollet; Reykdal; Springer and Vick.

Passed to Committee on Rules for second reading.

HB 1232 February 21, 2013
 Prime Sponsor, Representative Sells: Asserting
 conditions under which the department of
 corrections provides rental vouchers to a
 registered sex offender. Reported by Committee
 on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Roberts, Vice Chair and Appleton.

Referred to Committee on Appropriations.

HB 1233 February 21, 2013
 Prime Sponsor, Representative Jinkins: Including
 health in the state transportation system policy
 goals. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne and Shea.

Passed to Committee on Rules for second reading.

HB 1265 February 20, 2013
 Prime Sponsor, Representative Freeman:
 Modifying provisions in the forms for traffic
 infraction notices. Reported by Committee on
 Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel;

Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1286 Prime Sponsor, Representative Sawyer: Authorizing the sale or exchange of unused department of transportation lands to federally recognized Indian tribes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Kochmar; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Klippert; Kretz; Kristiansen and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1399 Prime Sponsor, Representative Stanford: Giving general law enforcement authority to natural resource investigators. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Hope; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member and Holy.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1435 Prime Sponsor, Representative Goodman: Clarifying agency relationships in reconveyances of deeds of trust. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1511 Prime Sponsor, Representative Goodman: Concerning court reporters, communication access real-time translation, and real-time

captioning services. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1529 Prime Sponsor, Representative Stanford: Concerning the disclosure of certain information when screening tenants. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Hope; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1552 Prime Sponsor, Representative Goodman: Reducing scrap metal theft. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1592 Prime Sponsor, Representative McCoy: Concerning the enforcement of speeding violations on certain private roads. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1601 Prime Sponsor, Representative Goodman: Providing alternatives for penalties stemming

from traffic infractions. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Hope and Ross.

Referred to Committee on Appropriations.

February 21, 2013

HB 1607 Prime Sponsor, Representative Rodne: Providing alternative means of service in forcible entry and forcible and unlawful detainer actions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1625 Prime Sponsor, Representative Pollet: Concerning certain tow truck operator requirements and rates. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member and Hayes.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1669 Prime Sponsor, Representative Pollet: Concerning self-supporting, fee-based programs at four-year institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton and Walsh.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1675

Prime Sponsor, Representative Roberts: Improving the adoption process. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Hope; Klippert and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1745 Prime Sponsor, Representative Clibborn: Addressing the high occupancy toll lanes on state route 167. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Moeller; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Klippert; Kochmar; Kretz; Kristiansen; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1771 Prime Sponsor, Representative Taylor: Establishing standards for the use of public unmanned aircraft systems. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Pettigrew.

Passed to Committee on Rules for second reading.

February 20, 2013

HB 1790 Prime Sponsor, Representative Parker: Concerning the use of traffic school fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson;

Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representative Upthegrove.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1817 Prime Sponsor, Representative Hudgins: Adding eligibility criteria for higher education financial aid. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Johnson; Pedersen; Reykdal; Riccelli; Sawyer; Sells; Smith; Tarleton and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Haler, Ranking Minority Member; Hargrove; Magendanz and Scott.

Referred to Committee on Appropriations.

February 21, 2013

HB 1829 Prime Sponsor, Representative Ormsby: Eliminating accounts and funds. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1836 Prime Sponsor, Representative Holy: Concerning the introduction of contraband into or possession of contraband in a secure facility. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1837 Prime Sponsor, Representative Hope: Allowing residents of total confinement facilities and secure community transition facilities to engage in therapeutic occupational assignments within the confines of McNeil Island. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member and Ross.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1838 Prime Sponsor, Representative Moeller: Concerning surname changes after the solemnization of a marriage. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Hope; Klippert; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1839 Prime Sponsor, Representative Goodman: Concerning criminal background checks and other requirements applicable to the purchase and transfer of firearms. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1843 Prime Sponsor, Representative Pollet: Evaluating compliance and performance of institutions of higher education participating in financial aid programs. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Hansen; Pedersen; Reykdal; Riccelli; Sawyer; Sells and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Assistant Ranking Minority Member; Fagan; Hargrove; Johnson; Magendanz; Scott; Smith and Walsh.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1868 Prime Sponsor, Representative Freeman: Providing access to health insurance for certain law enforcement officers' and firefighters' plan 2 members catastrophically disabled in the line of duty. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1875 Prime Sponsor, Representative Moscoso: Concerning state park rangers from the state parks and recreation commission. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Appleton; Hope; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member and Holy.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1876 Prime Sponsor, Representative Moscoso: Concerning the liquor control board. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Roberts, Vice Chair Klippert, Ranking Minority Member.

Referred to Committee on Appropriations Subcommittee on General Government.

February 21, 2013

HB 1950 Prime Sponsor, Representative Haler: Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority

Member; Crouse; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

Passed to Committee on Rules for second reading.

THIRD SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 22, 2013

HB 1095 Prime Sponsor, Representative Green: Concerning nursing staffing practices at hospitals. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Clibborn; Green; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Manweller; Rodne; Ross and Short.

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

February 22, 2013

HB 1172 Prime Sponsor, Representative Hurst: Concerning the children of family day care providers. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1224 Prime Sponsor, Representative Kretz: Providing a process for county legislative authorities to withdraw from voluntary planning under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon, Vice Chair; Liias and Upthegrove.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1293 Prime Sponsor, Representative Hope: Requiring school districts to disclose information about required assessments. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hawkins; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hayes; Parker; Pike and Warnick.

Referred to Committee on Appropriations.

February 22, 2013

HB 1324 Prime Sponsor, Representative Fitzgibbon: Transferring ferry and flood control zone district functions and taxing authorities to county legislative authorities in counties with a population of one million five hundred thousand or more. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1349 Prime Sponsor, Representative Jinkins: Addressing carrier surplus as an element of health benefit plan rate review. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Clibborn; Green; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Manweller; Rodne; Ross and Short.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1397 Prime Sponsor, Representative Orcutt: Adding a requirement to sexual health education to include elements of and consequences for conviction of sexual offenses where the victim is a minor. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1423 Prime Sponsor, Representative Haigh: Providing for a single set of laws and procedures governing online learning. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

MINORITY recommendation: Without recommendation. Signed by Representative Lytton.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1445 Prime Sponsor, Representative Cody: Concerning complex rehabilitation technology products. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Angel; Clibborn; Green; Moeller; Morrell; Riccelli; Rodne; Ross; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Manweller and Short.

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

February 22, 2013

HB 1448 Prime Sponsor, Representative Bergquist: Regarding telemedicine. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Clibborn; Green; Moeller; Riccelli; Rodne; Ross; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Manweller; Morrell and Short.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1452 Prime Sponsor, Representative Dahlquist: Establishing accountability for student performance in third grade. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by

Representatives Santos, Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Haigh; Hargrove; Hawkins; Hayes; Klippert; McCoy; Orwall; Parker; Pike; Pollet and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Stonier, Vice Chair; Bergquist; Hunt; Lytton; Maxwell and Seaquist.

Referred to Committee on Appropriations.

February 22, 2013

HB 1515 Prime Sponsor, Representative Cody: Concerning medical assistants. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Angel and Ross.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1526 Prime Sponsor, Representative Orwall: Creating a pilot project to increase enrollment of underrepresented students in the running start program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hayes; Hunt; Lytton; Maxwell; McCoy; Orwall; Parker; Pollet; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Hawkins; Klippert and Pike.

Referred to Committee on Appropriations Subcommittee on Education.

February 22, 2013

HB 1527 Prime Sponsor, Representative Appleton: Concerning residential habilitation center residents' transition to the community. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Scott, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1541 Prime Sponsor, Representative Klippert: Expanding the types of medications that a public or private school employee may administer to include nasal spray. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1546 Prime Sponsor, Representative Green: Concerning people with disabilities who receive no paid services from the department of social and health services' division of developmental disabilities. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Overstreet.

Referred to Committee on Appropriations.

February 22, 2013

HB 1555 Prime Sponsor, Representative Green: Concerning the education of surgical technologists. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Angel; Clibborn; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Green; Manweller; Rodne; Ross and Short.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1606 Prime Sponsor, Representative Springer: Concerning carbon monoxide alarms. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon, Vice Chair and Liias.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1629 Prime Sponsor, Representative Cody: Concerning credentialing and continuing education requirements for long-term care workers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 21, 2013

HB 1642 Prime Sponsor, Representative Pettigrew: Establishing policies to support academic acceleration for high school students. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations.

February 22, 2013

HB 1650 Prime Sponsor, Representative McCoy: Supporting K-12 career education, exploration, and planning. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

MINORITY recommendation: Without recommendation. Signed by Representative Dahlquist, Ranking Minority Member.

Referred to Committee on Appropriations.

February 22, 2013

HB 1651 Prime Sponsor, Representative Kagi: Concerning access to juvenile records. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh,

Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 22, 2013

HB 1652 Prime Sponsor, Representative Liias: Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1654 Prime Sponsor, Representative Riccelli: Establishing a regional fire protection service authority within the boundaries of a single city. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Upthegrove.

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

Referred to Committee on Finance.

February 22, 2013

HB 1660 Prime Sponsor, Representative Hansen: Convening a work group to develop a standardized clinical affiliation agreement for clinical placements for physicians and nurses. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1679 Prime Sponsor, Representative Cody: Regarding the disclosure of health care information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1680 Prime Sponsor, Representative Santos: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker and Pike.

Referred to Committee on Appropriations.

February 21, 2013

HB 1688 Prime Sponsor, Representative Stonier: Establishing a requirement and system for reporting incidents of student restraint and isolation in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Haigh; Hargrove; Hayes; Hunt; Parker; Pike; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins; Klippert and Warnick.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1692 Prime Sponsor, Representative Sullivan: Implementing career and college ready graduation requirements. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan;

Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Referred to Committee on Appropriations.

February 22, 2013

HB 1701 Prime Sponsor, Representative Moeller: Implementing recommendations of the adult family home quality assurance panel. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Angel; Clibborn; Green; Moeller; Morrell; Riccelli; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Manweller; Rodne; Ross and Short.

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

February 22, 2013

HB 1708 Prime Sponsor, Representative Wylie: Concerning the enforcement powers of the office of financial recovery. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1717 Prime Sponsor, Representative Fitzgibbon: Incentivizing up-front environmental planning, review, and infrastructure construction actions. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1727 Prime Sponsor, Representative Morrell: Raising licensure limits to allow assisted living facilities to serve a higher acuity resident population. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Ross; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Hope, Assistant Ranking Minority Member; Angel and Rodne.

Referred to Committee on Appropriations.

February 22, 2013

HB 1734 Prime Sponsor, Representative Sawyer: Concerning exemptions from the five-year time limit for recipients of the temporary assistance for needy families program. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; MacEwen; Overstreet and Zeiger.

Referred to Committee on Appropriations.

February 22, 2013

HB 1737 Prime Sponsor, Representative Morrell: Concerning supervision of physician assistants. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1773 Prime Sponsor, Representative Morrell: Concerning the practice of midwifery. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1797 Prime Sponsor, Representative Haler: Concerning tax collection by the county treasurer. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1800 Prime Sponsor, Representative Cody: Concerning the compounding of medications for physician offices or ambulatory surgical centers or facilities to be used by a physician for ophthalmic purposes for nonspecific patients. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1821 Prime Sponsor, Representative Freeman: Concerning good cause exceptions during permanency hearings. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Referred to Committee on Appropriations.

February 22, 2013

HB 1828 Prime Sponsor, Representative Springer: Addressing the fiscal conditions of local government. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Referred to Committee on Appropriations Subcommittee on General Government.

February 22, 2013

HB 1844 Prime Sponsor, Representative Kagi: Concerning family assessment response in child protective services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Referred to Committee on Appropriations.

February 22, 2013

HB 1846 Prime Sponsor, Representative Schmick: Concerning stand-alone dental coverage. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

February 22, 2013

HB 1852 Prime Sponsor, Representative Kagi: Requiring the building code council to adopt rules regarding before or after-school programs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

February 22, 2013

HB 1872 Prime Sponsor, Representative Maxwell: Establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hawkins; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pollet; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Hayes and Pike.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports and first, second and third supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 10:00 a.m., February 25, 2013, the 43rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY THIRD DAY

House Chamber, Olympia, Monday, February 25, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Samuel LeBlanc and Rhiannon Jankovic. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Brad Klippert, 8th District.

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

MESSAGE FROM THE SENATE

February 22, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5099
ENGROSSED SENATE BILL NO. 5121
SENATE BILL NO. 5141
SENATE BILL NO. 5343
SENATE BILL NO. 5377

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1962 by Representative Sullivan

AN ACT Relating to exempting former contract liquor stores from spirits retail license provisions applicable to the sales of spirits to on-premise licensees and providing conditions of the sale of such stores; amending RCW 66.24.630; and creating a new section.

Referred to Committee on Finance.

HB 1963 by Representatives Klippert and Goodman

AN ACT Relating to standards for detention of persons with mental disorders or chemical dependency; amending RCW 70.96B.045 and 71.05.050; and reenacting and amending RCW 71.05.153.

Referred to Committee on Judiciary.

HB 1964 by Representative Klippert

AN ACT Relating to properties obtained by public agencies through foreclosures; and adding a new chapter to Title 42 RCW.

Referred to Committee on Capital Budget.

HB 1965 by Representative Angel

AN ACT Relating to the Tacoma Narrows toll bridge account; and amending RCW 47.56.165.

Referred to Committee on Transportation.

HB 1966 by Representatives Alexander and Pedersen

AN ACT Relating to reducing costs and inefficiencies in elections; and amending RCW 29A.52.220, 29A.72.010, 29A.72.070, 29A.72.090, and 43.135.041.

Referred to Committee on Government Operations & Elections.

ESB 5099 by Senator Rivers

AN ACT Relating to fuel usage of publicly owned vehicles, vessels, and construction equipment; and amending RCW 43.19.648.

Referred to Committee on Environment.

ESB 5121 by Senators Carrell, Benton, Becker, Bailey, Litzow, Roach and Honeyford

AN ACT Relating to restoration of collector vehicles; amending RCW 46.55.010; and reenacting and amending RCW 46.55.240.

Referred to Committee on Local Government.

SB 5141 by Senators King, Eide, Rivers, Sheldon, Hatfield, Delvin, Ericksen, Carrell, Padden, Harper, Keiser, Rolfes, Shin, Holmquist Newbry, Roach and Kline

AN ACT Relating to allowing motorcycles to stop and proceed through traffic control signals under certain conditions; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

SB 5343 by Senators Bailey, Rivers, Hobbs, Kline, Mullet, Fain, Frockt, Billig, Shin, Tom, Conway and Roach

AN ACT Relating to the rights of higher education students involved in military service; and amending RCW 28B.10.270.

Referred to Committee on Higher Education.

SB 5377 by Senators Rivers, Hatfield, Bailey, Becker and Hargrove

AN ACT Relating to extending the program establishing Christmas tree grower licensure; and amending 2007 c 335 s 19 (uncodified).

Referred to Committee on Agriculture & Natural Resources.

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

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

SECOND READING

HOUSE BILL NO. 1334, by Representatives Shea, Taylor, MacEwen, Schmick, Holy, Short, Kagi, Orcutt, Overstreet, Rodne, Klippert, Hargrove, Condotta and Parker

Concerning conversion kits on motorcycles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1334 was substituted for House Bill No. 1334 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1334 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1334.

MOTIONS

On motion of Representative Van De Wege, Representatives Farrell and Santos were excused. On motion of Representative Harris, Representatives Crouse, Pike, Rodne and Walsh were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1334, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1334, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1379, by Representatives Liias, Orcutt, Fitzgibbon, Johnson, Upthegrove, Kretz, Fey, Rodne, Hargrove, Zeiger, Dahlquist and Springer

Concerning private motorcycle skills education programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1379 was substituted for House Bill No. 1379 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1379 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1379.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1379, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1379, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1382, by Representatives Jinkins, Harris, Cody, Tharinger, Green, Morrell, Ryu, Riccelli, Bergquist, Reykdal, Lytton, Fitzgibbon, Van De Wege, Maxwell, Pollet and Santos

Allowing for redistribution of medications under certain conditions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1382 was substituted for House Bill No. 1382 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1382 was read the second time.

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

Representatives Harris, Jinkins and Scott spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1382.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1382, and the bill passed the House by the following vote: Yeas, 81; Nays, 11; Absent, 0; Excused, 6.

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

Voting nay: Representatives Condotta, DeBolt, Haler, Holy, Klippert, Nealey, Overstreet, Schmick, Shea, Taylor and Vick.

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1382, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1469, by Representatives Schmick, Sells, Reykdal, Fagan, Green, Condotta, Short, Ormsby and Van De Wege

Addressing industrial insurance for horse racing employment.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1469.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1469, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

HOUSE BILL NO. 1469, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1009, by Representatives Hunt, Appleton, McCoy and Johnson

Prohibiting certain liquor self-checkout machines. Revised for 1st Substitute: Concerning liquor self-checkout machines.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1009 was substituted for House Bill No. 1009 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1009 was read the second time.

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

Representatives Hunt, Johnson and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1009.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1009, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1009, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1021, by Representative Haler

Educating parents of the harmful effects of parental abduction.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1021 was substituted for House Bill No. 1021 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1021 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1021.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1021, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1034, by Representatives Kirby and Ryu

Regulating the licensing of escrow agents.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1034 was substituted for House Bill No. 1034 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1034 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1034.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1034, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1034, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1038, by Representatives Ryu, Kagi, Bergquist, Reykdal and Jinkins

Requiring the department of licensing to adopt rules regarding online learning for training in cosmetology, manicuring, barbering, esthetics, and instruction.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1038 was substituted for House Bill No. 1038 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1038 was read the second time.

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

Representatives Ryu, Parker and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1038.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1038, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1038, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1098, by Representatives Hope and Hurst

Addressing bail practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1098 was substituted for House Bill No. 1098 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1098 was read the second time.

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

Representatives Hope and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1098.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1098, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1098, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1115, by Representatives Pedersen and Rodne

Concerning the Uniform Commercial code.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1115 was substituted for House Bill No. 1115 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1115 was read the second time.

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

Representatives Pedersen, O'Ban and Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1115.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1115, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1115, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1119, by Representatives Goodman, Ryu and Santos

Allowing the sheriff to waive fees associated with the service of a writ of habeas corpus under certain circumstances.

The bill was read the second time.

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

Representatives Goodman and O'Ban spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1119.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1119, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

HOUSE BILL NO. 1119, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1183, by Representatives Morris, Smith, Habib, Crouse, Morrell, Magendanz, Freeman, Kochmar, Walsh, Tarleton, Dahlquist, Vick, Zeiger, Maxwell, Hudgins, Upthegrove, Ryu and Bergquist

Regarding wireless communications structures.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1183 was substituted for House Bill No. 1183 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1183 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1183, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1292, by Representatives Orwall, Goodman, Roberts, Appleton, Green, Hope, Kochmar, Moscoso, Jinkins, Upthegrove and Ryu

Vacating prostitution convictions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1292 was substituted for House Bill No. 1292 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1292 was read the second time.

Representative Klippert moved the adoption of amendment (10).

On page 3, beginning on line 34, after "conviction" strike "~~(c) The applicant has ever had the record of another prostitution conviction vacated~~)" and insert "; or

(c) The applicant has ~~(ever)~~ had the record of two or more ~~(another)~~ prostitution convictions vacated"

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (10) was not adopted.

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

Representatives Orwall, Goodman, Freeman and Hayes spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1292.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1292, and the bill passed the House by the following vote: Yeas, 91; Nays, 1; Absent, 0; Excused, 6.

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

Voting nay: Representative Klippert.

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1292, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1307, by Representatives Goodman, Lytton, Wylie, Jinkins, Cody, Roberts, Santos and Moscoso

Concerning sexual assault protection orders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1307 was substituted for House Bill No. 1307 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1307 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1307.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1307, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1307, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1339, by Representatives Tharinger, Angel, Cody, Harris, Jinkins, Green and Moscoso

Clarifying the scope of practice for East Asian medicine practitioners and removing certain referral requirements.

The bill was read the second time.

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

Representatives Tharinger and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1339.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1339, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

HOUSE BILL NO. 1339, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1376, by Representatives Orwall, Jinkins, Liias, Angel and Ormsby

Clarifying the requirement that certain health professionals complete training in suicide assessment, treatment, and management.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1376 was substituted for House Bill No. 1376 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1376 was read the second time.

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

Representatives Orwall and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1376.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1376, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Representatives Crouse, Farrell, Pike, Rodne, Santos and Walsh.

SUBSTITUTE HOUSE BILL NO. 1376, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 9:55 a.m., February 26, 2013, the 44th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY FOURTH DAY

House Chamber, Olympia, Tuesday, February 26, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Moeller presiding).

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

MESSAGE FROM THE SENATE

February 25, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5053
SENATE BILL NO. 5097
SENATE BILL NO. 5098
SENATE BILL NO. 5142
SENATE BILL NO. 5198
ENGROSSED SENATE BILL NO. 5206
SENATE BILL NO. 5212
SUBSTITUTE SENATE BILL NO. 5263
SENATE BILL NO. 5323
SENATE BILL NO. 5408
SENATE BILL NO. 5466

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 2013-4626, by Representative Wilcox

WHEREAS, Consul General Gao Zhansheng, of the People's Republic of China, is retiring; and

WHEREAS, The Consul General dedicated years of service to the People's Republic of China in San Francisco after being born in Beijing in July 1952 and graduating from a university; and

WHEREAS, Consul General Gao had a distinguished career with the People's Republic of China beginning in 1977 that brought a mutual understanding between the American and Chinese people and deepened the bond between the two great countries; and

WHEREAS, The state of Washington has an excellent relationship with the People's Republic of China, and the two are valuable trade partners; and

WHEREAS, Consul General Gao Zhansheng has made the decision to retire. He will leave behind the results of notable partnership efforts between American and Chinese people;

NOW, THEREFORE, BE IT RESOLVED, That the members and staff of the Washington State House of Representatives offer their best wishes for a fulfilling retirement to Consul General Gao Zhansheng;

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Consul General Gao Zhansheng.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4626.

HOUSE RESOLUTION NO. 4626 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 1967 by Representatives Springer, Sullivan, Haler and Crouse

AN ACT Relating to community redevelopment financing in apportionment districts; amending RCW 39.88.030, 39.88.040, 39.88.070, 39.88.080, 39.88.100, 84.52.043, 84.52.043, and 84.52.050; reenacting and amending RCW 39.88.020; adding a new section to chapter 39.88 RCW; repealing RCW 39.88.060 and 39.88.090; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

HB 1968 by Representatives Kagi and Farrell

AN ACT Relating to licensing standards for before and after-school programs; amending RCW 43.215.210; and reenacting and amending RCW 43.215.200.

Referred to Committee on Appropriations.

HB 1969 by Representatives Hawkins and Dunshee

AN ACT Relating to requiring the public works board to submit ranked project lists; amending RCW 43.155.070; and adding a new section to chapter 43.155 RCW.

Referred to Committee on Capital Budget.

HB 1970 by Representative Reykdal

AN ACT Relating to increasing accountability for the sales and use tax exemption for machinery and equipment; amending RCW 82.08.02565 and 82.12.02565; and creating a new section.

Referred to Committee on Finance.

HJM 4002 by Representatives Klippert, Shea, Hargrove, Taylor, Kristiansen, Rodne, Condotta, Buys, Haler, Vick, Angel, Schmick, Chandler, MacEwen, Manweller, Hayes, Holy, Crouse, Scott, Short, Parker, Nealey and Warnick

Requesting the federal government to stand firmly with Israel.

Referred to Committee on Government Operations & Elections.

HJR 4210 by Representatives Springer, Haler, Sullivan and Crouse

Providing for community redevelopment financing in apportionment districts.

Referred to Committee on Finance.

ESB 5053 by Senators Harper, Tom, Roach, Murray, Kohl-Welles, Eide, Carrell and Shin

AN ACT Relating to vehicle prowling; amending RCW 9A.52.100; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5097 by Senators Becker, Pearson, Bailey, Hatfield, Holmquist Newbry, Tom, Schoesler, Rivers, Honeyford, Padden, Roach and Parlette

AN ACT Relating to allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass; and amending RCW 79A.80.020.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5098 by Senators Ericksen and Ranker

AN ACT Relating to wireless communications structures; and amending RCW 43.21C.0384.

Referred to Committee on Technology & Economic Development.

SB 5142 by Senators Rolfes, Benton, Hargrove, Sheldon, Hatfield, Delvin, Ericksen, Keiser, Conway, Schlicher and Roach

AN ACT Relating to incorporating motorcycles into certain transportation planning; and amending RCW 70.94.531, 46.61.165, and 47.52.025.

Referred to Committee on Transportation.

SB 5198 by Senators Darneille, Dammeier, Harper, Billig and Roach

AN ACT Relating to exempting from public inspection and copying personal information relating to children; and reenacting and amending RCW 42.56.230.

Referred to Committee on Government Operations & Elections.

ESB 5206 by Senators Becker, Keiser, Schlicher, Parlette and Conway

AN ACT Relating to increasing the health professions participating in online access to the University of Washington health sciences library; and amending RCW 43.70.110.

Referred to Committee on Health Care & Wellness.

SB 5212 by Senators Holmquist Newbry, Becker and Roach

AN ACT Relating to the Washington state horse park authority; amending RCW 79A.30.030; and creating a new section.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5263 by Senate Committee on Transportation (originally sponsored by Senators Benton and King)

AN ACT Relating to motorcycles overtaking and passing pedestrians and bicyclists; and amending RCW 46.61.608.

Referred to Committee on Transportation.

SB 5323 by Senators Roach, Darneille, Conway and Carrell

AN ACT Relating to assessments for nuisance abatement in cities and towns; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Local Government.

SB 5408 by Senator Ericksen

AN ACT Relating to modifying the definition of nonpower attributes in the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

SB 5466 by Senators Carrell, Kohl-Welles and King

AN ACT Relating to criminal history record information compliance audits; and amending RCW 10.98.100.

Referred to Committee on Public Safety.

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

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

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 1654, and the bill was referred to the Committee on Rules.

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

There being no objection, the House adjourned until 10:00 a.m., February 27, 2013, the 45th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY FIFTH DAY

House Chamber, Olympia, Wednesday, February 27, 2013

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

The flags were escorted to the rostrum by an Eagle Scout Color Guard, comprised of Erik Nielsen (Troop 212 Gig Harbor), John Feltrup (Troop 251 Yakima) and Thomas Fool (Troop 641 Prosser). Pastor Patrinell Wright, Founder and Director of the Total Experience Gospel Choir, performed the National Anthem. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Patrinell Wright.

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

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) introduced Seattle Seahawks Football Coach Pete Carroll, who was seated at the Rostrum, and presented him with a framed copy of House Resolution No. 4622 congratulating the Seattle Seahawks.

MESSAGE FROM THE SENATE

February 26, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5050
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078
SUBSTITUTE SENATE BILL NO. 5148
SENATE BILL NO. 5186
SENATE BILL NO. 5220
SENATE BILL NO. 5302
SENATE BILL NO. 5344
SENATE BILL NO. 5349
SUBSTITUTE SENATE BILL NO. 5615
SUBSTITUTE SENATE BILL NO. 5634
SENATE BILL NO. 5809

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1971 by Representatives Carlyle and Nealey

AN ACT Relating to communications services reform; amending RCW 82.14B.040, 82.14B.042, 82.14B.030, 82.14B.200, 80.36.430, 43.20A.725, and 80.36.610; reenacting and amending RCW 82.14B.020 and 82.08.0289; adding new sections to chapter 80.36 RCW; creating new sections; repealing RCW 80.36.300; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Finance.

SB 5050 by Senators Sheldon, King, Ericksen and Litzow

AN ACT Relating to the carrying of passengers in a vehicle attached to a flatbed tow truck; and amending RCW 46.61.625.

Referred to Committee on Transportation.

E2SSB 5078 by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Smith, Hatfield, Baumgartner, Chase and Shin)

AN ACT Relating to modifying the property tax exemption for nonprofit fairs; amending RCW 84.36.480; and reenacting and amending RCW 84.36.805.

Referred to Committee on Finance.

SSB 5148 by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Cleveland, Conway, Frockt, Parlette, Rolfes, Kohl-Welles, Schlicher and Kline)

AN ACT Relating to medication access for the uninsured; adding a new chapter to Title 69 RCW; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SB 5186 by Senators Roach, Conway, Benton, Chase and Shin

AN ACT Relating to contractor's bond; amending RCW 39.08.030 and 39.08.030; providing an effective date; and providing an expiration date.

Referred to Committee on Local Government.

SB 5220 by Senators Conway and Shin

AN ACT Relating to membership on city disability boards; and amending RCW 41.26.110.

Referred to Committee on Appropriations.

SB 5302 by Senators Benton and Hobbs

AN ACT Relating to credit unions' corporate governance and investments; and amending RCW 31.12.005, 31.12.195, 31.12.225, 31.12.235, 31.12.285, 31.12.365, 31.12.426, 31.12.436, 31.12.438, 31.12.461, and 31.12.630.

Referred to Committee on Business & Financial Services.

SB 5344 by Senators Mullet, Hobbs, Kline, Fain and Benton

AN ACT Relating to revising state statutes concerning trusts; amending RCW 11.36.010, 11.36.021, 11.96A.050, 11.96A.070, 11.96A.120, 11.96A.125, 11.97.010, 11.98.005, 11.98.019, 11.98.039, 11.98.041, 11.98.045, 11.98.051, 11.98.080, 11.103.040, 11.103.050, 11.96A.250, 11.98.015, 11.98.078, 11.103.030, 11.106.010, 11.106.020, and 11.118.050; adding new sections to chapter 11.98 RCW; creating a new section; and repealing RCW 11.98.090.

Referred to Committee on Judiciary.

SB 5349 by Senators Dammeier, Hasegawa, Hewitt, Keiser, Rivers, Hobbs and Kline

AN ACT Relating to revisions to alternative public works contracting procedures; amending RCW 39.10.220, 39.10.230, 39.10.240, 39.10.250, 39.10.260, 39.10.270, 39.10.280, 39.10.300, 39.10.320, 39.10.330, 39.10.340, 39.10.380, 39.10.385, 39.10.390, 39.10.400, 39.10.420, 39.10.440, 39.10.490, 43.131.407, and 43.131.408; reenacting and amending RCW 39.10.210; adding a new section to chapter 43.131 RCW; repealing RCW 39.10.500 and 39.10.510; providing an effective date; providing a contingent effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

SSB 5615 by Senate Committee on Higher Education (originally sponsored by Senators Frockt, Becker, Cleveland, Keiser, Kohl-Welles, Schlicher, Kline, Conway and Chase)

AN ACT Relating to the health professional loan repayment and scholarship program; and amending RCW 28B.76.090 and 28B.115.030.

Referred to Committee on Higher Education.

SSB 5634 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Rolfes, Hargrove, Nelson, Kline, Fain, Hobbs, Fraser, Parlette and Pearson)

AN ACT Relating to clarifying the department of natural resources' authority to enter into cooperative agreements; and amending RCW 79.10.130.

Referred to Committee on Agriculture & Natural Resources.

SB 5809 by Senator Litzow

AN ACT Relating to the home visiting services account; and amending RCW 43.215.130.

Referred to Committee on Appropriations Subcommittee on Education.

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

REPORTS OF STANDING COMMITTEES

February 23, 2013

HB 1060

Prime Sponsor, Representative Goodman: Scoring an offense a class C felony equivalent if the offense was a felony under the relevant out-of-state statute when there is no clearly comparable offense under Washington law. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1285

Prime Sponsor, Representative Goodman: Modifying provisions regarding the representation of children in dependency matters. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Buys; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1291

Prime Sponsor, Representative Orwall: Concerning services for victims of the sex trade. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1563

Prime Sponsor, Representative Farrell: Concerning the disposition of surplus property for the development of affordable housing. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Appleton; Fey; Riccelli and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; MacEwen; Scott and Smith.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1617 Prime Sponsor, Representative McCoy: Concerning the administrative costs for the allocation, management, and oversight of housing trust fund investments. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill by Committee on Community Development, Housing & Tribal Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1633 Prime Sponsor, Representative Magendanz: Modifying school district bidding requirements for improvement and repair projects. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1674 Prime Sponsor, Representative Santos: Increasing the regulatory oversight and accountability of the office of minority and women's business enterprises. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Technology & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1769 Prime Sponsor, Representative Stonier: Creating efficiencies for institutions of higher education. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant

Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

HOUSE BILL NO. 1268, by Representatives Springer, Parker, Morrell, Kochmar, Upthegrove, Goodman, Zeiger, Freeman, Ryu and Fey

Regarding local government purchasing.

The bill was read the second time.

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

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1268.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1268, and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick and Wilcox.

Excused: Representative Freeman.

HOUSE BILL NO. 1268, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1274, by Representatives Alexander, Takko, Taylor and Fey

Concerning local government practices and procedures.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1274 was substituted for House Bill No. 1274 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1274 was read the second time.

Representative Takko moved the adoption of amendment (17).

On page 3, line 17, after "must" strike "bear" and insert "be assessed a convenience fee to cover"

On page 3, line 19, after "determination" insert "of the convenience fee"

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

Representative Shea spoke against the adoption of the amendment.

Amendment (17) was adopted.

The bill was ordered engrossed.

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

Representatives Alexander and Takko spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1274.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1274, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Hope, Orcutt, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1274, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1148, by Representatives Pedersen, Rodne, Goodman and Ryu**Addressing dissenters' rights under the Washington business corporation act.**

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1148.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1148, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

HOUSE BILL NO. 1148, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1256, by Representatives Fey, Orcutt, Tarleton, Jinkins and Morrell**Addressing project selection by the freight mobility strategic investment board.**

The bill was read the second time.

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

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

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

Representatives Fey, Orcutt, Clibborn and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1256.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1256, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

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

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

Excused: Representative Freeman.

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

POINT OF PERSONAL PRIVILEGE

Representative Jinkins congratulated Representative Fey on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1369, by Representatives Lytton, Walsh, Kagi, Maxwell and Tharinger

Using school days for meeting with parents and families as part of the Washington inventory of developing skills.

The bill was read the second time.

Representative Dahlquist moved the adoption of amendment (21).

On page 1, beginning on line 12, after "length" strike all material through "conduct" on line 13

On page 1, line 18, after "up to" strike "five" and insert "three"

On page 3, line 28, after "up to" strike "five" and insert "three"

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

Representative Santos spoke against the adoption of the amendment.

Amendment (21) was not adopted.

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

Representatives Lytton, Dahlquist and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1369.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1369, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Representatives Kretz, Orcutt, Overstreet, Scott, Shea, Short and Taylor.

Excused: Representative Freeman.

HOUSE BILL NO. 1369, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1370, by Representative Seaquist

Concerning notice requirements for homeowners' associations meetings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1370 was substituted for House Bill No. 1370 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1370 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1370.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1370, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1370, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1684, by Representatives Reykdal, Manweller, Sells and Ryu

Defining suitable work to include a minimum age requirement.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1684.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1684, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

HOUSE BILL NO. 1684, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 9:55 a.m., February 28, 2013, the 46th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY SIXTH DAY

House Chamber, Olympia, Thursday, February 28, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

MESSAGE FROM THE SENATE

February 27, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5221
SENATE BILL NO. 5235
SUBSTITUTE SENATE BILL NO. 5308
SENATE BILL NO. 5335
ENGROSSED SUBSTITUTE SENATE BILL NO. 5449
SUBSTITUTE SENATE BILL NO. 5459
SUBSTITUTE SENATE BILL NO. 5507
SUBSTITUTE SENATE BILL NO. 5630

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

ESB 5221 by Senators Kohl-Welles, Carrell and Darneille

AN ACT Relating to notification of release of a person following dismissal of charges based on incompetence to stand trial; and amending RCW 10.77.065.

Referred to Committee on Judiciary.

SB 5235 by Senators Hargrove and Carrell

AN ACT Relating to the purchase of care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; amending RCW 74.13.031; reenacting and amending RCW 74.13.031; providing an effective date; and providing an expiration date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SSB 5308 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Carrell, Darneille, Padden, Kline, Hargrove, Fraser, Chase, Keiser, Conway, Cleveland and Tom)

AN ACT Relating to establishing the commercially sexually exploited children statewide coordinating committee; and adding a new section to chapter 7.68 RCW.

Referred to Committee on Public Safety.

SB 5335 by Senators Dammeier, Eide, King, Hobbs and Fain

AN ACT Relating to heavy haul corridors; amending RCW 46.44.0915; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

ESSB 5449 by Senate Committee on Health Care (originally sponsored by Senators Parlette, Keiser, Becker, Bailey, Dammeier, Frockt, Erickson and Schlicher)

AN ACT Relating to modification of the Washington state health insurance pool; amending RCW 48.41.060, 48.41.160, and 48.41.240; reenacting and amending RCW 48.41.100; creating a new section; and providing an effective date.

Referred to Committee on Health Care & Wellness.

SSB 5459 by Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Parlette, Dammeier and Kline)

AN ACT Relating to requiring ninety-day supply limits on certain drugs dispensed by a pharmacist; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5507 by Senate Committee on Governmental Operations (originally sponsored by Senators Billig, Benton, Rolfes, Rivers, Hatfield, Harper, Ranker, Hasegawa, Frockt, Schlicher, Smith, Fraser, Sheldon, Roach, Kohl-Welles, Keiser, Shin, Murray, McAuliffe, Kline and Conway)

AN ACT Relating to increasing transparency of donors to candidates and ballot measures; amending RCW 29A.32.031, 29A.32.070, and 29A.36.161; and creating a new section.

Referred to Committee on Government Operations & Elections.

SSB 5630 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Keiser, Becker, Conway and Frockt)

AN ACT Relating to the enactment of the Engrossed Substitute House Bill No. 1277 adult family home quality assurance panel; amending RCW 70.128.060 and 70.128.160; and adding new sections to chapter 70.128 RCW.

Referred to Committee on Health Care & Wellness.

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

REPORTS OF STANDING COMMITTEES

February 27, 2013

HB 1217 Prime Sponsor, Representative Takko: Strengthening the integrity, fairness, and equity in Washington's property assessment system. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1517 Prime Sponsor, Representative Cody: Concerning a business and occupation tax exemption for the Washington health benefit exchange established under chapter 43.71 RCW. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Referred to Committee on Appropriations.

February 26, 2013

HB 1648 Prime Sponsor, Representative Appleton: Providing for community economic revitalization in incorporated areas. Reported by Committee on Capital Budget

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Appleton; Fey; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins, Assistant Ranking Minority Member; MacEwen and Scott.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1752 Prime Sponsor, Representative Orcutt: Modifying requirements for the operation of commercial motor vehicles in compliance with federal regulations. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1767 Prime Sponsor, Representative Moeller: Concerning outdoor advertising sign fees, labels, and prohibitions. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1841 Prime Sponsor, Representative Stonier: Authorizing electronic competitive bidding for state public works contracting. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1883 Prime Sponsor, Representative Fitzgibbon: Simplifying and updating statutes related to fuel tax administration. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member;

Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Kochmar; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Upthegrove.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 9:55 a.m., March 1, 2013, the 47th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FORTY SEVENTH DAY

House Chamber, Olympia, Friday, March 1, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Moeller presiding).

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

MESSAGE FROM THE SENATE

February 28, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5692
SUBSTITUTE SENATE BILL NO. 5760
SENATE BILL NO. 5787

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1972 by Representative Hunter

AN ACT Relating to restructuring and eliminating certain accounts used by the department of enterprise services; amending RCW 41.06.280 and 43.19.025; creating a new section; and repealing RCW 43.19.730.

Referred to Committee on Appropriations.

HB 1973 by Representative Clibborn

AN ACT Relating to driver licensing examination fees; amending RCW 46.20.120; and declaring an emergency.

Referred to Committee on Transportation.

HB 1974 by Representative Fey

AN ACT Relating to extending the commute trip reduction tax credit; amending RCW 82.70.020, 82.70.040, and 82.70.900; and declaring an emergency.

Referred to Committee on Finance.

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

REPORTS OF STANDING COMMITTEES

February 27, 2013

HB 1004 Prime Sponsor, Representative Moeller: Concerning payment of property taxes. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1005 Prime Sponsor, Representative Moeller: Concerning responsibilities and funding of the public disclosure commission. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Government Operations & Elections. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haigh; Haler; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1024 Prime Sponsor, Representative Moeller: Addressing service animals. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1027 Prime Sponsor, Representative Moeller:
Implementing changes to child support based on
the child support schedule work group report.
Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by
Committee on Judiciary be substituted therefor and the
substitute bill do pass. Signed by Representatives Hunter,
Chair; Ormsby, Vice Chair; Alexander, Ranking Minority
Member; Chandler, Assistant Ranking Minority Member;
Wilcox, Assistant Ranking Minority Member; Buys; Carlyle;
Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler;
Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell;
Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist;
Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1040 Prime Sponsor, Representative Takko:
Concerning real property valuation notices.
Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by
Committee on Local Government be substituted therefor and
the substitute bill do pass. Signed by Representatives Carlyle,
Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton;
Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by
Representatives Nealey, Ranking Minority Member; Orcutt,
Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1095 Prime Sponsor, Representative Green:
Concerning nursing staffing practices at hospitals.
Reported by Committee on Appropriations
Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass. Signed by
Representatives Morrell, Chair; Cody; Green; Jinkins; Kagi
and Ormsby.

MINORITY recommendation: Do not pass. Signed by
Representatives Harris, Ranking Minority Member; Ross and
Schmick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1145 Prime Sponsor, Representative Goodman:
Providing credit towards child support obligations
for veterans benefits. Reported by Committee on
Appropriations Subcommittee on Health &
Human Services

MAJORITY recommendation: Do pass. Signed by
Representatives Morrell, Chair; Harris, Ranking Minority
Member; Cody; Green; Jinkins; Kagi; Ormsby; Ross and
Schmick.

Passed to Committee on Rules for second reading.

HB 1152 Prime Sponsor, Representative Morrell:
Addressing meal and rest breaks for hospital
employees. Reported by Committee on
Appropriations

February 27, 2013

MAJORITY recommendation: Do pass. Signed by
Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle;
Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi;
Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and
Sullivan.

MINORITY recommendation: Do not pass. Signed by
Representatives Alexander, Ranking Minority Member;
Chandler, Assistant Ranking Minority Member; Wilcox,
Assistant Ranking Minority Member; Buys; Dahlquist; Fagan;
Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1158 Prime Sponsor, Representative Kirby: Concerning
the annexation of property owned by the state for
military purposes. Reported by Committee on
Appropriations Subcommittee on General
Government

MAJORITY recommendation: The second substitute bill be
substituted therefor and the second substitute bill do pass and
do not pass the substitute bill by Committee on Local
Government. Signed by Representatives Hudgins, Chair;
Buys; Dunshee; Hunt; Pedersen and Springer.

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

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1161 Prime Sponsor, Representative Hunter:
Concerning sales for resale by retail licensees of
liquor. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be
substituted therefor and the second substitute bill do pass and
do not pass the substitute bill by Committee on Government
Accountability & Oversight. Signed by Representatives
Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking
Minority Member; Orcutt, Assistant Ranking Minority
Member; Condotta; Fitzgibbon; Hansen; Lytton; Reykdal;
Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by
Representative Pollet.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1180 Prime Sponsor, Representative Scott: Addressing
death benefits for volunteer firefighters and
reserve officers. Reported by Committee on
Appropriations

MAJORITY recommendation: The substitute bill be
substituted therefor and the substitute bill do pass. Signed by

Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1188 Prime Sponsor, Representative Lytton: Creating a focused effort on reestablishing a rural agricultural economy in western Washington by making investments aimed at returning underproducing land back into a state of active agricultural production. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Buys and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1192 Prime Sponsor, Representative Short: Regarding license fees under Title 77 RCW for veterans with disabilities. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1195 Prime Sponsor, Representative Wylie: Repealing provisions relating to filling unexpired terms. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Government Operations & Elections. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1199

Prime Sponsor, Representative Blake: Ensuring hunter safety. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1210

Prime Sponsor, Representative Fey: Expanding the membership of the capital projects advisory review board. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Appleton; Fey; Riccelli and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins, Assistant Ranking Minority Member; MacEwen; Scott and Smith.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1243

Prime Sponsor, Representative Haigh: Modifying expiration dates affecting the department of natural resources' timber sale program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1245

Prime Sponsor, Representative Hansen: Regarding derelict and abandoned vessels in state waters. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1253 Prime Sponsor, Representative Blake: Concerning the lodging tax. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Hansen.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1254 Prime Sponsor, Representative Manweller: Addressing prevailing wage filings. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill by Committee on Labor & Workforce Development be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1260 Prime Sponsor, Representative Warnick: Concerning public facilities' grants and loans. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Appleton; Fey; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins, Assistant Ranking Minority Member; MacEwen and Scott.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1276 Prime Sponsor, Representative Reykdal: Creating the dropout prevention through farm engagement pilot project. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Education. Signed by Representatives Haigh, Chair; Carlyle; Maxwell; Pettigrew; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Fagan, Ranking Minority Member; Dahlquist; Haler and Wilcox.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1283 Prime Sponsor, Representative Maxwell: Changing compulsory school attendance requirements for children six and seven years of age. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1287 Prime Sponsor, Representative Appleton: Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1294 Prime Sponsor, Representative Van De Wege: Concerning flame retardants. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1301 Prime Sponsor, Representative Morris: Creating clean energy jobs in Washington state through renewable energy incentives. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Carlyle,

Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1302 Prime Sponsor, Representative Roberts: Concerning extended foster care services. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jenkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1306 Prime Sponsor, Representative Wylie: Extending the expiration dates of the local infrastructure financing tool program. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Springer; Vick and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representative Reykdal.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1309 Prime Sponsor, Representative Upthegrove: Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1323 Prime Sponsor, Representative Lytton: Regarding the sea cucumber dive fishery. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Vick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1338 Prime Sponsor, Representative Roberts: Concerning juveniles sentenced to long terms of incarceration. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1348 Prime Sponsor, Representative Reykdal: Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Haler; Hudgins; Hunt; Jenkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1364 Prime Sponsor, Representative Tharinger: Adopting the Washington small rechargeable battery stewardship act. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Environment be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1374 Prime Sponsor, Representative Morris: Concerning the energy facility site evaluation council. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1416 Prime Sponsor, Representative Warnick: Regarding the financing of irrigation district improvements. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1420 Prime Sponsor, Representative Lias: Concerning public contracts for transportation improvement projects. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1421 Prime Sponsor, Representative Tharinger: Protecting the state's interest in collecting deferred property taxes. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1429 Prime Sponsor, Representative Seaquist: Addressing the implementation of inmate postsecondary education degree programs to reduce recidivism. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1437 Prime Sponsor, Representative Reykdal: Concerning small farms under the current use property tax program for farm and agricultural lands. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Nealey, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1440 Prime Sponsor, Representative McCoy: Ensuring fairness to employers by protecting employees. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Labor & Workforce Development. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1445 Prime Sponsor, Representative Cody: Concerning complex rehabilitation technology products. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby and Ross.

MINORITY recommendation: Do not pass. Signed by Representative Schmick.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1466 Prime Sponsor, Representative Haigh: Revising alternative public works contracting procedures. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Appleton; Fey; MacEwen; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1472 Prime Sponsor, Representative Hansen: Providing initiatives to improve and expand access to computer science education. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1477 Prime Sponsor, Representative Magendanz: Providing flexibility for how school districts address truancy of students. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle;

Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1484 Prime Sponsor, Representative Stanford: Concerning the public works board. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Appleton; Fey; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins, Assistant Ranking Minority Member; MacEwen and Scott.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1486 Prime Sponsor, Representative Fitzgibbon: Concerning voter-approved benefit charges for regional fire protection service authorities. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1488 Prime Sponsor, Representative Liias: Modifying the percentage of votes required to approve benefit charges for fire protection districts. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1489 Prime Sponsor, Representative Tharinger: Concerning the sales and use taxation of florists. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Vick.

Appropriations Subcommittee on Health & Human Services

Passed to Committee on Rules for second reading.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby and Ross.

MINORITY recommendation: Do not pass. Signed by Representative Schmick.

Passed to Committee on Rules for second reading.

February 27, 2013
HB 1493 Prime Sponsor, Representative Springer: Concerning the property taxation of mobile homes and park model trailers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Vick.

Passed to Committee on Rules for second reading.

February 28, 2013
HB 1519 Prime Sponsor, Representative Cody: Establishing accountability measures for service coordination organizations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013
HB 1499 Prime Sponsor, Representative Jinkins: Concerning the program of all-inclusive care for the elderly. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 28, 2013
HB 1522 Prime Sponsor, Representative Green: Improving behavioral health services provided to adults in Washington state. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 23, 2013
HB 1501 Prime Sponsor, Representative Lytton: Building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013
HB 1525 Prime Sponsor, Representative Orwall: Concerning birth certificates and other birth-related information. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Cody; Green; Jinkins; Kagi and Ormsby.

February 25, 2013
HB 1518 Prime Sponsor, Representative Cody: Providing certain disciplining authorities with additional authority over budget development, spending, and staffing. Reported by Committee on

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Ranking Minority Member; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 25, 2013
HB 1526 Prime Sponsor, Representative Orwall: Creating a pilot project to increase enrollment of underrepresented students in the running start program. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 25, 2013
HB 1552 Prime Sponsor, Representative Goodman: Reducing scrap metal theft. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013
HB 1556 Prime Sponsor, Representative Van De Wege: Creating initiatives in high schools to save lives in the event of cardiac arrest. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

March 1, 2013
HB 1558 Prime Sponsor, Representative Warnick: Concerning the taxation of honey beekeepers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Finance be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle;

Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Referred to Committee on Appropriations.

February 27, 2013
HB 1574 Prime Sponsor, Representative Kagi: Establishing a fee for certification for the residential services and supports program to cover investigative costs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013
HB 1575 Prime Sponsor, Representative Springer: Creating greater efficiency in the offices of county assessor by eliminating the requirement to annually appraise tax-exempt government properties. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 27, 2013
HB 1598 Prime Sponsor, Representative Santos: Providing an exemption for certain lodging services from the convention and trade center tax. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1601 Prime Sponsor, Representative Goodman: Providing alternatives for penalties stemming from traffic infractions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Public Safety be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

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

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1604 Prime Sponsor, Representative Angel: Reducing the frequency of local sales and use tax changes. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1631 Prime Sponsor, Representative Tharinger: Concerning planning measures to provide long-term care services and supports needs of the aging population. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1634 Prime Sponsor, Representative Warnick: Including the value of solar, biomass, and geothermal facilities in the property tax levy limit calculation. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking

Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer and Vick.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1642 Prime Sponsor, Representative Pettigrew: Establishing policies to support academic acceleration for high school students. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1651 Prime Sponsor, Representative Kagi: Concerning access to juvenile records. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1661 Prime Sponsor, Representative Fitzgibbon: Addressing misdemeanor marijuana offense convictions. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1663 Prime Sponsor, Representative Tharinger: Extending the sales and use tax exemption for hog fuel used to produce electricity, steam, heat, or biofuel. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1671 Prime Sponsor, Representative Farrell: Concerning child care reform. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1693 Prime Sponsor, Representative Habib: Providing tax relief for new businesses in high growth business sectors. Reported by Committee on Finance

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Technology & Economic Development. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Condotta.

Referred to Committee on Appropriations.

February 27, 2013

HB 1695 Prime Sponsor, Representative Fitzgibbon: Allowing the use of lodging taxes for financing workforce housing and tourism promotion activities or facilities. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1701 Prime Sponsor, Representative Moeller: Implementing recommendations of the adult family home quality assurance panel. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representative

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Ranking Minority Member and Schmick.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1710 Prime Sponsor, Representative Springer: Concerning the taxation of commuter air carriers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1727 Prime Sponsor, Representative Morrell: Raising licensure limits to allow assisted living facilities to serve a higher acuity resident population. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Haler; Harris; Parker; Pike; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1753 Prime Sponsor, Representative Jinkins: Regulating interpreter services. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and

do not pass the substitute bill by Committee on Government Operations & Elections. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1774 Prime Sponsor, Representative Freeman: Measuring performance of the child welfare system. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1795 Prime Sponsor, Representative Jinkins: Concerning the scope and costs of the diabetes epidemic in Washington. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby and Ross.

MINORITY recommendation: Do not pass. Signed by Representative Schmick.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1819 Prime Sponsor, Representative Tarleton: Creating and using digital infrastructure maps to inform economic development decisions. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Technology & Economic Development be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1822 Prime Sponsor, Representative Stanford: Concerning debt collection practices. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1828 Prime Sponsor, Representative Springer: Addressing the fiscal conditions of local government. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1856 Prime Sponsor, Representative Morris: Concerning fossil fuel production. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Reykdal; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1866 Prime Sponsor, Representative Morris: Concerning the joint center for aerospace technology innovation. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1887 Prime Sponsor, Representative Sawyer: Increasing educational options under vocational rehabilitation plans. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Cody; Green; Jinkins; Kagi and Ormsby.

MINORITY recommendation: Do not pass. Signed by Representatives Harris, Ranking Minority Member; Ross and Schmick.

Passed to Committee on Rules for second reading.

February 23, 2013

HB 1889 Prime Sponsor, Representative Chandler: Concerning the fruit and vegetable district fund. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1892 Prime Sponsor, Representative Reykdal: Modifying certain provisions regarding transportation benefit districts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Johnson; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Klippert; Kochmar; Kretz; Kristiansen; Rodne and Shea.

Passed to Committee on Rules for second reading.

February 25, 2013

HB 1900 Prime Sponsor, Representative Stonier: Specifying "caseload" for purposes of caseload forecasts of common school students. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority

Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1909 Prime Sponsor, Representative Hunt: Concerning veteran-owned businesses. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1910 Prime Sponsor, Representative Fitzgibbon: Concerning the sales and use tax exemption expiration date for machinery and equipment used in generating electricity. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1911 Prime Sponsor, Representative Alexander: Concerning health care services for inmates in city, county, and regional jails. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1919 Prime Sponsor, Representative Fitzgibbon: Allowing certain county legislative authorities to impose a sales and use tax by ordinance. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1947 Prime Sponsor, Representative Cody: Concerning the operating expenses of the Washington health benefit exchange. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Buys; Carlyle; Cody; Dahlquist; Dunshee; Green; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Fagan; Haler; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1960 Prime Sponsor, Representative Seaquist: Establishing benefit assessment charges for metropolitan park districts. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1961 Prime Sponsor, Representative Pedersen: Extending the expiration date for judicial stabilization trust account surcharges. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins;

Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1969 Prime Sponsor, Representative Hawkins: Requiring the public works board to submit ranked project lists. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; Fey; MacEwen; Riccelli; Scott; Smith and Stonier.

MINORITY recommendation: Without recommendation. Signed by Representative Appleton.

Passed to Committee on Rules for second reading.

FIRST SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 28, 2013

HB 1577 Prime Sponsor, Representative Moscoso: Concerning the furnishment of vehicle owner lists to manufacturers of motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1632 Prime Sponsor, Representative Shea: Regulating the use of off-road vehicles in certain areas. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Farrell; Fitzgibbon; Hayes; Johnson; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Sells; Shea; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Fey, Vice Chair; Liias, Vice Chair; Bergquist; Habib; Klippert; Ryu; Takko and Tarleton.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1698 Prime Sponsor, Representative Hunt: Requiring the installation and maintenance of signs indicating the end of school speed zones. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Kristiansen; Rodne and Shea.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1726 Prime Sponsor, Representative Wylie: Modifying certain vehicle registration renewal requirements. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1833 Prime Sponsor, Representative Bergquist: Exempting tax information from public inspection and copying. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 27, 2013

HB 1880 Prime Sponsor, Representative Seaquist: Limiting the scope of the department of transportation's administration of the state's ferry system. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1922 Prime Sponsor, Representative Moscoso: Concerning highway construction workforce development. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Kochmar; Moeller; Morris; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Johnson; Klippert; Kretz; Kristiansen; Rodne and Shea.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1941 Prime Sponsor, Representative Habib: Concerning the adjudication of tolls and accompanying civil penalties. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

February 26, 2013

HB 1944 Prime Sponsor, Representative Haler: Addressing vehicle license plate and registration fraud. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes;

Johnson; Klippert; Kochmar; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Kristiansen and Shea.

Passed to Committee on Rules for second reading.

February 28, 2013

HB 1946 Prime Sponsor, Representative Hunt: Concerning special parking privileges for persons with disabilities. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 1, 2013

HB 1096 Prime Sponsor, Representative Hurst: Concerning juvenile firearms and weapons crimes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Dahlquist; Dunshee; Fagan; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Pedersen; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Chandler, Assistant Ranking Minority Member; Cody; Green; Harris; Morrell; Parker; Pettigrew; Pike; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1114 Prime Sponsor, Representative Pedersen: Addressing criminal incompetency and civil commitment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Dahlquist; Dunshee; Fagan; Haigh; Haler; Harris;

Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Cody; Green; Pike and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1134 Prime Sponsor, Representative McCoy: Authorizing state-tribal education compact schools. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

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

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1177 Prime Sponsor, Representative Lytton: Modifying the education accountability system to allow state criteria, resources, and strategies to be used for assistance and intervention. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1252 Prime Sponsor, Representative Stonier: Establishing the Washington K-12 online professional development project. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi;

Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1313 Prime Sponsor, Representative Jinkins: Establishing minimum standards for sick and safe leave from employment. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Labor & Workforce Development be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1341 Prime Sponsor, Representative Orwall: Creating a claim for compensation for wrongful conviction and imprisonment. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1424 Prime Sponsor, Representative Haigh: Enhancing the statewide K-12 dropout prevention, intervention, and reengagement system. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant

Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Parker and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1542 Prime Sponsor, Representative Santos: Concerning the provision of and reimbursement for certain court interpreter services. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Cody; Dunshee; Fagan; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1558 Prime Sponsor, Representative Warnick: Concerning the taxation of honey beekeepers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Finance be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1566 Prime Sponsor, Representative Carlyle: Concerning educational outcomes of youth in out-of-home care. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Harris; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1620 Prime Sponsor, Representative Stanford: Concerning passenger-carrying vehicles for railroad employees. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Kochmar; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Klippert; Kretz and Shea.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1627 Prime Sponsor, Representative Morrell: Concerning competency to stand trial evaluations. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Green; Haler; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1680 Prime Sponsor, Representative Santos: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1692 Prime Sponsor, Representative Sullivan: Implementing career and college ready graduation requirements. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1723 Prime Sponsor, Representative Kagi: Concerning early learning opportunities. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1764 Prime Sponsor, Representative Chandler: Concerning geoduck diver licenses. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1777 Prime Sponsor, Representative Green: Accelerating changes to mental health involuntary commitment laws. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1817 Prime Sponsor, Representative Hudgins: Adding eligibility criteria for higher education financial aid. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Chandler, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Haler; Harris; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1821 Prime Sponsor, Representative Freeman: Concerning good cause exceptions during permanency hearings. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1844 Prime Sponsor, Representative Kagi: Concerning family assessment response in child protective

services. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1872 Prime Sponsor, Representative Maxwell: Establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1898 Prime Sponsor, Representative Fey: Concerning the funding of enhanced public transportation zones for public transportation systems. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1923 Prime Sponsor, Representative Ormsby: Authorizing membership in the Washington public safety employees' retirement system for employees at city and county corrections departments, public corrections entities, the department of corrections, and the department of social and health services who provide direct care to, or ensure the custody and safety of, offender and patient populations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Carlyle; Parker; Pike; Schmick; Springer and Taylor.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1953 Prime Sponsor, Representative Liias: Concerning local option transportation revenue. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Kretz; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Freeman; Hayes; Johnson; Klippert; Kochmar; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1959 Prime Sponsor, Representative Farrell: Concerning local transportation revenue. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Freeman; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

March 1, 2013

HB 1968 Prime Sponsor, Representative Kagi: Changing licensing provisions for certain before and after-school programs in school buildings. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports, and first and second supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

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

- HOUSE BILL NO. 1032
- HOUSE BILL NO. 1109
- HOUSE BILL NO. 1130
- HOUSE BILL NO. 1179
- HOUSE BILL NO. 1244
- HOUSE BILL NO. 1261
- HOUSE BILL NO. 1284
- HOUSE BILL NO. 1288
- HOUSE BILL NO. 1298
- HOUSE BILL NO. 1345
- HOUSE BILL NO. 1359
- HOUSE BILL NO. 1394
- HOUSE BILL NO. 1419
- HOUSE BILL NO. 1436
- HOUSE BILL NO. 1442
- HOUSE BILL NO. 1447
- HOUSE BILL NO. 1467
- HOUSE BILL NO. 1483
- HOUSE BILL NO. 1512
- HOUSE BILL NO. 1531
- HOUSE BILL NO. 1536
- HOUSE BILL NO. 1565
- HOUSE BILL NO. 1594
- HOUSE BILL NO. 1000
- HOUSE BILL NO. 1012
- HOUSE BILL NO. 1048
- HOUSE BILL NO. 1068
- HOUSE BILL NO. 1116
- HOUSE BILL NO. 1144
- HOUSE BILL NO. 1154
- HOUSE BILL NO. 1170
- HOUSE BILL NO. 1173
- HOUSE BILL NO. 1175
- HOUSE BILL NO. 1178

HOUSE BILL NO. 1217
 HOUSE BILL NO. 1224
 HOUSE BILL NO. 1271
 HOUSE BILL NO. 1279
 HOUSE BILL NO. 1285
 HOUSE BILL NO. 1286
 HOUSE BILL NO. 1336
 HOUSE BILL NO. 1343
 HOUSE BILL NO. 1397
 HOUSE BILL NO. 1403
 HOUSE BILL NO. 1423
 HOUSE BILL NO. 1432
 HOUSE BILL NO. 1448
 HOUSE BILL NO. 1456
 HOUSE BILL NO. 1473
 HOUSE BILL NO. 1474
 HOUSE BILL NO. 1480
 HOUSE BILL NO. 1487
 HOUSE BILL NO. 1493
 HOUSE BILL NO. 1529
 HOUSE BILL NO. 1537
 HOUSE BILL NO. 1538
 HOUSE BILL NO. 1541
 HOUSE BILL NO. 1547
 HOUSE BILL NO. 1563
 HOUSE BILL NO. 1570
 HOUSE BILL NO. 1576
 HOUSE BILL NO. 1582
 HOUSE BILL NO. 1587
 HOUSE BILL NO. 1590
 HOUSE BILL NO. 1609
 HOUSE BILL NO. 1614
 HOUSE BILL NO. 1617
 HOUSE BILL NO. 1625
 HOUSE BILL NO. 1629
 HOUSE BILL NO. 1633
 HOUSE BILL NO. 1635
 HOUSE BILL NO. 1645
 HOUSE BILL NO. 1647
 HOUSE BILL NO. 1652
 HOUSE BILL NO. 1660
 HOUSE BILL NO. 1669
 HOUSE BILL NO. 1674
 HOUSE BILL NO. 1679
 HOUSE BILL NO. 1695
 HOUSE BILL NO. 1733
 HOUSE BILL NO. 1752
 HOUSE BILL NO. 1771
 HOUSE BILL NO. 1812
 HOUSE BILL NO. 1814
 HOUSE BILL NO. 1846
 HOUSE BILL NO. 1853
 HOUSE BILL NO. 1860
 HOUSE BILL NO. 1868
 HOUSE BILL NO. 1870
 HOUSE BILL NO. 1886
 HOUSE BILL NO. 1891
 HOUSE BILL NO. 1937
 HOUSE BILL NO. 1950

HOUSE BILL NO. 1076
 HOUSE BILL NO. 1101
 HOUSE BILL NO. 1107
 HOUSE BILL NO. 1155
 HOUSE BILL NO. 1225
 HOUSE BILL NO. 1265
 HOUSE BILL NO. 1330
 HOUSE BILL NO. 1361
 HOUSE BILL NO. 1362
 HOUSE BILL NO. 1418
 HOUSE BILL NO. 1441
 HOUSE BILL NO. 1533
 HOUSE BILL NO. 1592
 HOUSE BILL NO. 1593
 HOUSE BILL NO. 1611
 HOUSE BILL NO. 1770
 HOUSE BILL NO. 1806
 HOUSE BILL NO. 1861
 HOUSE BILL NO. 1863

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

There being no objection, the House adjourned until 10:00 a.m., March 4, 2013, the 50th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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

HOUSE BILL NO. 1003
 HOUSE BILL NO. 1065

FIFTIETH DAY

House Chamber, Olympia, Monday, March 4, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rade Pilkinton and Cody Hill. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Sandra Kreis, St. Christophers' Community Church, Olympia Washington.

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

MESSAGE FROM THE SENATE

March 1, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5153
SENATE BILL NO. 5258
SENATE BILL NO. 5407
SUBSTITUTE SENATE BILL NO. 5434
ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
SUBSTITUTE SENATE BILL NO. 5718
ENGROSSED SUBSTITUTE SENATE CONCURRENT
RESOLUTION NO. 8401

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1975 by Representatives Moeller and Wylie

AN ACT Relating to the authorization of bonds for the financing of the Columbia river crossing project; amending RCW 47.10.882 and 47.56.894; adding new sections to chapter 47.10 RCW; and providing a contingent effective date.

Referred to Committee on Transportation.

SB 5692 by Senators King, Harper, Conway, Eide and Tom

AN ACT Relating to standby guardians and limited guardians; amending RCW 11.88.125; and providing an effective date.

Referred to Committee on Judiciary.

SSB 5760 by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Parlette)

AN ACT Relating to providing compensation for commercial crop damage caused by bighorn sheep; and amending RCW 77.36.070, 77.36.080, and 77.36.100.

Referred to Committee on Agriculture & Natural Resources.

SB 5787 by Senators Bailey, Kohl-Welles and Cleveland

AN ACT Relating to the Washington higher education facilities authority; and amending RCW 28B.07.030.

Referred to Committee on Higher Education.

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

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

SECOND READING

HOUSE BILL NO. 1012, by Representatives Stanford, Kirby, Ryu and Hudgins

Increasing the penal sum of a surety bond required to be maintained by an appraisal management company.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1012 was substituted for House Bill No. 1012 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1012 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1012.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1012, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

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

SUBSTITUTE HOUSE BILL NO. 1012, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1170, by Representatives Morrell, Cody, Seaquist, Morris, Green, Ormsby, Freeman, Jinkins, Blake, Moeller, Upthegrove, Ryu, Liias, Pollet, Fey, Haigh, Bergquist, Hunt and Santos

Modifying the income thresholds for the exemption and deferral property tax relief programs for senior citizens and persons retired because of physical disability.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1170 was substituted for House Bill No. 1170 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1170 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1170.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1170, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1032, by Representatives Kirby, Chandler, Ryu and Hudgins

Addressing portable electronics insurance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1032 was substituted for House Bill No. 1032 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1032 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1032.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1032, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1032, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1179, by Representatives Morrell, Sawyer, Zeiger, Takko and Ryu

Revising the lien for collection of sewer charges by counties.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1179.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1179, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1179, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1074, by Representatives Angel, Takko, Buys and Pike

Concerning requirements governing and associated with plat approvals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1074 was substituted for House Bill No. 1074 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1074 was read the second time.

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

Representatives Angel and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1074.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1074, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

SUBSTITUTE HOUSE BILL NO. 1074, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1487, by Representatives Parker, Kirby, MacEwen, Goodman, Kochmar, Upthegrove, Ryu, Angel, Maxwell and Bergquist

Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1487 was substituted for House Bill No. 1487 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1487 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1487.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1487, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1487, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1570, by Representatives Kretz, Takko and Short

Concerning filing requirements for property tax exemption claims for certain improvements to benefit fish and wildlife habitat, water quality, or water quantity.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1576, by Representatives Springer, Kochmar, McCoy, Habib, Upthegrove, Fitzgibbon, Ryu, Maxwell, Riccelli and Moscoso

Creating greater efficiency in the offices of county assessors by allowing notification via electronic means.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1576.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1576, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1576, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1617, by Representatives McCoy, Warnick, Orwall, Ryu, Smith, Maxwell, Moscoso and Freeman

Concerning the administrative costs for the allocation, management, and oversight of housing trust fund investments.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1617 was substituted for House Bill No. 1617 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1617 was read the second time.

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

Representatives McCoy and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1617.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1617, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

SUBSTITUTE HOUSE BILL NO. 1617, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1647, by Representatives Tarleton, Haler, Riccelli, Maxwell, Sawyer, Scott, Bergquist, Farrell, Morrell, Jinkins, Roberts and Pollet

Requiring landlords to maintain and safeguard keys to leased premises. Revised for 1st Substitute: Requiring landlords to maintain and safeguard keys to dwelling units.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1647 was substituted for House Bill No. 1647 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1647 was read the second time.

Representative Tarleton moved the adoption of amendment (44).

On page 2, line 11, after "with" strike "best commercially"

Representatives Tarleton and Shea spoke in favor of the adoption of the amendment.

Amendment (44) was adopted.

The bill was ordered engrossed.

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

Representatives Tarleton, Haler, Liias and Pollet spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1647.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1647, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1647, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Carlyle congratulated Representative Tarleton on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1853, by Representatives Maxwell, Hayes, Van De Wege, Kretz, Springer, Sells, Seaquist, Morrell, Ryu, Tharinger and Freeman

Clarifying that real estate brokers licensed under chapter 18.85 RCW are independent contractors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1853 was substituted for House Bill No. 1853 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1853 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1853.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1853, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1853, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1868, by Representatives Freeman, Goodman, Van De Wege, Appleton, Morrell, Tarleton, Tharinger, Ryu, Maxwell, Bergquist and Pollet

Providing access to health insurance for certain law enforcement officers' and firefighters' plan 2 members catastrophically disabled in the line of duty.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1868 was substituted for House Bill No. 1868 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1868 was read the second time.

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

Representatives Freeman, Klippert and Green spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1868.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1868, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1868, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Pettigrew congratulated Representative Freeman on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1529, by Representatives Stanford, Jinkins, McCoy, Riccelli, Fitzgibbon, Reykdal, Pollet, Orwall and Roberts

Concerning the disclosure of certain information when screening tenants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1529 was substituted for House Bill No. 1529 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1529 was read the second time.

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

Representatives Stanford and O'Ban spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1529.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1529, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

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

Voting nay: Representatives Alexander, Condotta, Hargrove, Harris, Holy, Hope, Klippert, Kristiansen, Magendanz, Orcutt, Overstreet, Pike, Rodne, Scott, Shea, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1529, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1529.
Representative Parker, 6th District

SECOND READING SUSPENSION

HOUSE BILL NO. 1065, by Representative Goodman

Addressing the applicability of statutes of limitation in arbitration proceedings.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1065.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1065, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1065, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1076, by Representatives Haigh, Johnson, Takko, Fagan, Lytton, Short and Dahlquist

Expanding participation in innovation academy cooperatives.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1076 was read the second time.

The bill was placed on final passage.

Representatives Santos and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1076.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1076, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell,

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

SUBSTITUTE HOUSE BILL NO. 1076, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1101, by Representatives Ryu, McCoy, Pedersen, Jinkins, Green, Morrell, Bergquist and Farrell

Designating July 25th as patient safety day.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Ryu and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1101.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1101, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

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

Voting nay: Representatives Condotta, Dahlquist, DeBolt, Holy, Hurst, Kristiansen, Manweller, Overstreet, Parker, Pike, Scott, Shea, Taylor and Wilcox.

HOUSE BILL NO. 1101, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1101.

Representative Alexander, 6th District

SECOND READING SUSPENSION**SUBSTITUTE HOUSE BILL NO. 1107, by House Committee on Judiciary (originally sponsored by Representatives McCoy, Shea, Appleton, Orwall, Jinkins, Morrell, Ryu, Green and Freeman)****Regarding residential provisions for children of parents with military duties.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1107 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1107.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1107, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1107, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1155, by Representatives Cody, Schmick and Ryu**Concerning prescription information.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1155 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1155.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1155, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1155, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1225, by Representatives Hunt, Reykdal, Morrell and Ryu**Regarding cost savings and efficiencies in mailing notices of revocation to habitual traffic offenders.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1225.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1225, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1225, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1265, by Representatives Freeman, Rodne, Goodman and Ryu

Modifying provisions in the forms for traffic infraction notices.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1265 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1265.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1265, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1265, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1361, by Representatives Kagi, Ryu, McCoy, Walsh, Sawyer and Tharinger

Modifying the requirements for purchase of care for Indian children.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1361.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1361, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

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

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

HOUSE BILL NO. 1361, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1362, by Representatives Cody, Morrell and Schmick

Concerning electronic timekeeping for in-home personal care or respite services.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1362.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1362, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

HOUSE BILL NO. 1362, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1418, by Representatives Hunt, Buys, Manweller and Warnick

Regarding hours of availability of cities, towns, and special purpose districts for inspection and copying of public records.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1418 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1418.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1418, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1418, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1441, by Representatives Van De Wege, Morrell, Jinkins, Cody and Bergquist

Addressing long-term care insurance.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Van De Wege and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1441.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1441, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1441, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1533, by Representatives Rodne and Jinkins

Clarifying notice of claims in health care actions.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1533.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1533, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

HOUSE BILL NO. 1533, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1592, by Representatives McCoy, Sells and Ryu

Concerning the enforcement of speeding violations on certain private roads.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1592.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1592, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1592, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1593, by Representatives Jinkins, Angel, Kagi, Rodne, Cody, Clibborn, Riccelli, Moeller, Ryu, Pollet and Morrell

Providing access to the prescription drug monitoring database for clinical laboratories.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1593.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1593, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1593, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1770, by Representatives Buys, Blake, Chandler, Lytton and Ryu

Concerning the appointment of nonvoting advisory members to commodity boards.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Buys and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1770.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1770, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

HOUSE BILL NO. 1770, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1806, by Representatives Hansen, Magendanz, Appleton, Morrell, Bergquist and Fey

Addressing the definition of veteran for purposes of veterans' assistance programs.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1806 was read the second time.

The bill was placed on final passage.

Representatives Hansen and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1806.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1806, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1806, having received the necessary constitutional majority, was declared passed.

SECOND READING

HOUSE BILL NO. 1173, by Representatives Santos, Ryu, Roberts, Maxwell and Bergquist

Regarding the financial education public-private partnership.

The bill was read the second time.

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

Representatives Santos, Dahlquist and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1173.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1173, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

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

Excused: Representative Seaquist.

HOUSE BILL NO. 1173, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1144, by Representatives Dahlquist, Lytton, Fagan, Haigh, Moscoso, Magendanz, Liias, Ryu and Santos

Regarding qualifications for educational interpreters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1144 was substituted for House Bill No. 1144 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1144 was read the second time.

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

Representatives Dahlquist and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1144.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1144, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Manweller, Overstreet, Scott, Shea and Taylor.

Excused: Representative Seaquist.

SUBSTITUTE HOUSE BILL NO. 1144, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1178, by Representatives Lytton, Maxwell, Santos, Seaquist, Reykdal, Sullivan, Fitzgibbon, Ryu, Pollet, Stanford, Tharinger and Jinkins

Authorizing alternative assessments of basic skills for teacher certification.

The bill was read the second time.

Representative Dahlquist moved the adoption of amendment (33).

On page 2, beginning on line 25 after "(d)" strike all material through "implemented" on line 32 and insert "If an applicant to a teacher preparation program or a person from out-of-state applying for a Washington state residency teaching certificate earns a score on a nationally recognized college entrance exam, including but not limited to the SAT or the ACT, that is greater than or equal to the median score on that exam for the freshman class at the University of Washington in the most recent year that data is available, the Washington professional educator standards board must accept the results on the exam as satisfying the basic skills requirements established by the board"

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

Representative Santos spoke against the adoption of the amendment.

Amendment (33) was not adopted.

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

Representatives Lytton and Santos spoke in favor of the passage of the bill.

Representatives Dahlquist, Manweller and Manweller (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1178.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1178, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Seaquist.

HOUSE BILL NO. 1178, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1178.

Representative Overstreet, 42nd District

SECOND READING

HOUSE BILL NO. 1336, by Representatives Orwall, Dahlquist, Pettigrew, Cody, Walsh, Green, Appleton, Freeman, Fitzgibbon, Hunt, Stonier, Kagi, Maxwell, Goodman, Moscoso, Roberts, Reykdal, Lytton, Santos, Fagan, O'Ban, Van De Wege, Jinkins, Bergquist, Pollet, McCoy, Ryu, Upthegrove, Tarleton and Fey

Increasing the capacity of school districts to recognize and respond to troubled youth.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1336 was substituted for House Bill No. 1336 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1336 was read the second time.

Representative Dahlquist moved the adoption of amendment (49).

On page 1, beginning on line 12, after "(b)" strike all material through "(c)" on page 2, line 1

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

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

Amendment (49) was adopted.

Representative Orwall moved the adoption of amendment (32).

On page 2, beginning on line 28, after "applies" strike all material through "or is" on line 29 and insert "at the time the following certificates are first issued if the certificates are issued on or after July 1, 2015, and at the time the following certificates are renewed if the certificates are"

On page 5, line 6, after "district" strike "shall" and insert "is encouraged to"

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

Amendment (32) was adopted.

The bill was ordered engrossed.

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

Representatives Orwall and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1336.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1336, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

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

Voting nay: Representatives Condotta, Crouse, Holy, Overstreet, Schmick, Scott, Shea and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1345, by Representatives Hayes, O'Ban, Hope, Dahlquist and Magendanz

Regarding access to K-12 campuses for occupational or educational information.

The bill was read the second time.

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

Representatives Hayes, Wilcox, Santos, Dahlquist and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1345.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1345, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Representatives Chandler, Overstreet and Taylor.

HOUSE BILL NO. 1345, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Smith congratulated Representative Hayes on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1397, by Representatives Orcutt, Santos, Dahlquist, Pike, Vick, Haler, Hargrove, Buys, Magendanz and Bergquist

Adding a requirement to sexual health education to include elements of and consequences for conviction of sexual offenses where the victim is a minor.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1397 was substituted for House Bill No. 1397 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1397 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1397.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1397, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

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

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

SUBSTITUTE HOUSE BILL NO. 1397, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1397.
Representative Scott, 39th District

SECOND READING

HOUSE BILL NO. 1812, by Representatives Haigh, Pettigrew, Springer, Haler, Hunt, Fagan, Morrell, Hunter, Hudgins and Santos

Extending the time frame for making expenditures under the urban school turnaround initiative.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1812 was substituted for House Bill No. 1812 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1812 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1812.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1812, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1812, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1251, by Representatives Stonier, Carlyle, Seaquist, Harris, Maxwell, Takko, Kochmar, Vick, MacEwen, Fitzgibbon, Morrell, Tarleton, Haler, Riccelli and Bergquist

Increasing membership on the opportunity scholarship board.

The bill was read the second time.

Representative Dahlquist moved the adoption of amendment (18).

On page 1, line 8, after "governor" insert "with confirmation of the senate"

On page 1, line 13, after "governor" insert "with confirmation of the senate"

Representatives Dahlquist, Haler and DeBolt spoke in favor of the adoption of the amendment.

Representative Seaquist spoke against the adoption of the amendment.

Amendment (18) was not adopted.

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

Representatives Stonier, Seaquist and Carlyle spoke in favor of the passage of the bill.

Representatives Shea, Haler, Wilcox, Dahlquist and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1251.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1251, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

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

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

HOUSE BILL NO. 1251, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Lytton congratulated Representative Stonier on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1736, by Representatives Zeiger, Seaquist, Haler, Pollet, Ryu, Sawyer, Bergquist, Magendanz and Farrell

Concerning higher education operating efficiencies.

The bill was read the second time.

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

Representatives Zeiger and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1736.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1736, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1736, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1536, by Representatives Seaquist, Appleton, Haler, Springer, Stanford, McCoy, Upthegrove, Ormsby, Moscoso, Hunt, Ryu, Fitzgibbon, Lytton, Sawyer, Liias, Dunshee, Orwall, Cody, Stonier, Kagi, Moeller, Sells, Reykdal, Fey and Pollet

Changing requirements for membership on community and technical college boards of trustees.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1536 was substituted for House Bill No. 1536 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1536 was read the second time.

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

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

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1536.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1536, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hayes, Hudgins, Hunt, Hunter, Hurst, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells,

Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Holy, Hope, Jinkins, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1536, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1536.
Representative Hope, 44th District

SECOND READING

HOUSE BILL NO. 1645, by Representatives Riccelli, Sells, Ryu and Moscoso

Increasing the number of public members on the Washington higher education facilities authority.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1645.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1645, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Representatives Overstreet and Taylor.

HOUSE BILL NO. 1645, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1669, by Representatives Pollet, Haler, Cody, Tarleton, Johnson, Seaquist, Farrell, Magendanz, Riccelli and Ryu

Concerning self-supporting, fee-based programs at four-year institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1669 was substituted for House Bill No. 1669 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1669 was read the second time.

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

Representatives Pollet, Haler and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1669.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1669, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

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

Voting nay: Representatives Buys, Chandler, Condotta, Dahlquist, DeBolt, Harris, Klippert, MacEwen, Overstreet, Rodne, Schmick, Shea, Smith and Taylor.

SUBSTITUTE HOUSE BILL NO. 1669, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1093, by Representatives Shea, Overstreet and Taylor

Regarding state agency lobbying activities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1093 was substituted for House Bill No. 1093 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1093 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1093.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1093, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Representative Appleton.

SUBSTITUTE HOUSE BILL NO. 1093, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1146, by Representatives Nealey, Blake, Chandler, Lytton, Warnick, Schmick, Walsh, Ryu and Haler

Concerning certified water right examiner bonding requirements.

The bill was read the second time.

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

Representatives Nealey and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1146.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1146, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

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

HOUSE BILL NO. 1146, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1149, by Representatives Hurst, Ryu, Hunt and Santos

Increasing the volume of spirits that may be sold per day to a customer of a craft distillery.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1149.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1149, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1242, by Representatives Moscoso, Zeiger, Morrell, Johnson, Roberts and Springer

Concerning the authority of a vehicle subagent to recommend a successor.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1242 was substituted for House Bill No. 1242 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1242 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1242.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1242, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 1242, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1266, by Representatives Rodne, Pedersen, Nealey, Goodman, Freeman, Hunt and Ryu

Modifying the mandatory retirement provision for district judges.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1266.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1266, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 1266, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1332, by Representatives Kirby, Condotta, Hunt, Alexander, Takko, Manweller, Hurst, Shea, Blake and Reykdal

Concerning limited on-premise spirits sampling.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1332 was substituted for House Bill No. 1332 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1332 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1332.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1332, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko,

Tarleton, Taylor, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Goodman, Harris, Hudgins, Kagi, Klippert, Nealey, Orcutt, Ormsby, Orwall, Van De Wege and Walsh.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1332, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1116, by Representatives Pedersen, Hansen, Rodne and Nealey

Adopting the uniform collaborative law act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1116 was substituted for House Bill No. 1116 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1116 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1116.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1116, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1116, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1130, by Representatives Hurst and Dahlquist

Modifying who is authorized to redeem an impounded vehicle.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1130 was substituted for House Bill No. 1130 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1130 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1130.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1130, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1130, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1284, by Representatives Roberts, Walsh, Kagi, Sawyer, Goodman, Freeman, Farrell, Appleton, Ryu, Reykdal, Santos and Habib

Concerning the rights of parents who are incarcerated or in residential substance abuse treatment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1284 was substituted for House Bill No. 1284 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1284 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1284.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1284, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Representative Klippert.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1284, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1298, by Representatives Springer, Hunt, Ryu and Pollet

Implementing the recommendations of the sunshine committee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1298 was substituted for House Bill No. 1298 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1298 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1298.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1298, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1298, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1423, by Representatives Haigh, Fagan, Seaquist, Magendanz and Hargrove

Providing for a single set of laws and procedures governing online learning.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1423 was substituted for House Bill No. 1423 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1423 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1423.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1423, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Representatives Green and Lytton.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1423, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1447, by Representatives Fey, Hargrove, Clibborn and Zeiger

Modifying the boundaries of certain heavy haul corridors.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1447.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1447, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

HOUSE BILL NO. 1447, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1512, by Representatives Takko, Kochmar, Fitzgibbon, Buys, Sullivan, Magendanz, Springer, Van De Wege and Ryu

Concerning fire suppression water facilities and services provided by municipal and other water purveyors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1512 was substituted for House Bill No. 1512 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1512 was read the second time.

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

Representatives Takko and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1512.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1512, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1512, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1614, by Representatives Reykdal, Lytton, Seaquist, Pollet, Zeiger, Sells, Springer, Roberts, Maxwell, Ryu and Stanford

Authorizing applied doctorate level degrees in audiology at Western Washington University.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1614 was substituted for House Bill No. 1614 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1614 was read the second time.

With the consent of the house, amendment (63) was withdrawn.

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

Representatives Reykdal and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1614.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1614, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

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

Voting nay: Representatives Cody, Green, Morrell, Santos, Stanford and Upthegrove.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1614, having received the necessary constitutional majority, was declared passed.

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

There being no objection, HOUSE BILL NO. 1003, HOUSE BILL NO. 1330, and HOUSE BILL NO. 1611, HOUSE BILL NO. 1861, and HOUSE BILL NO. 1863 were referred from the second reading suspension calendar to the second reading calendar.

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

There being no objection, the House adjourned until 10:00 a.m., March 5, 2013, the 51st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY FIRST DAY

House Chamber, Olympia, Tuesday, March 5, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Colin Meenk and Ahsha Womak. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Prosper Ndabishuriye, Evangelical Church of Central Africa, Bujumbura, Burundi.

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

MESSAGES FROM THE SENATE

March 4, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5069
SENATE BILL NO. 5114
SUBSTITUTE SENATE BILL NO. 5180
SENATE BILL NO. 5216
SUBSTITUTE SENATE BILL NO. 5274
SUBSTITUTE SENATE BILL NO. 5369
SENATE BILL NO. 5450
SENATE BILL NO. 5472
SENATE BILL NO. 5488
SENATE BILL NO. 5500
SUBSTITUTE SENATE BILL NO. 5524
SUBSTITUTE SENATE BILL NO. 5559
SENATE BILL NO. 5578
SENATE BILL NO. 5618
SUBSTITUTE SENATE BILL NO. 5705
SUBSTITUTE SENATE BILL NO. 5786

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 4, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5176
ENGROSSED SENATE BILL NO. 5305
ENGROSSED SUBSTITUTE SENATE BILL NO. 5438
ENGROSSED SENATE BILL NO. 5495
ENGROSSED SUBSTITUTE SENATE BILL NO. 5669
SECOND ENGROSSED SENATE BILL NO. 5701

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1976 by Representative Morris

AN ACT Relating to funding agricultural production research through the life sciences discovery fund with certain marijuana-related revenues; amending RCW 84.36.070 and 43.350.070; adding a new section to chapter 84.52 RCW; and creating a new section.

Referred to Committee on Finance.

ESSB 5153 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Carrell, Darneille, Pearson and Schlicher)

AN ACT Relating to strengthening families by allowing transfers between regional support networks to be closer to relatives or other strong personal supports; adding a new section to chapter 71.24 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5258 by Senators Benton, Roach, Hasegawa, Conway, Billig, Rivers and Fraser

AN ACT Relating to aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements; and amending RCW 42.17A.320.

Referred to Committee on Government Operations & Elections.

SB 5407 by Senator Ericksen

AN ACT Relating to electronic filing of pollutant discharge elimination permit system applications; and amending RCW 90.48.260.

Referred to Committee on Environment.

SSB 5434 by Senate Committee on Health Care (originally sponsored by Senators Becker, Dammeier, Keiser, Harper and Conway)

AN ACT Relating to the filing and public disclosure of health care provider compensation; amending RCW 48.46.243 and 48.46.030; adding a new section to chapter 48.43 RCW; and repealing RCW 48.44.070.

Referred to Committee on Health Care & Wellness.

ESSB 5681 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Rolfes and Keiser)

AN ACT Relating to facilitating treatment for persons with co-occurring disorders by requiring development of an

integrated rule; adding a new section to chapter 70.96A RCW; adding a new section to chapter 71.24 RCW; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

SSB 5718 by Senate Committee on Trade & Economic Development (originally sponsored by Senators Brown, Chase, Smith, Braun, Carrell, Schlicher and Frockt)

AN ACT Relating to monitoring the development of a one-stop portal for Washington businesses; adding a new section to chapter 43.41A RCW; creating new sections; and providing a contingent expiration date.

Referred to Committee on Technology & Economic Development.

ESSCR 8401 by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Frockt, Dammeier and Schlicher)

Referred to Committee on Health Care & Wellness.

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

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

SECOND READING

HOUSE BILL NO. 1001, by Representatives Moeller, Pedersen, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton, Maxwell, Tharinger, Ormsby, Riccelli, Pollet and Jinkins

Creating a beer and wine theater license. Revised for 1st Substitute: Concerning beer and wine theater licenses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1001 was substituted for House Bill No. 1001 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1001 was read the second time.

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

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

MOTION

On motion of Representative Van De Wege, Representatives Freeman, Kagi, Lias and Roberts were excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1001.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1001, and the bill passed the House by the following vote: Yeas, 90; Nays, 4; Absent, 0; Excused, 4.

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

Voting nay: Representatives Crouse, Hudgins, Klippert and Stanford.

Excused: Representatives Freeman, Kagi, Lias and Roberts.

SUBSTITUTE HOUSE BILL NO. 1001, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1003, by Representatives Moeller, Cody, Morrell, Pedersen, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton and Jinkins

Concerning disciplinary actions against the health professions license of the subject of a department of social and health services' finding.

The bill was read the second time.

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

Representatives Moeller and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1003.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1003, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Representatives Freeman, Lias and Roberts.

HOUSE BILL NO. 1003, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1330, by Representatives Moeller, Harris, Green, Cody, Tharinger, Pettigrew, Appleton, Springer, Roberts, Kagi, Pollet, Moscoso and Morrell

Allowing dental hygienists and dental assistants to provide certain services under the supervision of a dentist.

The bill was read the second time.

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

Representatives Moeller and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1330.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1330, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Representatives Freeman, Lias and Roberts.

HOUSE BILL NO. 1330, having received the necessary constitutional majority, was declared passed.

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

SECOND READING

HOUSE BILL NO. 1270, by Representatives Morrell, Schmick, Green, Harris, Cody and Ryu

Making the board of denturists the disciplining authority for licensed denturists.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1270 was substituted for House Bill No. 1270 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1270 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1270.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1270, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1270, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1409, by Representatives Tharinger, Schmick, Cody, Clibborn, Ross and Jinkins

Regarding the requirements of allopathic physician licensure.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1409 was substituted for House Bill No. 1409 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1409 was read the second time.

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

Representatives Tharinger and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1409.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1409, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Representative Hope.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1409, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1271, by Representatives Jinkins, Johnson, Morrell, Green, Harris, Cody, Ryu and Tharinger

Concerning the practice of denturism.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1271 was substituted for House Bill No. 1271 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1271 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1271.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1271, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

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

Voting nay: Representatives Dahlquist, Hope, Hudgins, MacEwen, Orcutt, Scott and Vick.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1271, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1343, by Representatives Cody, Johnson, Moeller, Walsh, Morrell, Schmick, Green and Moscoso

Removing the expiration for the additional surcharge imposed on registered nurses and licensed practical nurses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1343 was substituted for House Bill No. 1343 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1343 was read the second time.

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

Representatives Cody and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1343.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1343, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Crouse, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1343, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1436, by Representatives Rodne, Pedersen, Shea and Jinkins

Concerning privileging and professional conduct reviews by health care professional review bodies.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1436.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1436, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

HOUSE BILL NO. 1436, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1480, by Representatives Green, Schmick, Cody, Harris and Jinkins

Concerning the provision of prescription drugs by direct practice providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1480 was substituted for House Bill No. 1480 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1480 was read the second time.

Representative Green moved the adoption of amendment (70).

Strike everything after the enacting clause and insert the following:
"Sec. 1. RCW 48.150.010 and 2009 c 552 s 1 are each reenacted and amended to read as follows:

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

(1) "Direct agreement" means a written agreement entered into between a direct practice and an individual direct patient, or the parent or legal guardian of the direct patient or a family of direct patients, whereby the direct practice charges a direct fee as consideration for being available to provide and providing primary care services to the individual direct patient. A direct agreement must (a) describe the

specific health care services the direct practice will provide; and (b) be terminable at will upon written notice by the direct patient.

(2) "Direct fee" means a fee charged by a direct practice as consideration for being available to provide and providing primary care services as specified in a direct agreement.

(3) "Direct patient" means a person who is party to a direct agreement and is entitled to receive primary care services under the direct agreement from the direct practice.

(4) "Direct patient-provider primary care practice" and "direct practice" means a provider, group, or entity that meets the following criteria in (a), (b), (c), and (d) of this subsection:

(a)(i) A health care provider who furnishes primary care services through a direct agreement;

(ii) A group of health care providers who furnish primary care services through a direct agreement; or

(iii) An entity that sponsors, employs, or is otherwise affiliated with a group of health care providers who furnish only primary care services through a direct agreement, which entity is wholly owned by the group of health care providers or is a nonprofit corporation exempt from taxation under section 501(c)(3) of the internal revenue code, and is not otherwise regulated as a health care service contractor, health maintenance organization, or disability insurer under Title 48 RCW. Such entity is not prohibited from sponsoring, employing, or being otherwise affiliated with other types of health care providers not engaged in a direct practice;

(b) Enters into direct agreements with direct patients or parents or legal guardians of direct patients;

(c) Does not accept payment for health care services provided to direct patients from any entity subject to regulation under Title 48 RCW or plans administered under chapter 41.05, 70.47, or 70.47A RCW; and

(d) Does not provide, in consideration for the direct fee, services, procedures, or supplies such as prescription drugs except as provided in RCW 48.150.040(2)(b)(i)(B), hospitalization costs, major surgery, dialysis, high level radiology (CT, MRI, PET scans or invasive radiology), rehabilitation services, procedures requiring general anesthesia, or similar advanced procedures, services, or supplies.

(5) "Health care provider" or "provider" means a person regulated under Title 18 RCW or chapter 70.127 RCW to practice health or health-related services or otherwise practicing health care services in this state consistent with state law.

(6) "Health carrier" or "carrier" has the same meaning as in RCW 48.43.005.

(7) "Network" means the group of participating providers and facilities providing health care services to a particular health carrier's health plan or to plans administered under chapter 41.05, 70.47, or 70.47A RCW.

(8) "Primary care" means routine health care services, including screening, assessment, diagnosis, and treatment for the purpose of promotion of health, and detection and management of disease or injury.

Sec. 2. RCW 48.150.040 and 2009 c 552 s 2 are each amended to read as follows:

(1) Direct practices may not:

(a) Enter into a participating provider contract as defined in RCW 48.44.010 or 48.46.020 with any carrier or with any carrier's contractor or subcontractor, or plans administered under chapter 41.05, 70.47, or 70.47A RCW, to provide health care services through a direct agreement except as set forth in subsection (2) of this section;

(b) Submit a claim for payment to any carrier or any carrier's contractor or subcontractor, or plans administered under chapter 41.05, 70.47, or 70.47A RCW, for health care services provided to direct patients as covered by their agreement;

(c) With respect to services provided through a direct agreement, be identified by a carrier or any carrier's contractor or subcontractor, or plans administered under chapter 41.05, 70.47, or 70.47A RCW, as

a participant in the carrier's or any carrier's contractor or subcontractor network for purposes of determining network adequacy or being available for selection by an enrollee under a carrier's benefit plan; or

(d) Pay for health care services covered by a direct agreement rendered to direct patients by providers other than the providers in the direct practice or their employees, except as described in subsection (2)(b) of this section.

(2) Direct practices and providers may:

(a) Enter into a participating provider contract as defined by RCW 48.44.010 and 48.46.020 or plans administered under chapter 41.05, 70.47, or 70.47A RCW for purposes other than payment of claims for services provided to direct patients through a direct agreement. Such providers shall be subject to all other provisions of the participating provider contract applicable to participating providers including but not limited to the right to:

(i) Make referrals to other participating providers;

(ii) Admit the carrier's members to participating hospitals and other health care facilities;

(iii) Prescribe prescription drugs; and

(iv) Implement other customary provisions of the contract not dealing with reimbursement of services;

(b)(i) Pay for charges associated with:

(A) The provision of routine lab and imaging services; and

(B) The dispensing, at no additional cost to the direct patient, of an initial supply, not to exceed thirty days, of generic prescription drugs prescribed by the direct provider.

(ii) In aggregate (~~such~~) payments made under (b)(i)(A) and (B) of this subsection per year per direct patient are not to exceed fifteen percent of the total annual direct fee charged that direct patient. Exceptions to this limitation may occur with respect to routine lab and imaging services in the event of short-term equipment failure if such failure prevents the provision of care that should not be delayed; and

(c) Charge an additional fee to direct patients for supplies, medications, and specific vaccines provided to direct patients that are specifically excluded under the agreement, provided the direct practice notifies the direct patient of the additional charge, prior to their administration or delivery."

Correct the title.

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

Amendment (70) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1480.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1480, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1538, by Representatives Morrell, Angel, Green, Ryu, Jinkins and Pollet

Encouraging the safe practice of public health nurses dispensing certain medications.

The bill was read the second time.

Representative Morrell moved the adoption of amendment (25).

On page 3, line 26, after "The" strike "secretary of the department" and insert "board of pharmacy"

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

Representative Shea spoke against the adoption of the amendment.

Amendment (25) was adopted.

The bill was ordered engrossed.

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

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

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1538.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1538, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer,

Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Holy, Klippert, Kochmar, Kretz, Kristiansen, Manweller, Orcutt, Overstreet, Parker, Pike, Scott, Shea, Short, Taylor and Vick.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1538, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1538.
Representative Warnick, 13th District

SECOND READING

HOUSE BILL NO. 1541, by Representatives Klippert, Cody, Schmick, Green, Harris, Chandler, Kristiansen, Morrell, Ryu, Angel, Jinkins, Van De Wege and Pollet

Expanding the types of medications that a public or private school employee may administer to include nasal spray.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1541 was substituted for House Bill No. 1541 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1541 was read the second time.

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

Representatives Klippert and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1541.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1609, by Representatives Schmick, Cody and Ryu

Renaming the board of pharmacy.

The bill was read the second time.

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

Representatives Schmick, Cody and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1609.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1609, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Crouse, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representative Freeman.

HOUSE BILL NO. 1609, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1635, by Representatives Morrell, Cody, Jinkins, Ryu and Pollet

Concerning disproportionate share hospital adjustments.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1635 was substituted for House Bill No. 1635 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1635 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1635.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1635, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Carlyle and Freeman.

SUBSTITUTE HOUSE BILL NO. 1635, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1660, by Representatives Hansen, Cody, Clibborn, Green, Morrell, Riccelli and Ryu

Convening a work group to develop a standardized clinical affiliation agreement for clinical placements for physicians and nurses.

The bill was read the second time.

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

Representatives Hansen and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1660.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1660, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Representatives Carlyle and Freeman.

HOUSE BILL NO. 1660, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1937, by Representatives Ross, Jinkins, Angel, Green, Harris, Cody, Morrell, Hope, Ryu, Schmick and Moscoso

Prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco to a minor.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1937.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1937, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Carlyle and Freeman.

HOUSE BILL NO. 1937, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1629, by Representatives Cody, Schmick, Jinkins, Tharinger, Green, Pollet, Morrell, Santos and Ryu

Concerning credentialing and continuing education requirements for long-term care workers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1629 was substituted for House Bill No. 1629 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1629 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1629.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1629, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Carlyle and Freeman.

SUBSTITUTE HOUSE BILL NO. 1629, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1861, by Representatives Ormsby, Sells, Appleton, Ryu and Freeman

Creating loan-making authority for down payment assistance for single-family homeownership.

The bill was read the second time.

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

Representatives Ormsby, Angel and Sells spoke in favor of the passage of the bill.

Representatives Dahlquist, Shea and Shea (again) spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Pike was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1861.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1861, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1861, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1863, by Representatives Stonier, Chandler, Sells, Haler, Fitzgibbon, Ross, Bergquist, Goodman, Carlyle, Hope, Reykdal, Ormsby, Stanford, Green, Ryu, Pollet and Freeman

Allowing the department of labor and industries to provide information about certain scholarships.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1863.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1863, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1863, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1083, by Representatives Appleton, Roberts, Jinkins, Freeman and Hunt

Authorizing judges of tribal courts to solemnize marriages. Revised for 1st Substitute: Authorizing judges of tribal courts and administrative law judges to solemnize marriages.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1083 was substituted for House Bill No. 1083 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1083 was read the second time.

Representative Taylor moved the adoption of amendment (19).

On page 1, line 15, after "~~RCW 3.02.010~~)." insert "That a marriage is solemnized by a tribal court judge pursuant to authority under this section does not create tribal court jurisdiction and does not affect state court authority as otherwise provided by law to enter a judgment for purposes of any dissolution, legal separation, or other proceedings related to the marriage that is binding on the parties and entitled to full faith and credit."

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

Amendment (19) was adopted.

The bill was ordered engrossed.

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

Representatives Appleton and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1083.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1083, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 1; Excused, 2.

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

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

Absent: Representative Kirby.

Excused: Representatives Freeman and Pike.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1083, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1311, by Representatives Chandler, Sells and Moscoso

Making coverage of certain maritime service elective for purposes of unemployment compensation.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1311.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1311, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1311, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1351, by Representatives Condotta and Hurst

Concerning the identification of wineries, breweries, and microbreweries on private labels.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1351.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1351, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1351, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1400, by Representatives Bergquist, Kochmar and Jinkins

Clarifying that service includes electronic distribution of hearing notices and orders in administrative proceedings.

The bill was read the second time.

With the consent of the house, amendment (26) was withdrawn.

Representative Bergquist moved the adoption of amendment (29).

On page 2, line 22, after "(5)" strike "The notice may be served on the parties via electronic distribution" and insert "The notice may be served on a party via electronic distribution, with a party's agreement"

On page 4, line 8, after "shown." strike "The initial or final order may be served on the parties via electronic distribution" and insert "The initial or final order may be served on a party via electronic distribution, with a party's agreement"

Representatives Bergquist and Buys spoke in favor of the adoption of the amendment.

Amendment (29) was adopted.

The bill was ordered engrossed.

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

Representatives Bergquist, Buys, Hunter and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1400.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1400, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

ENGROSSED HOUSE BILL NO. 1400, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Hudgins congratulated Representative Bergquist on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1404, by Representatives Lias, Walsh, Goodman, Roberts and Jinkins

Preventing alcohol poisoning deaths.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (30).

On page 2, beginning on line 34, after "(6)(a)" strike all material through "assistance" on page 3, line 5 and insert "An affirmative defense to a prosecution under this section is available to a person under the age of twenty-one years who sought medical assistance by calling 911 for someone experiencing alcohol poisoning, if the evidence for the charge was obtained as a result of the person seeking 911 medical assistance. For purposes of this defense, the defendant must prove by a preponderance of the evidence that the person he or she believed to be experiencing alcohol poisoning had symptoms that included vomiting, seizures, slow or irregular breathing, pale skin, low body temperature, slurred speech, impaired balance, dehydration, reduced inhibitions, erratic behavior, or being in a state of confusion, stupor, or euphoria."

(b) An affirmative defense to a prosecution under this section is available to a person under the age of twenty-one years who experienced alcohol poisoning and was in need of medical assistance, if the evidence for the charge is obtained as a result of the poisoning

and need for 911 medical assistance. For purposes of this defense, the defendant must prove by a preponderance of the evidence that he or she experienced symptoms that included vomiting, seizures, slow or irregular breathing, pale skin, low body temperature, slurred speech, impaired balance, dehydration, reduced inhibitions, erratic behavior, or being in a state of confusion, stupor, or euphoria"

Representatives Klippert, Klippert (again), Wilcox, Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representatives Goodman and Liias spoke against the adoption of the amendment.

Amendment (30) was not adopted.

Representative Klippert moved the adoption of amendment (31).

On page 2, line 38, after "assistance" insert "by calling 911"
On page 3, line 3, after "if" insert "the person called 911 and"

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (31) was not adopted.

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

Representatives Liias, Goodman, Takko and Walsh spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1404.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1404, and the bill passed the House by the following vote: Yeas, 72; Nays, 24; Absent, 0; Excused, 2.

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

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Klippert, Kretz, Kristiansen, MacEwen, Manweller, O'Ban, Orcutt, Overstreet, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1404, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1175, by Representatives Nealey, Haler, Klippert, Walsh, Schmick, Fagan and Ryu

Increasing the number of superior court judges in Benton and Franklin counties jointly.

The bill was read the second time.

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

Representatives Nealey, Pedersen and Walsh spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1175.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1175, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

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

Voting nay: Representatives Condotta, Crouse, Hawkins, Hope, MacEwen, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1175, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1175.

Representative Overstreet, 42nd District

SECOND READING

HOUSE BILL NO. 1286, by Representatives Sawyer, Dahlquist, McCoy, Clibborn, Jinkins, Ryu, Liias, Zeiger, Tharinger, Santos and Pollet

Authorizing the sale or exchange of unused department of transportation lands to federally recognized Indian tribes.

The bill was read the second time.

Representative Shea moved the adoption of amendment (79).

On page 1, at the beginning of line 7, insert "(1)"

On page 1, line 9, after "tribe" insert "unless the land is subject to sale under subsection (2) of this section"

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

"(2)(a) Prior to the department's transfer or conveyance to a federally recognized Indian tribe of any real property or any interest in real property that was acquired through condemnation within the previous ten years, the department must give the former owner a right of repurchase as described in subsection (b) of this section. For the purposes of this subsection, "former owner" means the person from whom or entity from which the department acquired title.

(b) Right of Repurchase. At least ninety days prior to the date on which the property is intended to be sold by the department, the department must mail notice of the planned sale to the former owner of the property at the former owner's last known address or to a forwarding address if that owner has provided the department with a forwarding address. If the former owner of the property's last known address, or forwarding address if a forwarding address has been provided, is no longer the former owner of the property's address, the right of repurchase is extinguished. If the former owner notifies the department within thirty days of the date of the notice that the former owner intends to repurchase the property, the department shall proceed with the sale of the property to the former owner for fair market value and shall not list the property for sale to other owners. If the former owner does not provide timely written notice to the department of the intent to exercise a repurchase right, or if the sale to the former owner is not completed within six months of the date of notice that the former owner intends to repurchase the property, the right of repurchase is extinguished."

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

Representative Clibborn spoke against the adoption of the amendment.

Amendment (79) was not adopted.

Representative Orcutt moved the adoption of amendment (74).

On page 1, line 9, after "tribe" insert "if the land to be transferred or conveyed abuts land owned by the tribe or owned by the federal government and held in trust for the tribe"

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

Representative Liias spoke against the adoption of the amendment.

Amendment (74) was not adopted.

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

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

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1286.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1286, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Schmick, Scott, Shea, Short, Taylor, Vick and Warnick.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1286, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1359, by Representatives Van De Wege, Buys, Hunt and Pollet

Regarding the state archivist.

The bill was read the second time.

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

Representative Van De Wege spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1359.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1359, and the bill passed the House by the following vote: Yeas, 52; Nays, 44; Absent, 0; Excused, 2.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunter, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1359, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1394, by Representatives Reykdal, Manweller, Sells, Hunt, Green, Van De Wege and Appleton

Changing the employment security department's settlement authority.

The bill was read the second time.

Representative Green moved the adoption of amendment (45).

On page 2, after line 34, insert the following:

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 5. Section 1 of this act takes effect January 1, 2013."

Correct the title.

Representatives Upthegrove and Manweller spoke in favor of the adoption of the amendment.

Amendment (45) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1394.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1394, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

ENGROSSED HOUSE BILL NO. 1394, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1456, by Representatives Hunt, Moscoso, Seaquist, Blake, Riccelli, Reykdal, Stanford, Fitzgibbon and Bergquist

Authorizing pretax payroll deductions for qualified transit and parking benefits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1456 was substituted for House Bill No. 1456 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1456 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1456.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1456, and the bill passed the House by the following vote: Yeas, 65; Nays, 31; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, Magendanz, Nealey, O'Ban, Orcutt, Overstreet, Parker, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh and Warnick.

Excused: Representatives Freeman and Pike.

SUBSTITUTE HOUSE BILL NO. 1456, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1483, by Representatives Hunt, Johnson, Appleton, Pollet, Reykdal, Moscoso, Van De Wege, Alexander, McCoy, Ryu, Kagi and Jinkins

Concerning public and private airport parking facilities.

The bill was read the second time.

Representative Hunt moved the adoption of amendment (43).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that transparency in parking rates that support airport parking is critical for parking consumers to understand what the airport parking rates are and what

the total parking charge will be, with all taxes and fees clearly identified, when returning to claim their vehicle.

NEW SECTION. Sec. 2. A new section is added to chapter 47.68 RCW to read as follows:

(1) A public or private airport parking facility's parking rates must be assessed based on a twenty-four hour day. Any parking charges assessed that exceed one or more days, yet are less than another twenty-four hour period, may be assessed on an hourly basis up to the amount normally assessed for a twenty-four hour period. In addition, for stays less than twenty-four hours, an hourly rate may be assessed up to the amount assessed for a twenty-four hour period.

(2) The maximum standard parking rate for a public or private airport parking facility and all taxes, fees, and surcharges must be identified and posted at the entrance to the parking facility, or at another prominent location at the parking facility, and on the parking facility's web site.

(3) A public or private airport parking facility must use due diligence in ensuring that total transparency is achieved when communicating to a parking consumer what the total parking charge will be when the person claims his or her vehicle from the parking facility."

Correct the title.

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

Amendment (43) was adopted.

The bill was ordered engrossed.

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

Representatives Hunt, Johnson and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1483.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1483, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; Absent, 0; Excused, 2.

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

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

Excused: Representatives Freeman and Pike.

ENGROSSED HOUSE BILL NO. 1483, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1582, by Representatives Ryu, Warnick, Santos, Kirby and Moscoso

Addressing credit unions' corporate governance, investments, and capital. Revised for 1st Substitute: Addressing credit unions' corporate governance and investments.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1582 was substituted for House Bill No. 1582 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1582 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1582.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1582, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

SUBSTITUTE HOUSE BILL NO. 1582, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1733, by Representatives Riccelli, Hawkins, Bergquist, Alexander, Fitzgibbon, Buys, Tarleton, Manweller, Vick, Reykdal, Sawyer, Sells, Springer, Ryu, Clibborn, Angel, Jinkins, Maxwell, Pollet, Farrell, Moscoso, Ormsby, Morrell and Magendanz

Requiring capital and transportation project investments to be searchable by the public for certain detailed information.

The bill was read the second time.

Representative Hawkins moved the adoption of amendment (48).

On page 3, beginning on line 10, strike all of section 3

Correct the title.

Representatives Hawkins and Riccelli spoke in favor of the adoption of the amendment.

Amendment (48) was adopted.

The bill was ordered engrossed.

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

Representatives Riccelli, Hawkins, Riccelli (again) and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1733.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1733, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

ENGROSSED HOUSE BILL NO. 1733, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1752, by Representatives Orcutt, Clibborn and Ryu

Modifying requirements for the operation of commercial motor vehicles in compliance with federal regulations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1752 was substituted for House Bill No. 1752 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1752 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1752.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1752, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

SUBSTITUTE HOUSE BILL NO. 1752, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1814, by Representatives Ryu, Clibborn, Johnson, Angel, Freeman, Zeiger, Bergquist, Reykdal, Liias, Moeller, Morris, Farrell and Fey

Concerning the agency council on coordinated transportation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1814 was substituted for House Bill No. 1814 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1814 was read the second time.

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

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

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1814.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1814, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby,

Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Ross, Schmick, Scott, Shea, Short, Taylor, Vick, Walsh and Wilcox.

Excused: Representatives Freeman and Pike.

SUBSTITUTE HOUSE BILL NO. 1814, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1860, by Representatives Alexander, Haigh, Ryu and Fey

Continuing the use of the legislature's sunset review process.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1860.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1860, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1860, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1048, by Representatives Seaquist and Haler

Regarding higher education governance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1048 was substituted for House Bill No. 1048 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1048 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1048.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1048, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

SUBSTITUTE HOUSE BILL NO. 1048, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1217, by Representatives Takko, Haigh and Ryu

Strengthening the integrity, fairness, and equity in Washington's property assessment system.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1217 was substituted for House Bill No. 1217 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1217 was read the second time.

Representative Smith moved the adoption of amendment (77).

On page 2, after line 32, insert the following:

"Sec. 2. RCW 84.40.0301 and 1994 c 301 s 35 are each amended to read as follows:

Upon review by any court, or appellate body, of a determination of the valuation of property for purposes of taxation, it (~~shall be~~) is presumed that the determination of the public official charged with the duty of establishing such value is correct but this presumption

((shall) is not ((be) a defense against any correction indicated by ((clear, cogent and convincing)) a preponderance of the evidence.

NEW SECTION. Sec. 3. Section 2 of this act applies to taxes levied for collection in 2014 and thereafter."

Correct the title.

Representatives Smith, Shea and Orcutt spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (77) and the amendment was not adopted by the following vote: Yeas: 45 Nays: 51 Absent: 0 Excused: 2

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Rodne, Ross, Ryu, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

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

Excused: Representatives Freeman and Pike

Amendment (77) was not adopted.

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

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

Representative Nealey spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1217.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1217, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson,

Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Freeman and Pike.

SECOND SUBSTITUTE HOUSE BILL NO. 1217, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1217.

Representative Stonier, 17th District

SECOND READING

HOUSE BILL NO. 1432, by Representatives Stanford, Hope, Moscoso, Springer, Hayes, Roberts, McCoy, Liias, Kristiansen and Sells

Concerning county property tax levies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1432 was substituted for House Bill No. 1432 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1432 was read the second time.

Representative Stanford moved the adoption of amendment (51).

On page 2, beginning on line 15, after "reduced" strike all material through "by not" on line 16 and insert "by no"

Representatives Stanford and Nealey spoke in favor of the adoption of the amendment.

Amendment (51) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1432.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1432, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Representatives Freeman and Pike.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1493, by Representatives Springer, Warnick, Hansen, Short, Orcutt, Tharinger, Seaquist, Zeiger, Hunt, Wilcox, Nealey, Morrell, Moscoso, Liias, Stanford, Hudgins, Green, Pettigrew, Moeller, Appleton, Ryu, Bergquist and Stonier

Concerning the property taxation of mobile homes and park model trailers.

The bill was read the second time.

Representative Springer moved the adoption of amendment (66).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 84.56 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, if the landlord of a mobile home park takes ownership of a mobile home or park model trailer with the intent to resell or rent the same after (a) the mobile home or park model trailer has been abandoned; or (b) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord, the outstanding taxes become the responsibility of the landlord.

(2) Upon notification by the assessor, the county treasurer must remove from the tax rolls any outstanding taxes, as well as interest and penalties, on a mobile home or park model trailer if the landlord of a mobile home park:

(a) Submits a signed affidavit to the assessor indicating that the landlord has taken ownership of the mobile home or park model trailer with the intent to resell or rent after: (i) The mobile home or park model trailer has been abandoned; or (ii) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord; and

(b) The most current assessed value of the mobile home or park model trailer is less than eight thousand dollars.

(3) For the purposes of this section, "abandoned," "mobile home," and "park model" have the same meanings as provided in RCW 59.20.030.

Sec. 2. RCW 46.44.170 and 2010 c 161 s 1118 are each amended to read as follows:

(1) Any person moving a mobile home as defined in RCW 46.04.302 or a park model trailer as defined in RCW 46.04.622 upon public highways of the state must obtain:

(a) A special permit from the department of transportation and local authorities pursuant to RCW 46.44.090 and 46.44.093 and

~~((shall))~~ must pay the proper fee as prescribed by RCW 46.44.0941 and 46.44.096; and

(b) For mobile homes constructed before June 15, 1976, and already situated in the state: (i) A certification from the department of labor and industries that the mobile home was inspected for fire safety; or (ii) an affidavit in the form prescribed by the department of commerce signed by the owner at the county treasurer's office at the time of the application for the movement permit stating that the mobile home is being moved by the owner for his or her continued occupation or use; or (iii) a copy of the certificate of title together with an affidavit signed under penalty of perjury by the certified owner stating that the mobile home is being transferred to a wrecking yard or similar facility for disposal. In addition, the destroyed mobile home must be removed from the assessment rolls of the county and any outstanding taxes on the destroyed mobile home must be removed by the county treasurer.

(2) A special permit issued as provided in subsection (1) of this section for the movement of any mobile home or a park model trailer that is assessed for purposes of property taxes ~~((shall))~~ is not ~~((be))~~ valid until the county treasurer of the county in which the mobile home or park model trailer is located ~~((shall))~~ must endorse or attach his or her certificate that all property taxes which are a lien or which are delinquent, or both, upon the mobile home or park model trailer being moved have been satisfied. Further, any mobile home or park model trailer required to have a special movement permit under this section shall display an easily recognizable decal. However, endorsement or certification by the county treasurer and the display of the decal is not required:

(a) When a mobile home or park model trailer is to enter the state or is being moved from a manufacturer or distributor to a retail sales outlet or directly to the purchaser's designated location or between retail and sales outlets;

(b) When a signed affidavit of destruction is filed with the county assessor and the mobile home or park model trailer is being moved to a disposal site by a landlord as defined in RCW 59.20.030 after (i) the mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (ii) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord. The mobile home or park model trailer will be removed from the tax rolls and, upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer will be removed by the county treasurer; or

(c) When a signed affidavit of destruction is filed with the county assessor by any mobile home or park model trailer owner or any property owner with an abandoned mobile home or park model trailer, the same shall be removed from the tax rolls and upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer ~~((shall))~~ must be removed by the county treasurer.

(3) Except as provided in section 1(1) of this act, if the landlord of a mobile home park takes ownership of a mobile home or park model trailer with the intent to resell or rent the same under RCW 59.20.030 after (a) the mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (b) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord, the outstanding taxes become the responsibility of the landlord.

(4) It is the responsibility of the owner of the mobile home or park model trailer subject to property taxes or the agent to obtain the endorsement and decal from the county treasurer before a mobile home or park model trailer is moved.

(5) This section does not prohibit the issuance of vehicle license plates for a mobile home or park model trailer subject to property

taxes, but plates (~~shall~~) may not be issued unless the mobile home or park model trailer subject to property taxes for which plates are sought has been listed for property tax purposes in the county in which it is principally located and the appropriate fee for the license has been paid.

(6) The department of transportation, the department of labor and industries, and local authorities are authorized to adopt reasonable rules for implementing the provisions of this section. The department of transportation (~~shall~~) must adopt rules specifying the design, reflective characteristics, annual coloration, and for the uniform implementation of the decal required by this section. The department of labor and industries (~~shall~~) must adopt procedures for notifying destination local jurisdictions concerning the arrival of mobile homes that failed safety inspections."

Correct the title.

Representatives Springer and Nealey spoke in favor of the adoption of the amendment.

Amendment (66) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1493.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1493, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Freeman and Pike.

ENGROSSED HOUSE BILL NO. 1493, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1207, by Representatives Haigh, Takko and Ryu

Concerning cemetery district formation requirements.

The bill was read the second time.

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

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

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1207.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1207, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives Freeman and Pike.

HOUSE BILL NO. 1207, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 10:00 a.m., March 6, 2013, the 52nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY SECOND DAY

House Chamber, Olympia, Wednesday, March 6, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sequoyah Stitt and Hannah Cherry. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Karl Alsln, Hope Community Church, Olympia Washington.

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

MESSAGES FROM THE SENATE

March 5, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5157
ENGROSSED SUBSTITUTE SENATE BILL NO. 5563
ENGROSSED SENATE BILL NO. 5607
ENGROSSED SENATE BILL NO. 5620
ENGROSSED SUBSTITUTE SENATE BILL NO. 5723

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 5, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5081
SUBSTITUTE SENATE BILL NO. 5100
SUBSTITUTE SENATE BILL NO. 5119
SENATE BILL NO. 5149
SENATE BILL NO. 5207
SUBSTITUTE SENATE BILL NO. 5227
SUBSTITUTE SENATE BILL NO. 5316
SUBSTITUTE SENATE BILL NO. 5399
SENATE BILL NO. 5446
SENATE BILL NO. 5516
SUBSTITUTE SENATE BILL NO. 5556
SENATE BILL NO. 5558
SUBSTITUTE SENATE BILL NO. 5601
SENATE BILL NO. 5606
SENATE BILL NO. 5712
SENATE BILL NO. 5810

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

INTRODUCTIONS AND FIRST READING

HB 1977 by Representative Upthegrove

AN ACT Relating to promoting renewable energy; amending RCW 19.285.040, 82.16.110, 82.16.120, and 82.16.130; reenacting and amending RCW 19.285.030; adding a new section to chapter 80.28 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Environment.

HB 1978 by Representatives Zeiger, Clibborn, Orcutt, O'Ban, Hargrove, Liias, Fey and Moscoso

AN ACT Relating to permitting certain transportation projects; adding a new chapter to Title 47 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 1979 by Representatives Zeiger, Liias, Clibborn, Kretz, Hargrove, Fitzgibbon, Upthegrove and O'Ban

AN ACT Relating to implementing public-private partnership best practices for nontoll transportation projects; amending RCW 47.29.010, 47.29.030, 47.29.060, 47.29.140, 47.29.150, 47.29.170, 47.29.180, 47.29.280, 39.10.300, and 47.12.080; reenacting and amending RCW 39.08.010; adding a new section to chapter 47.29 RCW; adding a new section to chapter 39.10 RCW; and adding a new section to chapter 39.04 RCW.

Referred to Committee on Transportation.

HB 1980 by Representative Schmick

AN ACT Relating to reporting the location of human remains; adding a new section to chapter 68.50 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5069 by Senators Schoesler, Hewitt and Kohl-Welles

AN ACT Relating to increasing the number of superior court judges in Benton and Franklin counties jointly; amending RCW 2.08.064; and creating a new section.

Referred to Committee on Judiciary.

SB 5114 by Senators Bailey, Hobbs, Roach, Becker, Carrell, Dammeier, Benton, Honeyford, Padden and King

AN ACT Relating to access to K-12 campuses for occupational or educational information; and amending RCW 28A.230.180.

Referred to Committee on Education.

ESSB 5176 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell and Hewitt)

AN ACT Relating to criminal incompetency and civil commitment; amending RCW 10.77.086, 10.77.088, 10.77.270, 71.05.235, 71.05.280, 71.05.290, 71.05.320, 71.05.425, 10.77.200, and 10.77.065; and creating a new section.

Referred to Committee on Judiciary.

SSB 5180 by Senate Committee on Higher Education (originally sponsored by Senators Shin, Roach, Benton, Conway, Harper, Keiser, Sheldon, McAuliffe, Hill, Hatfield, Frockt, Schlicher and Kline)

AN ACT Relating to improving access to higher education for students with disabilities; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5216 by Senators Rolfes, Bailey, Mullet, Parlette, Keiser, Shin and Conway

AN ACT Relating to long-term care insurance; and amending RCW 48.83.090 and 48.83.170.

Referred to Committee on Health Care & Wellness.

SSB 5274 by Senate Committee on Transportation (originally sponsored by Senators Carrell, Eide, King, Harper, Hill and Shin)

AN ACT Relating to private motorcycle skills education programs; amending RCW 46.81A.020; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

ESB 5305 by Senators Becker, Schlicher, Kline, Dammeier, Delvin, Ericksen, Parlette and Carrell

AN ACT Relating to requiring hospitals to report when providing treatment for bullet wounds, gunshot wounds, and stab wounds to all patients; and amending RCW 70.41.440.

Referred to Committee on Health Care & Wellness.

SSB 5369 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Kline, King, Honeyford and Mullet)

AN ACT Relating to the use of geothermal resources; amending RCW 78.60.030, 78.60.040, and 78.60.060; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Environment.

ESSB 5438 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Ericksen and Chase)

AN ACT Relating to using conservation achieved by a qualifying utility in excess of its biennial acquisition target

under the energy independence act; and amending RCW 19.285.040.

Referred to Committee on Environment.

SB 5450 by Senator Parlette

AN ACT Relating to public hospital districts insurance coverage for commissioners; and amending RCW 70.44.050.

Referred to Committee on Local Government.

SB 5472 by Senators Bailey, Ranker, Kohl-Welles and Becker

AN ACT Relating to applied doctorate level degrees in audiology at Western Washington University; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education.

SB 5488 by Senators Kohl-Welles, Padden, Kline, Darneille, Fraser, Ranker, Keiser, Delvin, Carrell, McAuliffe, Chase and Conway

AN ACT Relating to establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission of a sex-trafficking crime; adding a new section to chapter 9.68A RCW; repealing RCW 9.68A.104; repealing 2012 c 138 s 1 (uncodified); and repealing 2012 c 138 s 3 (uncodified).

Referred to Committee on Public Safety.

ESB 5495 by Senators Holmquist Newbry, Fain, Hobbs, Dammeier and McAuliffe

AN ACT Relating to the state building code council; and amending RCW 19.27.070.

Referred to Committee on Local Government.

SB 5500 by Senators Benton, Roach and Hobbs

AN ACT Relating to providing a replacement ballot by telephone, mail, or in person to a voter who is not a voter that is overseas or in the military; and reenacting and amending RCW 29A.40.070.

Referred to Committee on Government Operations & Elections.

SSB 5524 by Senate Committee on Health Care (originally sponsored by Senators Cleveland, Schlicher, Benton, Baumgartner, Keiser, Shin and Kline)

AN ACT Relating to authorizing Washington pharmacies to fill prescriptions written by physician assistants in other states; and reenacting and amending RCW 69.41.030 and 69.50.101.

Referred to Committee on Health Care & Wellness.

SSB 5559 by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Tom and McAuliffe)

AN ACT Relating to educational specialist degrees at regional universities and the state college; amending RCW 28B.35.202; and adding a new section to chapter 28B.40 RCW.

Referred to Committee on Higher Education.

SB 5578 by Senators Fraser, Carrell, Padden, Darneille, Harper, Pearson, Hargrove and Kline

AN ACT Relating to education requirements for family day care providers; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Early Learning & Human Services.

SB 5618 by Senators Carrell, Padden, Pearson and Harper

AN ACT Relating to the school warrantless search exception; amending RCW 28A.600.230 and 28A.600.240; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

ESSB 5669 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Kohl-Welles, Smith, Hargrove, Pearson, Darneille, Bailey, Nelson, Becker, Benton, Brown, Baumgartner, Conway, Roach and Holmquist Newbry)

AN ACT Relating to trafficking; amending RCW 9.68A.090, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, 9A.44.020, 9A.44.128, 9A.44.150, 9A.82.010, and 13.34.132; reenacting and amending RCW 9A.40.100; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

2ESB 5701 by Senators Brown, Fain, Rivers, Dammeier and Cleveland

AN ACT Relating to authorizing penalties based on the fraudulent submission of tests for educators; and amending RCW 28A.410.090.

Referred to Committee on Education.

SSB 5705 by Senate Committee on Governmental Operations (originally sponsored by Senators Brown, King and Hatfield)

AN ACT Relating to amounts received by taxing districts from property tax refunds and abatements; and amending RCW 84.69.180.

Referred to Committee on Finance.

SSB 5786 by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Hargrove)

AN ACT Relating to requiring certain information in commercial fishing guide license applications; and amending RCW 77.65.050.

Referred to Committee on Agriculture & Natural Resources.

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

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

SECOND READING

HOUSE BILL NO. 1071, by Representatives Blake and Chandler

Regarding state and private partnerships for managing salmonid hatcheries.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1071 was substituted for House Bill No. 1071 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1071 was read the second time.

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

Representatives Blake and Chandler spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Van De Wege, Representatives Freeman and Pettigrew were excused. On motion of Representative Harris, Representative Nealey were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1071.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1071, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1071, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1075, by Representatives Lytton, Blake, Chandler, Haigh and Morris

Concerning the number of Puget Sound Dungeness crab fishery licenses that one vessel may be designated to carry.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1075 was substituted for House Bill No. 1075 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1075 was read the second time.

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

Representatives Lytton and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1075.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1075, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Representative Dunshee.

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1075, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1323, by Representatives Lytton, Morris, Blake and Takko

Regarding the sea cucumber dive fishery.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1323 was substituted for House Bill No. 1323 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1323 was read the second time.

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

Representatives Lytton and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1323.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 3.

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

Voting nay: Representatives Kretz, Scott, Shea and Short.

Excused: Representatives Freeman, Nealey and Pettigrew.

SUBSTITUTE HOUSE BILL NO. 1323, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1419, by Representatives Warnick and Manweller

Expanding membership of the Washington state horse park authority.

The bill was read the second time.

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

Representatives Warnick, Clibborn and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1419.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1419, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

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

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

Excused: Representatives Freeman, Nealey and Pettigrew.

HOUSE BILL NO. 1419, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1764, by Representatives Chandler, Stanford, Blake, Appleton and Dunshee

Concerning geoduck diver licenses.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1764 was substituted for House Bill No. 1764 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1764 was read the second time.

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

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1764.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1764, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Representatives Freeman, Nealey and Pettigrew.

SECOND SUBSTITUTE HOUSE BILL NO. 1764, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1075 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1075, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1075, on reconsideration, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Representatives Dunshee, Reykdal, Van De Wege and Warnick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1075, having received the necessary constitutional majority, was declared on reconsideration, passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1075.

Representative Warnick, 13th District

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1323 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1323, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1323, on reconsideration, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet,

Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Dahlquist, Haler, Harris, Holy, Klippert, Kretz, Kristiansen, Magendanz, Overstreet, Pike, Rodne, Scott, Shea, Short, Stonier, Taylor, Vick and Warnick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1323, having received the necessary constitutional majority, was declared on reconsideration, passed.

SECOND READING

HOUSE BILL NO. 1821, by Representatives Freeman and Santos

Concerning good cause exceptions during permanency hearings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1821 was substituted for House Bill No. 1821 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1821 was read the second time.

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

Representatives Freeman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1821.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1821, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1821, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1112, by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Zeiger and Wilcox

Concerning standards for the use of science to support public policy.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1112.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1112, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

HOUSE BILL NO. 1112, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1141, by Representatives Smith, Tharinger, Short, Hunt, Stanford, Warnick and Ryu

Establishing a water pollution control revolving loan administration charge.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1141 was substituted for House Bill No. 1141 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1141 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1141.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1141, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1141, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1154, by Representatives Upthegrove and Ryu

Modifying the definition of nonpower attributes in the energy independence act.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1154.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1154, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1154, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1496, by Representatives Sawyer, McCoy, Hunt, Appleton, Santos, Liias, Riccelli, Dunshee, Stanford, Ormsby and Pollet

Concerning hunting-related enforcement actions involving tribal members.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1496 was substituted for House Bill No. 1496 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1496 was read the second time.

Representative Blake moved the adoption of amendment (15).

On page 1, after line 8, strike all material through "hunt" on line 13 and insert "to the contents of the training module on tribal hunting rights produced by the office of the attorney general under section 2 of this act and take any applicable actions consistent with the contents of the module"

On page 2, beginning on line 4, after "agency are" strike all material through "encouraged," on line 5 and insert "encouraged"

On page 2, after line 6, insert the following:

"NEW SECTION, Sec. 2. A new section is added to chapter 43.10 RCW to read as follows:

(1) The office of the attorney general shall create a training module on tribal hunting rights to assist all general authority Washington peace officers with understanding the rights of tribal hunters, the related complexity of enforcing hunting laws, and the recommended course of action that should be taken by a peace officer when an individual presents a tribal identification card.

(2) The training module required by this section must include information on the following aspects of tribal hunting law:

(a) Applicable federal treaty provisions, including Article 5 of the treaty of Point Elliot, Article 4 of both the treaty of Neah Bay and the treaty of Point No Point, and Article 3 of both the treaty of Medicine Creek and the treaty of Olympia;

(b) Case law interpretations of treaty rights, including *State v. Miller* (102 Wn.2d 678), *State v. Buchanan* (138 Wn.2d 186), and *State v. Chambers* (81 Wn.2d 929);

(c) Tribal government status and general organization; and

(d) Other sources of authority and information relevant to peace officers when enforcing the hunting laws and rules contained in Title 77 RCW and the corresponding administrative rules adopted by the fish and wildlife commission.

(3) The training module required by this section must be updated as necessary to reflect evolving case law, treaty interpretations, generally accepted academic findings, agreements entered into by the states and tribes, and any other relevant developments related to tribal hunting law.

Sec. 3. RCW 77.04.055 and 2000 c 107 s 204 are each amended to read as follows:

(1) In establishing policies to preserve, protect, and perpetuate wildlife, fish, and wildlife and fish habitat, the commission shall meet annually with the governor to:

(a) Review and prescribe basic goals and objectives related to those policies; and

(b) Review the performance of the department in implementing fish and wildlife policies.

(2)(a) The commission shall maximize fishing, hunting, and outdoor recreational opportunities compatible with healthy and diverse fish and wildlife populations.

~~((2))~~ (b) The commission shall establish hunting, trapping, and fishing seasons and prescribe the time, place, manner, and methods that may be used to harvest or enjoy game fish and wildlife.

(3) The commission shall establish provisions regulating food fish and shellfish as provided in RCW 77.12.047.

(4) The commission shall have final approval authority for tribal, interstate, international, and any other department agreements relating to fish and wildlife.

(5)(a) The commission shall adopt rules to implement the state's fish and wildlife laws.

(b) The commission shall adopt, and review and update as necessary, enforcement policies and guidelines related to tribal hunting rights that are based on the contents of the training module on tribal hunting rights produced by the office of the attorney general under section 2 of this act.

(6) The commission shall have final approval authority for the department's budget proposals.

(7) The commission shall select its own staff and shall appoint the director of the department. The director and commission staff shall serve at the pleasure of the commission.

Sec. 4. RCW 77.15.075 and 2012 c 176 s 8 are each amended to read as follows:

(1) Fish and wildlife officers shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally. Fish and wildlife officers are general authority Washington peace officers.

(2) An applicant for a fish and wildlife officer position must be a citizen of the United States of America who can read and write the English language. Before a person may be appointed to act as a fish and wildlife officer, the person shall meet the minimum standards for employment with the department, including successful completion of a psychological examination and polygraph examination or similar assessment procedure administered in accordance with the requirements of RCW 43.101.095(2).

(3) Any liability or claim of liability under chapter 4.92 RCW that arises out of the exercise or alleged exercise of authority by a fish and wildlife officer rests with the department unless the fish and wildlife officer acts under the direction and control of another agency or unless the liability is otherwise assumed under an agreement between the department and another agency.

(4) The department may utilize the services of a volunteer chaplain as provided under chapter 41.22 RCW.

(5) All fish and wildlife officers must, as part of their new officer training, receive at least four hours of training related to the training module on tribal hunting rights prepared by the office of the attorney general under section 2 of this act and any relevant policies adopted by the commission under RCW 77.04.055. This training must be repeated at least once a year for every fish and wildlife officer, with a focus on any recent changes to the module."

Correct the title.

Representatives Blake and Angel spoke in favor of the adoption of the amendment.

Amendment (15) was adopted.

The bill was ordered engrossed.

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

Representatives Sawyer and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1496.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1496, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Orcutt, Overstreet, Pike, Schmick, Scott, Shea, Short, Stonier, Taylor and Vick.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1496, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1244, by Representatives Stanford, Orcutt, Ryu, Warnick, Maxwell, Blake, Upthegrove, Lytton, MacEwen, Van De Wege, Haigh and Tharinger

Clarifying the department of natural resources' authority to enter into cooperative agreements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1244 was substituted for House Bill No. 1244 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1244 was read the second time.

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

Representatives Stanford and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1244.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1244, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

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

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1244, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1886, by Representatives Chandler and Haigh**Concerning the recoverable costs of the department of agriculture under chapter 16.36 RCW.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1886 was substituted for House Bill No. 1886 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1886 was read the second time.

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

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1886.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1886, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1950, by Representative Haler**Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1950 was substituted for House Bill No. 1950 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1950 was read the second time.

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

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

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1950, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1017, by Representatives Morris, Fitzgibbon, Fey, Liias, McCoy, Hudgins, Farrell, Morrell, Ormsby, Upthegrove and Pollet**Creating new efficiency standards.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1017 was substituted for House Bill No. 1017 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1017 was read the second time.

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

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

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1017.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1017, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

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

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Taylor, Vick, Walsh, Warnick and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1017, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1218, by Representatives Takko, Klippert, Blake, Orcutt, Kirby, Buys, Lytton, Goodman, Kretz, Van De Wege, Nealey, Hudgins, Wilcox, Stanford, Short, Warnick, Haigh and Ryu

Concerning department of fish and wildlife license suspensions.

The bill was read the second time.

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

Representatives Takko and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1218.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1218, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Representative Nealey.

HOUSE BILL NO. 1218, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1309, by Representatives Upthegrove, Short, Magendanz, Nealey, Morris, Walsh, Takko, McCoy, Liias, Springer, Pollet and Kagi

Directing state investments of existing litter tax revenues under chapter 82.19 RCW in material waste management efforts without increasing the tax rate.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1309 was substituted for House Bill No. 1309 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1309 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1309.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

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

Voting nay: Representatives Chandler, Condotta, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1309, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1498, by Representatives Upthegrove, Short and Ryu

Improving reports on electronic waste collection.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1498 was substituted for House Bill No. 1498 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1498 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1498.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1498, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

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

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1498, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1889, by Representatives Chandler and Blake

Concerning the fruit and vegetable district fund.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1889 was substituted for House Bill No. 1889 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1889 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1889.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1889, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1889, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1896, by Representatives Lytton, Chandler, Blake, MacEwen and Wilcox

Enhancing compliance with the responsibilities of fishing guides.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1896.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1896, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Representative Nealey.

HOUSE BILL NO. 1896, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1199, by Representatives Blake, Chandler, Takko, Buys, Kirby, Orcutt, Lytton, Van De Wege, Nealey, Hudgins, Stanford, Wilcox, Warnick, Ryu, Morrell and Tharinger

Ensuring hunter safety.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1199 was substituted for House Bill No. 1199 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1199 was read the second time.

With the consent of the house, amendment (91) was withdrawn.

Representative MacEwen moved the adoption of amendment (92).

On page 2, beginning on line 20, after "(2)" strike all material through "(3)" on line 22

On page 2, at the beginning of line 26, strike "(4)" and insert "(3)"

On page 2, at the beginning of line 35, strike "(5)" and insert "(4)"

On page 3, at the beginning of line 3, strike "(6)" and insert "(5)"

On page 3, at the beginning of line 12, strike "(7)" and insert "(6)"

On page 3, at the beginning of line 14, strike "(8)" and insert "(7)"

On page 3, at the beginning of line 29, strike "(9)" and insert "(8)"

On page 3, at the beginning of line 33, strike "(10)" and insert "(9)"

On page 4, beginning on line 14, strike all of section 3

Correct the title.

Representatives MacEwen and Blake spoke in favor of the adoption of the amendment.

Amendment (92) was adopted.

The bill was ordered engrossed.

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

Representatives Blake, Chandler and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1199.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1199, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1199, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1199.

Representative Overstreet, 42nd District

SECOND READING

HOUSE BILL NO. 1243, by Representatives Haigh, MacEwen, Blake, Sullivan, Orcutt, Ryu, Maxwell, Upthegrove, Lytton, Van De Wege, Kretz and Warnick

Modifying expiration dates affecting the department of natural resources' timber sale program.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1243.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1243, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Nealey.

HOUSE BILL NO. 1243, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1364, by Representatives Tharinger, Zeiger, Moscoso, Crouse, Liias, McCoy, Fitzgibbon, Upthegrove, Maxwell, Morrell, Pollet and Fey

Adopting the Washington small rechargeable battery stewardship act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1364 was substituted for House Bill No. 1364 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1364 was read the second time.

Representative Tharinger moved the adoption of amendment (121).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that it is in the public interest of the citizens of Washington to encourage the recovery and reuse of materials, such as metals, that replace the output of mining and other extractive industries.

(2) The legislature further finds that it is desirable to reduce the volume of the solid waste stream and resulting burdens on municipalities.

(3) The legislature further finds that ensuring the proper handling and recycling of used small rechargeable batteries prevents the release of certain toxic materials into the environment and removes from the waste stream certain materials that may present safety concerns if mishandled.

(4) The legislature further finds that it is important to ensure that all entities supplying small rechargeable batteries to users in Washington, whether as stand-alone units or as easily removable components of products, bear the same battery stewardship obligations.

(5) The legislature further finds that addressing certain existing and future barriers to implementation of voluntary industry programs to collect and recycle used small rechargeable batteries will facilitate these interests.

(6) The legislature further finds that the opportunity exists for the state of Washington to encourage the continuation of existing private mechanisms that ensure the proper stewardship of used small rechargeable batteries, while avoiding any burden on the state for enforcement responsibilities.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Battery pack" means an assembly of small rechargeable batteries, together weighing less than eleven pounds, that are packed in a container that has a single positive and negative connection.

(2) "Bona fide used small rechargeable battery stewardship program" or "bona fide program" means a program for the collection, transportation, recycling, and disposal of used small rechargeable batteries that meets the criteria set forth in section 5 of this act.

(3) "Easily removable" means readily detachable by a consumer with the use of common household tools or without the use of tools.

(4) "Manage" means to run or direct the functioning of a bona fide used small rechargeable battery stewardship program, other than as a retailer or as a franchisor on behalf of its franchisees, on behalf of more than one marketer or manufacturer.

(5) "Manager" means a person who conducts activities described in the definition of manage in this section.

(6) "Manufacture or market" means to perform one of the following acts, other than as a retailer:

(a) Manufacture, or arrange for the manufacturing of, small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the manufacturer or the person who arranges for manufacturing;

(b) Package, or arrange for the packaging of, small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the packager or the person who arranges for packaging;

(c) Import into the United States small rechargeable batteries or portable rechargeable products sold, offered for sale, or distributed in Washington under a brand name owned or licensed by the importer or the person who arranges for the importation; or

(d) Otherwise make available to wholesalers or retailers in Washington small rechargeable batteries either as replacement batteries or as easily removable components in portable rechargeable products.

(7) "Manufacturer or marketer" means every person who conducts activities described in the definition of manufacture or market in this section.

(8) "Nonenrolled battery" means a small rechargeable battery that is not manufactured or marketed by any person who self-operates, manages, or participates in a bona fide used small rechargeable battery stewardship program.

(9) "Participate" means to appoint a manager to act as a representative to administer a bona fide used small rechargeable battery stewardship program on one's behalf and to have that appointment accepted by the manager of the bona fide program.

(10) "Person" means a sole proprietorship, partnership, corporation, nonprofit corporation or organization, limited liability company, firm, association, cooperative, or other legal entity located within or outside Washington.

(11) "Portable rechargeable product" means a product, other than a medical device as defined in RCW 19.210.010, that is packaged with, or contains, one or more easily removable small rechargeable batteries at the time it is sold or offered for sale.

(12) "Retailer" means every person who sells or offers to sell small rechargeable batteries or portable rechargeable products at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet. The term retailer does not include a person who engages solely in wholesale transactions with a distributor or manufacturer.

(13) "Self-operate" means to run or direct the functioning of a bona fide used small rechargeable battery stewardship program as a retailer or franchisor on behalf of oneself or one's franchisees.

(14) "Self-operator" means a retailer or franchisor who conducts activities described in the definition of self-operate in this section.

(15) "Small rechargeable battery" means:

(a)(i) Except as described in (b) of this subsection, one or more voltaic or galvanic cells, together weighing less than eleven pounds, that are electrically connected to produce electric energy and are designed to be recharged; or

(ii) Except as described in (b) of this subsection, a battery pack.

(b) "Small rechargeable battery" does not include:

(i) A battery that is not easily removable or is not intended or designed to be removed from the product, other than by the manufacturer;

(ii) A battery that contains electrolyte as a free liquid; or

(iii) A battery or battery pack that employs lead acid technology, unless the battery or battery pack:

(A) Is sealed;

(B) Contains no liquid electrolyte; and

(C) Is intended by its manufacturer or marketer to power a handheld device or to provide uninterrupted backup electrical power protection for stationary consumer products or stationary office equipment.

NEW SECTION. Sec. 3. (1) Except as authorized by subsection (2) of this section, a person may not sell or make available to a wholesaler or retailer for sale in Washington a nonenrolled battery, whether as a replacement battery or as a component of a portable rechargeable product.

(2) This section does not apply to the activities of a telecommunications provider for equipment marketed under a brand it owns that contains small rechargeable batteries.

NEW SECTION. Sec. 4. (1) The self-operator or manager of a bona fide used small rechargeable battery stewardship program that incurs costs, including incremental administrative and other costs, in excess of three thousand dollars to collect, transport, and reclaim nonenrolled batteries collected in Washington may bring a civil action or actions to recover costs, damages, and fees, as specified in this section, from any manufacturer or marketer who sold in Washington or made available to a wholesaler or retailer for sale in Washington those nonenrolled batteries.

(2) An action under this section may be brought against one or more defendants.

(3) It is a defense to liability under this section that another manufacturer or marketer of the allegedly nonenrolled battery self-operates, manages, or participates in a bona fide program.

(4)(a) In any action under this section, the self-operator or manager may recover from the manufacturer or marketer of nonenrolled batteries the costs the self-operator or manager incurred in collecting, handling, recycling, or properly disposing of nonenrolled batteries that are reasonably identified as having been manufactured or marketed by the defendant manufacturer or marketer.

(b) In addition to the costs identified in (a) of this subsection, the self-operator or manager may also recover an amount of damages equal to no more than three times the costs identified in (a) of this subsection, plus attorneys' fees and costs of litigation.

(5) An action under this section to recover the costs specified in this section may be brought in any superior or district court in the state.

NEW SECTION. Sec. 5. (1) A program for the collection, transportation, recycling, and disposal of used small rechargeable batteries is a bona fide used small rechargeable battery stewardship program for purposes of this chapter if it is either:

(a) A self-operated program that meets the requirements of subsection (2) of this section and collects used small rechargeable batteries regardless of brand at all retail locations in Washington at which the retailer or franchisees sell small rechargeable batteries or portable rechargeable products; or

(b) A program managed on behalf of more than one participating manufacturer or marketer that meets the requirements of subsections (2) and (3) of this section.

(2) All bona fide programs must meet the following operational conditions:

(a) All used small rechargeable batteries collected by the bona fide program are handled by the program self-operator or manager in compliance with all applicable laws and rules and transported only to lawfully permitted facilities for reclamation of battery constituents;

(b) All contracts with service providers entered into by the bona fide program self-operator or manager require compliance with all applicable laws and rules;

(c) All return acceptance, recycling, and other handling services, including postcollection transportation, are provided free of charge to consumers;

(d) Education and outreach activities are provided by the bona fide program to maximize collections and safety, including the offering of signage to retailers indicating the retailer's support of the bona fide program and providing instructions and materials to protect collected used batteries from short circuits;

(e) The bona fide program is open to the public:

(i) For a self-operated program, during all hours the retailer or franchisor does business; or

(ii) For a program managed on behalf of more than one participating manufacturer or marketer, during all hours that collection locations normally do business; and

(f) The following information is provided on the internet:

(i) The name, address, and contact information for its self-operator or manager;

(ii) A description of the methods used to collect, transport, and account for all used small rechargeable batteries collected that includes the identification of all sorting and reclamation facilities to be used through final disposition for sorting and reclamation of all used small rechargeable batteries collected;

(iii) Identification of locations served by the bona fide program where Washington residents may take used small rechargeable batteries and information on what restrictions, if any, will be imposed on the number of used small rechargeable batteries that may be returned;

(iv) A description of the mechanism by which the bona fide program will handle inquiries from consumers;

(v) Information regarding education and outreach activities;

(vi) An invitation for consumers to provide comments on the adequacy and convenience of the bona fide program and instructions on how to do so;

(vii) A description of material changes to the bona fide program from previous program activities; and

(viii) An annual report, current as to no later than April 1st of each year, that identifies:

(A) The bona fide program's funding and recycling success, including any increase in total batteries collected each year, the cost of the bona fide program per pound of batteries collected, and the cost of the bona fide program per Washington resident;

(B) The bona fide program's collections by county and battery chemistry;

(C) The bona fide program's educational and outreach activities;

(D) The mechanisms employed and the entities involved in the final disposition of collected materials; and

(E) The methods used to collect, transport, and account for all used small rechargeable batteries collected, including the identification of all sorting and reclamation facilities used.

(3) If the bona fide program is not a self-operated program, it must also meet the following additional operational conditions:

(a) Provide at least one used small rechargeable battery collection site in each county of the state and in each city or town with a population greater than ten thousand, which may be the same as the location in a county;

(b) Include retailer collection of used small rechargeable batteries regardless of brand at multiple locations;

(c) Provide for the collection of used small rechargeable batteries regardless of brand from governmental collection facilities;

(d) Include on its internet site:

(i) A collection site locator to assist consumers in finding the nearest collection site;

(ii) Identification of all small rechargeable battery manufacturers and marketers that currently are participating in the bona fide program; and

(iii) Information on how small rechargeable battery manufacturers and marketers and consumers may seek technical assistance from the bona fide program; and

(e) Include in its annual report required by subsection (2)(f)(viii) of this section an independently audited financial statement, including a breakdown of bona fide program expenses such as collection, recycling, education, and overhead, unless the bona fide program is part of a program that also operates in jurisdictions outside of Washington, in which case funding information and audited financial statements need not be reported on a Washington-specific basis, but average bona fide program-wide costs of collection and overhead must be clearly stated.

NEW SECTION. Sec. 6. This chapter is void if a federal law, or a combination of federal laws, takes effect that establishes a national program for the collection and recycling of both used nonrechargeable batteries and used small rechargeable batteries.

NEW SECTION. Sec. 7. Nothing in this chapter alters or limits the authority of the utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does this chapter alter or limit the authority of a city or town to provide such services itself or by contract under RCW 81.77.020.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Sections 2 through 7 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 10. This act takes effect January 1, 2014." Correct the title.

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

Representative Short spoke against the adoption of the amendment.

Amendment (121) was adopted.

The bill was ordered engrossed.

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

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

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1364.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1364, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier,

Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick and Wilcox.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1364, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1448, by Representatives Bergquist, Ross, Cody, Harris, Green, Rodne, Tharinger, Johnson, Manweller, Magendanz and Morrell

Regarding telemedicine.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1448 was substituted for House Bill No. 1448 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1448 was read the second time.

Representative Schmick moved the adoption of amendment (78).

On page 2, beginning on line 1, after "telemedicine" strike all material through "contact" on line 3

On page 3, line 9, beginning with "on" strike all material through "contact" on line 11

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

Representative Cody spoke against the adoption of the amendment.

Amendment (78) was not adopted.

Representative Rodne moved the adoption of amendment (100).

On page 2, line 3, after "contact" insert ", and must reimburse an originating site for the infrastructure and preparation of the patient for the telemedicine services,"

On page 2, line 25, after "to," insert "utilization review,"

On page 2, line 28, after "plan" insert ": To reimburse an originating site for professional fees,"

On page 2, line 29, after "plan" insert " ,"

On page 2, line 35, after "telemedicine" insert ", which prepares the patient for the telemedicine services and provides the infrastructure for the telemedicine services to occur"

On page 3, line 11, after "contact" insert ", and must reimburse an originating site for the infrastructure and preparation of the patient for the telemedicine services,"

On page 3, line 35, after "to," insert "utilization review,"

On page 4, line 1, after "carrier" insert ": To reimburse an originating site for professional fees,"

On page 4, line 3, after "plan" insert " ,"

On page 4, line 7, after "telemedicine" insert ", which prepares the patient for the telemedicine services and provides the infrastructure for the telemedicine services to occur"

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

Amendment (100) was adopted.

Representative Bergquist moved the adoption of amendment (101).

On page 3, line 1, after "treatment." strike "Telemedicine" and insert "For purposes of this section only, telemedicine"

On page 4, line 10, after "treatment." strike "Telemedicine" and insert "For purposes of this section only, telemedicine"

On page 8, after line 30, insert the following:

"NEW SECTION. Sec. 6. The medical quality assurance commission, the nursing care quality assurance commission, and the board of osteopathic medicine and surgery shall develop polices to allow health care providers from outside of Washington state to deliver telemedicine services to Washington state residents that will ensure the quality of services delivered and the safety of those patients receiving those services. Throughout the year, the medical quality assurance commission, the nursing care quality assurance commission, and the board of osteopathic medicine and surgery shall meet to coordinate their efforts in developing policies in this area. By December 1, 2013, the department of health shall provide an update to the appropriate committees of the legislature on the progress of these efforts."

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

On page 8, line 31, after "**Sec. 6.**" strike "This act takes" and insert "Sections 1 through 5 of this act take"

Correct the title.

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

Amendment (101) was adopted.

The bill was ordered engrossed.

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

Representatives Bergquist and Johnson spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1448.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1448, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias,

Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Scott, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Holy, Klippert, Kretz, Kristiansen, MacEwen, Orcutt, Overstreet, Pike, Reykdal, Schmick, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1261, by Representatives Hope and Santos

Establishing receiving care centers for emergency and crisis care for children removed from their homes. Revised for 1st Substitute: Establishing a resource and assessment center license for agencies to provide short-term emergency and crisis care for children removed from their homes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1261 was substituted for House Bill No. 1261 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1261 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1261.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1261, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1261, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1285, by Representatives Goodman, Freeman, Pettigrew, Jinkins, Walsh, Kirby, Orwall, Roberts, Appleton, Seaquist, Ryu, Stanford, Clibborn, Maxwell, Tarleton, Morrell, Pollet and Ormsby

Modifying provisions regarding the representation of children in dependency matters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1285 was substituted for House Bill No. 1285 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1285 was read the second time.

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

Representatives Goodman and O'Ban spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1285.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1285, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Klippert, Kretz, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Pike, Rodne, Shea, Short, Stonier, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1285, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1285.

Representative Stonier, 17th District

SECOND READING

HOUSE BILL NO. 1547, by Representatives Walsh, Kagi, Freeman, Fey, Zeiger, Ryu, Morrell, Roberts, Moscoso and Santos

Concerning entities that provide recreational or educational programming for school-aged children.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1547.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1547, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

HOUSE BILL NO. 1547, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1594, by Representatives Sawyer, Roberts, Zeiger, Walsh, Kagi, Fey, Ryu, Freeman, Appleton, Moscoso and Ormsby

Concerning interviewing children in child protective services investigations at children's advocacy centers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1594 was substituted for House Bill No. 1594 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1594 was read the second time.

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

Representatives Sawyer and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1594.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1594, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1594, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1140, by Representatives Roberts, Pedersen, Moscoso, Reykdal, Rodne, Appleton, Kagi, Walsh, Warnick, Ryu, Jinkins, Freeman and Fagan

Concerning sibling visitation after a dependency has been dismissed or concluded.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1140 was substituted for House Bill No. 1140 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1140 was read the second time.

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

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

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1140.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1140, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Haler, Hargrove, Harris, Hawkins, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1140, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND SUBSTITUTE HOUSE BILL NO. 1017 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1017, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1017 on reconsideration, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

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

Voting nay: Representatives Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Stonier, Taylor, Vick, Walsh, Wilcox and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1017, having received the necessary constitutional majority, was declared on reconsideration, passed.

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

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

MESSAGE FROM THE SENATE

March 6, 2013

MR. SPEAKER:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 5242
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5328
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5587
- SECOND SUBSTITUTE SENATE BILL NO. 5794

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

REPORTS OF STANDING COMMITTEES

March 6, 2013

HB 1915 Prime Sponsor, Representative Upthegrove: Developing recommendations to achieve the state's greenhouse gas emissions limits. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Farrell; Fey; Kagi; Liias and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

SECOND READING

HOUSE BILL NO. 1027, by Representatives Moeller and Appleton

Implementing changes to child support based on the child support schedule work group report.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1027 was substituted for House Bill No. 1027 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1027 was read the second time.

Representative Shea moved the adoption of amendment (123).

Beginning on page 19, line 27, strike all of subsection (d) and insert:

~~"((d) Residential schedule. The court may deviate from the standard calculation if the child spends a significant amount of time with the parent who is obligated to make a support transfer payment. The court may not deviate on that basis if the deviation will result in insufficient funds in the household receiving the support to meet the basic needs of the child or if the child is receiving temporary assistance for needy families. When determining the amount of the deviation, the court shall consider evidence concerning the increased~~

~~expenses to a parent making support transfer payments resulting from the significant amount of time spent with that parent and shall consider the decreased expenses, if any, to the party receiving the support resulting from the significant amount of time the child spends with the parent making the support transfer payment.))"~~

On page 22, after line 22, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 26.19 RCW to read as follows:

(1) The court shall make an adjustment to the standard calculation for a shared residential schedule subject to the provisions in this section.

(2) In order to make an adjustment to the standard calculation based on the residential schedule, there must be a court order or findings made by an administrative law judge regarding the number of overnights the child or children spend with the obligor parent, and the number of overnights allocated to the obligor is equivalent to at least fourteen percent of annual overnights. The number of overnights in the court order or administrative law judge's findings must be used to calculate the residential adjustment. The findings made by an administrative law judge may be based upon a written agreement between the parents or upon sworn testimony provided by a party at the administrative hearing for child support.

(3) The adjustment must be based on the table in section 8 of this act and the formula set forth in the worksheet for calculating residential credit.

(4) An adjustment may not be made to the standard calculation based on the shared residential schedule if:

(a) The adjustment would result in insufficient funds in the household receiving the support transfer payment to meet the basic needs of the child;

(b) The obligee's net income before receiving the support transfer payment is at or below one hundred twenty-five percent of the federal poverty level guidelines for one person; or

(c) The child is receiving temporary assistance for needy families.

(5) To help parties estimate residential credit, the division of child support shall, if feasible and within available resources, create a residential credit calculator available online.

NEW SECTION. Sec. 8. A new section is added to chapter 26.19 RCW to read as follows:

Residential time table. The TOTAL column represents the anticipated total out-of-pocket expenses expressed as a percentage of the basic child support obligation that will be incurred by the parent who will pay child support. The total expenses are the sum of transferred and duplicated expenses. The DUPLICATED column represents the duplicated expenses and reflects the assumption that when there is an equal sharing of residential time, fifty percent of the basic child support obligation will be duplicated. The number of annual overnights column will determine the particular fractions of TOTAL and DUPLICATED to be used in the residential time credit worksheet.

ANNUAL OVERNIGHTS

DUPLICATED

FROM	TO	TOTAL
1	51	0.000
52	55	0.062
56	60	0.070
61	65	0.080
66	70	0.093
71	75	0.108
76	80	0.127
81	85	0.150
86	90	0.178
91	95	0.211
96	100	0.250
101	105	0.294

1061100.341	0.237
1111150.388	0.280
1161200.434	0.321
1211250.476	0.358
1261300.513	0.390
1311350.544	0.417
1361400.570	0.438
1411450.591	0.454
1461500.609	0.467
1511550.623	0.476
1561600.634	0.483
1611650.644	0.488
1661700.652	0.491
1711750.660	0.494
1761800.666	0.495
1811830.675	0.500"

Renumber the remaining sections consecutively.

On page 24, after line 27, insert the following:

"Sec. 8. RCW 26.19.050 and 2005 c 282 s 37 are each amended to read as follows:

(1) The administrative office of the courts shall develop and adopt worksheets and instructions to assist the parties and courts in establishing the appropriate child support level and apportionment of support. The administrative office of the courts shall develop and adopt a worksheet for calculating residential credit that is consistent with the intent set forth in section 1 of this act. The administrative office of the courts shall attempt to the greatest extent possible to make the worksheets and instructions understandable by persons who are not represented by legal counsel.

(2) The administrative office of the courts shall develop and adopt standards for the printing of worksheets and shall establish a process for certifying printed worksheets. The administrator may maintain a register of sources for approved worksheets.

(3) The administrative office of the courts should explore methods to assist pro se parties and judges in the courtroom to calculate support payments through automated software, equipment, or personal assistance."

Renumber the remaining section consecutively and correct the title.

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (123) was not adopted.

Representative Klippert moved the adoption of amendment (94).

On page 21, line 7, after "court" strike "shall" and insert "may"
On page 21, line 10, after "it" strike "shall" and insert "may"

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

Representative Pedersen spoke against the adoption of the amendment.

Amendment (94) was not adopted.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1027.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1027, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1027, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1172, by Representatives Hurst and Dahlquist

Concerning the children of family day care providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1172 was substituted for House Bill No. 1172 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1172 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1172.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1172, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell,

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

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1172, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1227, by Representatives Hunt and Reykdal

Regarding cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders.

The bill was read the second time.

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

Representatives Hunt and O'Ban spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1227.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1227, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

HOUSE BILL NO. 1227, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1525, by Representatives Orwall, Pedersen, Goodman, Hunt, Roberts, Upthegrove, Ryu and Jinkins

Concerning birth certificates and other birth-related information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1525 was substituted for House Bill No. 1525 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1525 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1525.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Representatives Klippert and Van De Wege.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1525, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1574, by Representatives Kagi, Ryu and Pollet

Establishing a fee for certification for the residential services and supports program to cover investigative costs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1574 was substituted for House Bill No. 1574 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1574 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1574.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1574, and the bill passed the House by the following vote: Yeas, 69; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Hurst, Klippert, Kretz, Kristiansen, MacEwen, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Nealey.

SUBSTITUTE HOUSE BILL NO. 1574, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1631, by Representatives Tharinger, Johnson, Green, Harris, Cody, Riccelli, Jinkins, Morrell, Appleton, Hope, Maxwell, Pollet, Moscoso, Santos and Ryu

Concerning planning measures to provide long-term care services and supports needs of the aging population.

The bill was read the second time.

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

Representatives Tharinger, Schmick, Smith and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1631.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1631, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

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

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

Voting nay: Representatives Condotta, Crouse, DeBolt, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representative Nealey.

HOUSE BILL NO. 1631, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1671, by Representatives Farrell, Walsh, Kagi, Green, Sullivan, Jinkins, Pettigrew, Hunt, Ormsby, Stonier, Fitzgibbon, Goodman, Cody, Morrell, Maxwell, Appleton, Wylie, Orwall, Reykdal, Freeman, Riccelli, Fey, Tarleton, Ryu, Pollet, Bergquist and Santos

Concerning child care reform.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1671 was substituted for House Bill No. 1671 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1671 was read the second time.

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

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

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1671.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1671, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative Nealey.

SECOND SUBSTITUTE HOUSE BILL NO. 1671, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Substitute House Bill No. 1671.

Representative Hope, 44th District

SECOND READING

HOUSE BILL NO. 1677, by Representatives Klippert, Morrell, Hope, Cody, Nealey, Walsh, Fagan and Ryu

Concerning operators of multiple adult family homes.

The bill was read the second time.

Representative Angel moved the adoption of amendment (11).

On page 1, line 12, after "accept" insert "and process"

On page 2, line 2, after "accept" insert "and process"

On page 2, line 7, after "accept" insert "and process"

Representatives Angel, Klippert and Jinkins spoke in favor of the adoption of the amendment.

Amendment (11) was adopted.

The bill was ordered engrossed.

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

Representatives Klippert and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1677.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1677, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Nealey.

ENGROSSED HOUSE BILL NO. 1677, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1724, by Representatives Roberts, Kagi, Pettigrew, Goodman, Green, Reykdal, Cody, Jinkins, Appleton, Freeman, Moeller, Ryu, Pollet, Moscoso and Bergquist

Concerning statements made by juveniles during assessments or screenings for mental health or chemical dependency treatment.

The bill was read the second time.

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

Representatives Roberts, Walsh, Hurst, O'Ban and Goodman spoke in favor of the passage of the bill.

Representative Klippert and Klippert (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1724.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1724, and the bill passed the House by the following vote: Yeas, 81; Nays, 17; Absent, 0; Excused, 0.

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

Voting nay: Representatives Buys, Condotta, Crouse, Hargrove, Hawkins, Holy, Hope, Klippert, Kretz, Overstreet, Parker, Pike, Scott, Shea, Short, Taylor and Vick.

HOUSE BILL NO. 1724, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1524, by Representatives Roberts, Clibborn, Goodman, Maxwell, Kagi, Orwall, Appleton, Ryu, Ormsby, Jinkins, Fey and Bergquist

Providing for juvenile mental health diversion and disposition strategies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1524 was substituted for House Bill No. 1524 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1524 was read the second time.

Representative Klippert moved the adoption of amendment (136).

On page 2, beginning on line 32, strike all of section 3

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

Correct the title.

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

Representative Roberts spoke against the adoption of the amendment.

Amendment (136) was not adopted.

Representative Roberts moved the adoption of amendment (125).

On page 5, at the beginning of line 35, after "to" strike "ten" and insert "~~(ten)~~ thirty"

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

Amendment (125) was adopted.

Representative Hayes moved the adoption of amendment (134).

On page 11, line 28, after "supervision" strike "must" and insert "may"

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

Amendment (134) was adopted.

The bill was ordered engrossed.

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

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

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1524.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1524, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias,

Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1652, by Representatives Liias, Dahlquist, Takko, Kretz, Clibborn, Condotta, Upthegrove, Springer, Buys and Ryu

Establishing a process for the payment of impact fees through provisions stipulated in recorded covenants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1652 was substituted for House Bill No. 1652 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1652 was read the second time.

With the consent of the house, amendment (61) was withdrawn.

Representative Liias moved the adoption of amendment (83).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.02.050 and 1994 c 257 s 24 are each amended to read as follows:

(1) It is the intent of the legislature:

(a) To ensure that adequate facilities are available to serve new growth and development;

(b) To promote orderly growth and development by establishing standards by which counties, cities, and towns may require, by ordinance, that new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development; and

(c) To ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

(2) Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

(3)(a) Counties, cities, and towns collecting impact fees must adopt a permanent system for the collection of impact fees from applicants for residential building permits issued for a lot or unit created by a subdivision, short subdivision, site development permit, binding site plan, or condominium that includes one or more of the following:

(i)(A) A process by which an applicant for any development permit that requires payment of an impact fee must record a covenant

against title to the lot or unit subject to the impact fee obligation. A covenant under this subsection (3)(a)(i) must also serve as a lien binding on all successors in title after the recordation. The covenant must require payment equal to one hundred percent of the impact fee applicable to the lot or unit at the rates in effect at the time the building permit was issued, less a credit for any deposits paid.

(B) Covenants recorded in accordance with this subsection (3)(a)(i) must provide for payment of the impact fee at the earlier of the following: The time of closing of sale of the applicable lot or unit; or in accordance with the applicable county, city, or town ordinance, eighteen or more months after the building permit is issued. Payment of impact fees due at closing of a sale must, unless an agreement to the contrary is reached between buyer and seller, be made from the seller's proceeds. In the absence of an agreement to the contrary, the seller bears strict liability for the payment of the impact fees.

(C) The seller must provide written disclosure of the covenant authorized under this subsection (3)(a)(i) as required by chapter 64.06 RCW.

(D) Upon receiving payment of impact fees due, the applicable county, city, or town must remove the covenant recorded in accordance with this subsection (3)(a)(i); or

(ii) A process by which an applicant may apply for a deferral of the impact fee payment until final inspection or certificate of occupancy, or equivalent certification.

(b) Counties, cities, and towns may adopt local systems for the collection of impact fees that differ from the requirements of this subsection (3) if the payment timing provisions are consistent with those of this subsection.

(c) Any county, city, or town with a prior existing process to delay all impact fees in place prior to the effective date of this section is exempt from the provisions of this section as long as the prior existing impact fee deferral process remains in effect. Prior existing impact fee deferral processes may be amended in a manner consistent with this section.

(4) The impact fees:

(a) Shall only be imposed for system improvements that are reasonably related to the new development;

(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and

(c) Shall be used for system improvements that will reasonably benefit the new development.

~~((4))~~ (5)(a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and expend impact fees ~~((shall be))~~ is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

~~((a))~~ (i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;

~~((b))~~ (ii) Additional demands placed on existing public facilities by new development; and

~~((c))~~ (iii) Additional public facility improvements required to serve new development.

(b) If the capital facilities plan of the county, city, or town is complete other than for the inclusion of those elements which are the responsibility of a special district, the county, city, or town may impose impact fees to address those public facility needs for which the county, city, or town is responsible.

Sec. 2. RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each amended to read as follows:

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

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

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

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

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

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

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

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

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

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

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

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

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

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

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

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area (~~as defined by the local government according to RCW 36.70A.030(15))~~). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area (~~as defined by the local government~~

~~according to RCW 36.70A.030(15))~~). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl. For the purposes of this subsection, "rural character" has the same meaning as provided in RCW 36.70A.030;

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

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

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

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

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

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

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

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

(i) Land use assumptions used in estimating travel;

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

(iii) Facilities and services needs, including:

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

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

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment

program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

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

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

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

(iv) Finance, including:

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

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

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

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

(vi) Demand-management strategies;

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

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after the county or city receives full payment of all impact fees due.

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

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary

of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

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

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

NEW SECTION. Sec. 3. This act takes effect December 1, 2013."

Correct the title.

Representatives Liias, Dahlquist and Magendanz spoke in favor of the adoption of the amendment.

Amendment (83) was adopted.

The bill was ordered engrossed.

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

Representatives Liias, Pike, Taylor, Orcutt and Dahlquist spoke in favor of the passage of the bill.

Representatives Maxwell, Dunshee and Pollet spoke against the passage of the bill.

MOTION

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Fey, Fitzgibbon, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Moeller, Morris, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pedersen, Pike, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Shea, Short,

Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Dunshee, Farrell, Goodman, Hope, Hudgins, Hunt, Kagi, Maxwell, McCoy, Morrell, Moscoso, Ormsby, Orwall, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Sells, Stonier and Wylie.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1675, by Representatives Roberts, Orwall, Goodman, Kirby, Jinkins, Pedersen, Farrell, Kagi, Freeman and Ryu

Improving the adoption process.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1675 was substituted for House Bill No. 1675 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1675 was read the second time.

Representative Shea moved the adoption of amendment (130).

On page 2, line 19, after "the report." insert "The fitness of a parent shall not be based on the person's sincerely held religious or philosophical beliefs and practices regarding child discipline and punishment that do not otherwise constitute a violation of state law."

On page 4, line 17, after "adoption." insert "The fitness of a parent shall not be based on the person's sincerely-held religious or philosophical beliefs and practices regarding child discipline and punishment that do not otherwise constitute a violation of state law."

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment.

Amendment (130) was adopted.

Representative Roberts moved the adoption of amendment (124).

On page 7, beginning on line 17, after "adoption" strike all material through "RCW 26.33.300" on line 19

On page 7, beginning on line 20, strike all of section 5

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

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

Amendment (124) was adopted.

The bill was ordered engrossed.

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

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

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1675.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1675, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Representatives Angel, Hargrove, Klippert, Kristiansen, MacEwen, Overstreet and Vick.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1675, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1723, by Representatives Kagi, Walsh, Farrell, Maxwell, Roberts, Freeman, Goodman, Sawyer, Sullivan, Jinkins, Seaquist, Lytton, Haigh, Hunter, Morrell, Sells, Ryu, Morris, McCoy, Reykdal, Tarleton, Tharinger, Pollet, Fey, Moscoso, Bergquist, Ormsby and Santos

Concerning early learning opportunities.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1723 was substituted for House Bill No. 1723 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1723 was read the second time.

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

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

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1723.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1723, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1723, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1563, by Representatives Farrell, Wylie, McCoy, Orwall, Seaquist, Bergquist, Springer, Pedersen, O'Ban, Kochmar, Moeller, Fitzgibbon, Appleton, Ryu, Stanford, Maxwell, Jinkins, Hunt, Fey, Pollet, Goodman, Habib and Santos

Concerning the disposition of surplus property for the development of affordable housing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1563 was substituted for House Bill No. 1563 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1563 was read the second time.

Being drawn to the first substitute, amendment (42) was ruled out of order.

Representative Farrell moved the adoption of amendment (40).

On page 1, after line 10, insert the following:

"**NEW SECTION, Sec. 1.** The legislature recognizes that many local governmental entities are experiencing financial challenges, and understands the multiple needs of local governmental entities to provide important services. It is the intent of the legislature to provide flexibility to local governmental entities regarding the disposition of surplus property for the development of affordable housing and to allow sufficient discretion to local governmental entities to balance these competing needs."

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

On page 18, line 9, after "Sections 1" strike "and 2" and insert "through 3"

Correct the title.

Representatives Farrell, Warnick and Appleton spoke in favor of the adoption of the amendment.

Amendment (40) was adopted.

The bill was ordered engrossed.

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

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

Representatives Pike, Warnick, Smith, Kochmar, Rodne and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1563.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1563, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

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

Voting nay: Representatives Alexander, Angel, Buys, Carlyle, Chandler, Condotta, Crouse, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunter, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Moeller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1563, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1651, by Representatives Kagi, Walsh, Freeman, Roberts, Farrell, Zeiger, Goodman, Pollet, Sawyer, Appleton, Bergquist, Hunt, Moscoso, Jinkins, Ryu and Morrell

Concerning access to juvenile records.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1651 was substituted for House Bill No. 1651 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1651 was read the second time.

With the consent of the house, amendment (129) was withdrawn.

Representative Overstreet moved the adoption of amendment (116).

On page 2, line 18, after "RCW" insert "s"

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or arson in the first degree or criminal solicitation of or criminal conspiracy to commit arson in the first degree"

On page 12, line 4, after "for" insert "arson in the first degree or criminal solicitation of or criminal conspiracy to commit arson in the first degree,"

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

Amendment (116) was adopted.

Representative Scott moved the adoption of amendment (117).

On page 2, line 18, after "RCW" insert "s"

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or assault of a child in the second degree"

On page 12, line 4, after "for" insert "assault of a child in the second degree,"

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

Amendment (117) was adopted.

Representative Pike moved the adoption of amendment (118).

On page 2, line 18, after "RCW" insert "s"

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or kidnapping in the second degree"

On page 12, line 4, after "for" insert "kidnapping in the second degree,"

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

Amendment (118) was adopted.

Representative Taylor moved the adoption of amendment (119).

On page 2, line 18, after "RCW" insert "s"

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or leading organized crime"

On page 12, line 4, after "for" insert "leading organized crime,"

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

Amendment (119) was adopted.

Representative Shea moved the adoption of amendment (120).

On page 2, line 18, after "RCW" insert "s"

On page 2, line 19, beginning with "or" strike all material through "RCW 9.94A.030" and insert "a serious violent offense as defined in RCW 9.94A.030, or malicious placement of an explosive in the first degree"

On page 12, line 4, after "for" insert "malicious placement of an explosion in the first degree,"

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

Amendment (120) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1651.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1651, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1651, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1294, by Representatives Van De Wege, Hudgins, Pollet, Maxwell, Hunt, Upthegrove, Tharinger, Fey, Farrell, Moscoso, Hunter, Stanford, Reykdal, Fitzgibbon, Bergquist, Tarleton, Goodman, Kagi, Hansen, Jinkins, Habib, Pedersen, Ryu, Lias, Riccelli, Roberts, Morrell, Clibborn and Ormsby

Concerning flame retardants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1294 was substituted for House Bill No. 1294 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1294 was read the second time.

With the consent of the house, amendments (97) and (115) to the striking amendment were withdrawn.

Representative Springer moved the adoption of amendment (135).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.240.020 and 2008 c 288 s 3 are each amended to read as follows:

(1) Beginning July 1, 2009, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state a children's product or product component containing the following:

(a) Except as provided in subsection (2) of this section, lead at more than .009 percent by weight (ninety parts per million);

(b) Cadmium at more than .004 percent by weight (forty parts per million); or

(c) Phthalates, individually or in combination, at more than 0.10 percent by weight (one thousand parts per million).

(2) Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products or residential upholstered furniture, as defined in RCW 70.76.010, containing TDCPP or TCEP in amounts greater than one hundred parts per million in any product component.

(3) If determined feasible for manufacturers to achieve and necessary to protect children's health, the department, in consultation with the department of health, may by rule require that no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state a children's product or product component containing lead at more than .004 percent by weight (forty parts per million).

NEW SECTION. Sec. 2. A new section is added to chapter 70.240 RCW to read as follows:

(1) Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale or distribute for use in this state, residential upholstered furniture, as defined in RCW 70.76.010, or children's products containing a flame retardant not included in RCW 70.240.020 in any product component in amounts greater than one hundred parts per million identified by the department as a high priority chemical of high concern for children as required under RCW 70.240.030.

(2) Except for TDCPP and TCEP, the department shall grant an exemption to restrictions under subsection (1) of this section for a length of time requested by the manufacturer, but not to exceed two years, if the manufacturer of residential upholstered furniture or children's products demonstrates, and the department determines, that there is no technically feasible safer alternative to meet applicable Washington state or federal fire safety standards.

(3) Beginning July 1, 2015, at the request of the department, a manufacturer of residential upholstered furniture or children's products shall, within sixty days of the request, submit a certificate of compliance stating that the product or product component meets the requirements of subsection (1) of this section. A manufacturer required under any other state statute to provide a certificate of compliance may develop one certificate containing all required information.

(4) The certificate of compliance must include the following:

(a) Chemical names and chemical abstracts service registry numbers for all chemicals present in the product or product component that act as flame retardants;

(b) The specific basis upon which an exemption, if applicable, is claimed; and

(c) The signature of an authorized official of the manufacturing company.

(5) A manufacturer completing a certificate of compliance shall keep a copy of the certificate on file for as long as the product

or product component contains flame retardants. If a manufacturer ceases to sell or distribute products or product components containing flame retardants, the manufacturer must retain the certificate on file for three years from the date of the last sale or distribution.

Sec. 3. RCW 70.240.010 and 2008 c 288 s 2 are each amended to read as follows:

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

(1) "Children's cosmetics" means cosmetics that are made for, marketed for use by, or marketed to children under the age of twelve. "Children's cosmetics" includes cosmetics that meet any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children; or

(c) Sold in any of the following:

(i) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(ii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(2) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children under the age of twelve. "Children's jewelry" includes jewelry that meets any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children under the age of twelve;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(c) Sized for children and not intended for use by adults; or

(d) Sold in any of the following:

(i) A vending machine;

(ii) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(3)(a) "Children's product" includes any of the following:

(i) Toys;

(ii) Children's cosmetics;

(iii) Children's jewelry;

(iv) A product designed or intended by the manufacturer to help a child with sucking or teething, to facilitate sleep, relaxation, or the feeding of a child, or to be worn as clothing by children; or

(v) Child car seats.

(b) "Children's product" does not include the following:

(i) Batteries;

(ii) Slings and catapults;

(iii) Sets of darts with metallic points;

(iv) Toy steam engines;

(v) Bicycles and tricycles;

(vi) Video toys that can be connected to a video screen and are operated at a nominal voltage exceeding twenty-four volts;

(vii) Chemistry sets;

(viii) Consumer electronic products, including but not limited to personal computers, audio and video equipment, calculators, wireless phones, game consoles, and handheld devices incorporating a video screen, used to access interactive software and their associated peripherals;

(ix) Interactive software, intended for leisure and entertainment, such as computer games, and their storage media, such as compact disks;

(x) BB guns, pellet guns, and air rifles;

(xi) Snow sporting equipment, including skis, poles, boots, snow boards, sleds, and bindings;

(xii) Sporting equipment, including, but not limited to bats, balls, gloves, sticks, pucks, and pads;

(xiii) Roller skates;

(xiv) Scooters;

(xv) Model rockets;

(xvi) Athletic shoes with cleats or spikes; and

(xvii) Pocket knives and multitools.

(4) "Cosmetics" includes articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and articles intended for use as a component of such an article. "Cosmetics" does not include soap, dietary supplements, or food and drugs approved by the United States food and drug administration.

(5) "Department" means the department of ecology.

(6) "High priority chemical" means a chemical identified by a state agency, federal agency, or accredited research university, or other scientific evidence deemed authoritative by the department on the basis of credible scientific evidence as known to do one or more of the following:

(a) Harm the normal development of a fetus or child or cause other developmental toxicity;

(b) Cause cancer, genetic damage, or reproductive harm;

(c) Disrupt the endocrine system;

(d) Damage the nervous system, immune system, or organs or cause other systemic toxicity;

(e) Be persistent, bioaccumulative, and toxic; or

(f) Be very persistent and very bioaccumulative.

(7) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a children's product or an importer or domestic distributor of a children's product. For the purposes of this subsection, "importer" means the owner of the children's product.

(8) "Phthalates" means di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP), diisonoyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP).

(9) "Toy" means a product designed or intended by the manufacturer to be used by a child at play.

(10) "Trade association" means a membership organization of persons engaging in a similar or related line of commerce, organized to promote and improve business conditions in that line of commerce and not to engage in a regular business of a kind ordinarily carried on for profit.

(11) "Very bioaccumulative" means having a bioconcentration factor or bioaccumulation factor greater than or equal to five thousand, or if neither are available, having a log Kow greater than 5.0.

(12) "Very persistent" means having a half-life greater than or equal to one of the following:

(a) A half-life in soil or sediment of greater than one hundred eighty days;

(b) A half-life greater than or equal to sixty days in water or evidence of long-range transport.

(12) "TDCPP" means the chemical (tris(1,3-dichloro-2-propyl)phosphate); chemical abstracts service number 13674-87-8, as of the effective date of this section.

(13) "TCEP" means the chemical (tris(2-chloroethyl)phosphate); chemical abstracts service number 115-96-8, as of the effective date of this section."

Correct the title.

Representative Short moved the adoption of amendment (140) to amendment (135).

On page 1, line 2 of the striking amendment, strike everything after "following:" and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 70.240 RCW to read as follows:

Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products containing TDCPP (tris(1,3-dichloro-2-propyl)phosphate), chemical abstracts service number 13674-87-8, as of the effective date of this section, or TCEP (tris(2-chloroethyl) phosphate), chemical abstracts service number 115-96-8, as of the effective date of this section in amounts greater than one hundred parts per million in any product component."

Correct the title.

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Uptegrove spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (140) to amendment (135) and the amendment was not adopted by the following vote: Yeas: 48 Nays: 49 Absent: 0 Excused: 1

Voting yea: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Takko, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoco, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Uptegrove, Van De Wege, and Wylie

Excused: Representative Freeman

Amendment (140) to amendment (135) was not adopted.

Representative Short moved the adoption of amendment (139) to amendment (135).

On page 2, line 3 of the striking amendment, beginning with "(1)" strike all material through "distribution" on page 3, line 7, and insert "The department shall work with a broad group of stakeholders to develop an alternative assessment guidance document for use on a voluntary basis"

Representative Short spoke in favor of the adoption of the amendment to the amendment.

Representative Uptegrove spoke against the adoption of the amendment to the amendment.

Amendment (139) to amendment (135) was not adopted.

Representative Springer spoke in favor of the adoption of the striking amendment.

Amendment (135) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege and Springer spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1294.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1294, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1663, by Representatives Tharinger, Nealey, Van De Wege, Johnson, Takko, Blake, Haigh, Kretz, Fey, Hayes, Short, Crouse and Ryu

Extending the sales and use tax exemption for hog fuel used to produce electricity, steam, heat, or biofuel.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1663 was substituted for House Bill No. 1663 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1663 was read the second time.

Representative Orcutt moved the adoption of amendment (89).

On page 2, beginning on line 10, after "(3)" strike all material through "(4)" on line 16

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Tharinger spoke against the adoption of the amendment.

Amendment (89) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1663.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1663, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1663, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Appropriations Subcommittee on Education was relieved of HOUSE BILL NO. 1247, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Appropriations was relieved of HOUSE BILL NO. 1490, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Appropriations Subcommittee on General Government was relieved of HOUSE BILL NO. 1818, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1035
HOUSE BILL NO. 1108
HOUSE BILL NO. 1177
HOUSE BILL NO. 1252
HOUSE BILL NO. 1301
HOUSE BILL NO. 1302
HOUSE BILL NO. 1306
HOUSE BILL NO. 1325
HOUSE BILL NO. 1326
HOUSE BILL NO. 1327
HOUSE BILL NO. 1328
HOUSE BILL NO. 1402
HOUSE BILL NO. 1424
HOUSE BILL NO. 1440
HOUSE BILL NO. 1459
HOUSE BILL NO. 1499
HOUSE BILL NO. 1515
HOUSE BILL NO. 1518
HOUSE BILL NO. 1519
HOUSE BILL NO. 1522
HOUSE BILL NO. 1552
HOUSE BILL NO. 1638

HOUSE BILL NO. 1654
HOUSE BILL NO. 1680
HOUSE BILL NO. 1704
HOUSE BILL NO. 1727
HOUSE BILL NO. 1740
HOUSE BILL NO. 1753
HOUSE BILL NO. 1769
HOUSE BILL NO. 1774
HOUSE BILL NO. 1774
HOUSE BILL NO. 1777
HOUSE BILL NO. 1779
HOUSE BILL NO. 1819
HOUSE BILL NO. 1923
HOUSE BILL NO. 1947

HOUSE CONCURRENT RESOLUTION NO. 4403

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 7, 2013, the 53rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY THIRD DAY

House Chamber, Olympia, Thursday, March 7, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cory Ricklick and Shane Murphy. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Chaplain Carol Johnson, Pacific Pastoral Counseling Service, and Assured Hospice, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 6, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5237
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5244
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5330
ENGROSSED SUBSTITUTE SENATE BILL NO. 5491

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 1981 by Representative Jinkins

AN ACT Relating to the licensure of massage therapy establishments; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health Care & Wellness.

HB 1982 by Representative Hunter

AN ACT Relating to eliminating lottery games that generate insufficient net revenue; amending RCW 67.70.240; and repealing RCW 67.70.500.

Referred to Committee on Appropriations.

HB 1983 by Representative Appleton

AN ACT Relating to expansion of adult day health programs; adding a new section to chapter 74.39A RCW; and creating new sections.

Referred to Committee on Appropriations.

HB 1984 by Representative Shea

AN ACT Relating to claims against the Washington state department of transportation; amending RCW 4.22.070; and providing an effective date.

Referred to Committee on Judiciary.

HB 1985 by Representative Overstreet

AN ACT Relating to exempting future state transportation projects from state and local sales and use tax; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Finance.

HB 1986 by Representatives O'Ban and Rodne

AN ACT Relating to the reporting of highway construction project errors; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

HB 1987 by Representatives O'Ban and Rodne

AN ACT Relating to design-build construction for transportation projects; and amending RCW 47.20.780 and 47.20.785.

Referred to Committee on Transportation.

HB 1988 by Representative Rodne

AN ACT Relating to right-sizing transportation projects; and creating a new section.

Referred to Committee on Transportation.

HB 1989 by Representatives Hargrove and Orcutt

AN ACT Relating to the term of bonds issued for transportation purposes; and amending RCW 39.42.020.

Referred to Committee on Transportation.

HB 1990 by Representative Orcutt

AN ACT Relating to the construction of ferry vessels; amending RCW 47.60.814; adding a new section to chapter 47.60 RCW; repealing RCW 47.56.780; and declaring an emergency.

Referred to Committee on Transportation.

HB 1991 by Representative Kretz

AN ACT Relating to encouraging the liquor control board to implement rules to promote the development of marijuana production facilities located on unenclosed, outdoor agricultural land in rural areas; and amending RCW 69.50.325 and 69.50.345.

Referred to Committee on Government Accountability & Oversight.

HB 1992 by Representative Kretz

AN ACT Relating to authorizing the liquor control board to consult with the department of ecology regarding the environmental impacts associated with the various means of producing marijuana; and amending RCW 69.50.342.

Referred to Committee on Government Accountability & Oversight.

SB 5081 by Senators Ranker, Litzow, Shin, Kline, Keiser and Frockt

AN ACT Relating to unlawful trade in shark fins; and amending RCW 77.15.770.

Referred to Committee on Agriculture & Natural Resources.

SSB 5100 by Senate Committee on Law & Justice (originally sponsored by Senators Hargrove and Padden)

AN ACT Relating to the statute of limitations for sexual abuse against a child; and amending RCW 9A.04.080.

Referred to Committee on Public Safety.

SSB 5119 by Senate Committee on Law & Justice (originally sponsored by Senators Carrell, Pearson, Hewitt, Sheldon, Becker, Holmquist Newbry, Litzow, Roach, Honeyford and Dammeier)

AN ACT Relating to body armor; amending RCW 9.94A.030, 9.94A.533, and 9.94A.728; adding a new section to chapter 9.94A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

SB 5149 by Senators Carrell, Conway, Padden, Pearson, Braun, Dammeier and Parlette

AN ACT Relating to crimes against pharmacies; amending RCW 9.94A.533; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Public Safety.

ESSB 5157 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Schoesler, Hill and Fain)

AN ACT Relating to child care; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Early Learning & Human Services.

SB 5207 by Senators Fain, Benton, Hobbs, Roach, Nelson, Mullet, Hatfield and Keiser

AN ACT Relating to making technical corrections and updating licensing and enforcement provisions of the consumer loan act; and amending RCW 31.04.015, 31.04.025, 31.04.027, 31.04.035, 31.04.093, 31.04.102, 31.04.105, 31.04.155, 31.04.221, 31.04.290, 31.04.293, and 31.04.297.

Referred to Committee on Business & Financial Services.

SSB 5227 by Senate Committee on Commerce & Labor (originally sponsored by Senators Schoesler, Holmquist Newbry, Delvin, Hatfield, Shin, King, Hobbs, Sheldon, Padden, Honeyford, Dammeier and Roach)

AN ACT Relating to the corporate officer provisions of the employment security act; amending RCW 50.12.070, 50.04.165, 50.04.310, 50.04.080, and 50.04.090; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workforce Development.

SSB 5316 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker and Carrell)

AN ACT Relating to adopting a model policy to require a third person to be present during interviews; amending RCW 26.44.030; reenacting and amending RCW 26.44.030; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SSB 5399 by Senate Committee on Governmental Operations (originally sponsored by Senators Dammeier, Becker, Conway, Fraser, Rivers and Nelson)

AN ACT Relating to the timing of penalties under the growth management act; and amending RCW 36.70A.300, 43.17.250, 43.155.070, 70.146.070, and 36.70A.200.

Referred to Committee on Local Government.

SB 5446 by Senators Hobbs, Schoesler, Hatfield and Tom

AN ACT Relating to state auditor applications for investigative subpoenas; adding a new section to chapter 43.09 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5516 by Senators Keiser and Fain

AN ACT Relating to the criminal justice training commission firing range maintenance account; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Appropriations Subcommittee on General Government.

SSB 5556 by Senate Committee on Law & Justice (originally sponsored by Senators Darneille, Dammeier, Schlicher, Conway, Roach, McAuliffe, Becker, Carrell, Delvin and Shin)

AN ACT Relating to missing endangered persons; and amending RCW 13.60.010 and 13.60.020.

Referred to Committee on Public Safety.

SB 5558 by Senators Fain, Hobbs, Keiser, Shin and Kline

AN ACT Relating to down payment assistance for single-family homeownership; amending RCW 43.180.050; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5563 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Litzow, Rolfes, Keiser, McAuliffe and Kline)

AN ACT Relating to training school employees in the prevention of sexual abuse; amending RCW 28A.410.035, 28A.300.145, and 28A.400.317; and creating a new section.

Referred to Committee on Education.

SSB 5601 by Senate Committee on Health Care (originally sponsored by Senators Becker, Cleveland, Dammeier and Schlicher)

AN ACT Relating to ensuring chapter 19.68 RCW is interpreted in a manner consistent with the federal antikickback statute; adding new sections to chapter 19.68 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SB 5606 by Senators Roach, Hasegawa, Litzow, Nelson, Mullet, Harper and Rivers

AN ACT Relating to fire suppression water facilities and services provided by municipal and other water purveyors; and adding a new chapter to Title 70 RCW.

Referred to Committee on Local Government.

ESB 5607 by Senators Harper, Hewitt, Kohl-Welles and Kline

AN ACT Relating to beer, wine, and spirits theater licenses; amending RCW 66.20.300 and 66.20.310; adding a new section to chapter 66.24 RCW; and prescribing penalties.

Referred to Committee on Government Accountability & Oversight.

ESB 5620 by Senators King and McAuliffe

AN ACT Relating to school safety; and amending RCW 28A.320.125.

Referred to Committee on Education.

SB 5712 by Senators Kohl-Welles, Bailey, McAuliffe, Frockt, Murray, Baumgartner and Keiser

AN ACT Relating to precollege placement measures; and amending RCW 28B.50.090.

Referred to Committee on Higher Education.

ESSB 5723 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Conway, Brown and Kline)

AN ACT Relating to enhanced raffles; adding a new section to chapter 9.46 RCW; and providing an expiration date.

Referred to Committee on Government Accountability & Oversight.

SB 5810 by Senators Darneille, Carrell and Shin

AN ACT Relating to exemption of information contained in the department of corrections' security threat group database; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Government Operations & Elections.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

March 6, 2013

HB 1948 Prime Sponsor, Representative Tharinger: Concerning nonsubstantive changes to programs relevant to the department of ecology designed to create administrative efficiency. Reported by Committee on Environment

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Lias and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committee so designated.

SECOND READING

HOUSE BILL NO. 1035, by Representatives Kirby, Ryu and Nealey

Addressing title insurance rate filings.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1035.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1035, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representative Freeman.

HOUSE BILL NO. 1035, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1325, by Representatives Ryu and Kirby

Addressing fees and semiannual assessments, powers, lending limits, and technical amendments related to state-chartered banks, savings banks, savings associations, and trust companies. Revised for 1st Substitute: Concerning banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1325 was substituted for House Bill No. 1325 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1325 was read the second time.

Representative Ryu moved the adoption of amendment (9).

On page 39, after line 12, strike all of section 36
Correct the title.

Representatives Ryu and Parker spoke in favor of the adoption of the amendment.

Amendment (9) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1325.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1325, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Holy, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1325, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1326, by Representatives Ryu and Kirby

Addressing the consumer loan act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1326.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1326, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen,

Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1326, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1327, by Representatives Kirby, Ryu and Santos

Addressing licensing and enforcement provisions applicable to money transmitters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1327 was substituted for House Bill No. 1327 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1327 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1327.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1327, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1327, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1328, by Representatives Kirby, Ryu and Maxwell

Regulating mortgage brokers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1328 was substituted for House Bill No. 1328 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1328 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1328.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1328, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Santos.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1328, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1402, by Representatives Stanford and Morrell

Adopting the insurer state of entry model act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1402.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1402, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1402, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1740, by Representatives Kirby, Ryu and Moscoso

Concerning fingerprint-based background checks for state-registered appraiser trainee applicants and existing credential holders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1740 was substituted for House Bill No. 1740 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1740 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1740.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1740, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar,

Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, Overstreet, Scott, Shea, Short and Taylor.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1740, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1870, by Representatives Habib, Kirby, Ryu, Van De Wege, Takko, Hunter, Appleton, Tarleton, Sawyer, Seaquist, Pollet, Bergquist and Johnson

Addressing methods of payment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1870 was substituted for House Bill No. 1870 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1870 was read the second time.

With the consent of the house, amendments (55) and (56) were withdrawn.

Representative Habib moved the adoption of amendment (147).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 19.200 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.

(2) "Debit card" means a card or device used to obtain money, property, labor, or services by a transaction that debits a cardholder's account, rather than extending credit.

(3) "Discount" means a reduction made from the price that customers are informed is the regular price. It does not include any means of increasing the price that customers are informed is the regular price.

Sec. 2. RCW 19.200.010 and 2009 c 382 s 1 are each amended to read as follows:

(1) The legislature finds that credit and debit cards are important tools for consumers in today's economy. The legislature also finds that unscrupulous persons often fraudulently use the card accounts of others by stealing the card itself or by obtaining the necessary information to fraudulently charge the purchase of goods and services to another person's account. The legislature intends to provide some protection for consumers from the latter by limiting the information that can appear on a card receipt.

(2) No person that accepts credit or debit cards for the transaction of business shall print more than the last five digits of the card account number or print the card expiration date on a credit or debit card receipt. This includes all receipts kept by the person or provided to the cardholder.

(3) This section shall apply only to receipts that are electronically printed and shall not apply to transactions in which the sole means of recording the card number is by handwriting or by an imprint or copy of the credit or debit card.

~~((4) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.~~

~~(a) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.~~

~~(b) "Debit card" means a card or device used to obtain money, property, labor, or services by a transaction that debits a cardholder's account, rather than extending credit.)~~

NEW SECTION. Sec. 3. A new section is added to chapter 19.200 RCW to read as follows:

(1)(a) Any person that imposes a surcharge on a cardholder who elects to use a credit card in lieu of payment by cash, check, or similar means must clearly and conspicuously disclose the surcharge.

(b) If a surcharge for the use of a credit card is being imposed in a transaction at a physical location, the disclosure required in (a) of this subsection must be conspicuously and continuously posted at the location. The disclosure must be in a size and location that is easily seen and read by a consumer prior to a sale.

(c) If a surcharge for the use of a credit card is being imposed in an electronic transaction, the disclosure required in (a) of this subsection must be provided prior to the point where a consumer is going to approve any final transaction.

(2)(a) Any person that accepts credit cards for the transaction of business may offer a discount for the purpose of inducing payment by cash, check, or other means not involving the use of a credit card. The discount must be offered to all prospective buyers and the availability of the discount must be clearly and conspicuously disclosed.

(b) If a discount for the use of a payment method other than a credit card is allowed in a transaction at a physical location, the disclosure required in (a) of this subsection must be conspicuously and continuously posted at the location. The disclosure must be in a size and location that is easily seen and read by a consumer prior to a sale.

(c) If a discount for the use of a payment method other than a credit card is allowed in an electronic transaction, the disclosure required in (a) of this subsection must be provided prior to the point where a consumer is going to approve any final transaction."
Correct the title.

Representatives Habib and Parker spoke in favor of the adoption of the amendment.

Amendment (147) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Habib spoke in favor of the passage of the bill.

Representative Parker spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1870.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1870, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hayes, Holy, Hurst, Klippert, Kretz, Kristiansen, MacEwen, Morrell, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick and Zeiger.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1870, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1103, by Representatives Van De Wege, Hunt, Stanford, Lias, Hayes, Morrell, Appleton, Fitzgibbon, Hudgins, Reykdal and Bergquist

Concerning uniform ballot design.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1103 was substituted for House Bill No. 1103 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1103 was read the second time.

Representative Dahlquist moved the adoption of amendment (179).

On page 2, after line 12, insert the following:

"(a) A county auditor may not terminate an existing contract early in order to use a state master contract under this section unless sufficient savings and efficiencies are expected to outweigh the costs and risks associated with early termination.

(b) The governor has the authority to terminate any state contract under this section in accordance with state law, federal law, or contractual provisions.

(c) A master contract under this section is limited to no more than three years with all potential extensions not to exceed ten years; and

(13) The department of enterprise services must develop a process whereby it uses price quotes from local businesses to determine current prices and labor rates prior to granting contractual increases for a master contract under this section. Findings must be posted publicly ten days prior to the department authorizing any contractual increase. Only with the governor's approval may a contract be increased in amounts exceeding the estimated real gross domestic product growth rate for the year as forecast by the Washington state economic and revenue forecast council.

Representative Dahlquist spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (179) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege, Buys and Hunt spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1103.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1103, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Dahlquist, DeBolt, Haler, Harris, Kretz, MacEwen, Overstreet, Pike, Rodne, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1103, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1157, by Representatives Hunt, Taylor and Ryu

Making nonsubstantive changes to election laws.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1157.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1157, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1157, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1195, by Representatives Wylie, Buys, Hunt, Van De Wege, Appleton, Orwall, Ryu and Jinkins

Repealing provisions relating to filling unexpired terms. Revised for 2nd Substitute: Concerning primaries.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1195 was substituted for House Bill No. 1195 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1195 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1195.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1195, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan,

Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Chandler.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1195, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1267, by Representatives Fitzgibbon, Hunt, Stanford, Appleton, Ryu, Van De Wege, Lytton, Tharinger, Hudgins, Lias, Upthegrove, Farrell, Cody, Sawyer, Jinkins, Roberts, Reykdal, Maxwell, Riccelli, Santos, Pollet, Bergquist, Hansen and Ormsby

Extending the time period for voter registration.

The bill was read the second time.

With the consent of the house, amendment (96) was withdrawn.

Representative Buys moved the adoption of amendment (150).

On page 1, beginning on line 4, strike all of section 1

Re-number the remaining section consecutively and correct any internal references accordingly.

Correct the title.

Representatives Buys and Hunt spoke in favor of the adoption of the amendment.

Amendment (150) was adopted.

Representative Fitzgibbon moved the adoption of amendment (128).

On page 1, line 17, after "than" strike "twenty-nine" and insert "~~((twenty nine))~~ twenty-eight"

On page 2, line 2, after "election;" strike "~~((€))~~" and insert "or"

On page 2, beginning on line 3, strike all of subsections (b) and (c) and insert the following:

"(b) ~~((Register))~~ Submit a registration application electronically pursuant to RCW 29A.08.123, or in person at the county auditor's office in his or her county of residence, or an alternate location designated by the county auditor, no later than ~~((eight))~~ eleven days before the day of the primary, special election, or general election."

On page 2, line 10, after "than" strike "twenty-nine" and insert "~~((twenty nine))~~ twenty-eight"

Representatives Fitzgibbon and Buys spoke in favor of the adoption of the amendment.

Amendment (128) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Buys spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1267.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1267, and the bill passed the House by the following vote: Yeas, 64; Nays, 33; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwell, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manwell, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schwick, Scott, Shea, Short, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1267, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1279, by Representatives Bergquist, Riccelli, Hunt, Sawyer, Farrell, Stonier, Reykdal, Fitzgibbon, Lytton, Lias, Maxwell, Orwell, Jinkins, Upthegrove, Pedersen, Ryu, Carlyle, Roberts, Tharinger, Hudgins, Fey, Morrell, Santos, Pollet, Hansen and Ormsby

Allowing motor voter preregistration for sixteen and seventeen year olds.

The bill was read the second time.

Representative Buys moved the adoption of amendment (156).

On page 2, after line 6, insert the following:

"**NEW SECTION. Sec. 2.** A new section is added to chapter 29A.08 RCW to read as follows: (1) A person who is at least sixteen years of age and who meets all requirements to vote except age may preregister to vote at the department of licensing at the time he or she applies for a driver's license or a state identification card.

(2) The voter's preregistration will be held from entry in the statewide voter registration database until such time as the voter will be eighteen years of age before the next election.

(3) A confirmation notice must be sent to the registrant's address ninety days prior to the time he or she is eligible to be registered as a voter in the statewide voter registration database. The confirmation notice must include:

(a) A declaration that the registrant must sign, under penalty of perjury, indicating his or her current legal address. The declaration must be returned to the county auditor and the signature on the declaration must be verified against the signature on the preregistration application. If the signatures do not match, the county auditor should provide notice to the registrant of any such discrepancy.

(b) A check box indicating that the registrant is in the military and not available to sign the declaration. The parent or guardian of the

registrant may sign the declaration, under penalty of perjury, stating the current legal address of the registrant.

(c) Information on how a military voter may obtain, vote, and return a ballot to the county auditor, including applicable web sites for regarding election information and downloading a ballot.

(4) Upon receiving acceptable verification, the county auditor must register the voter in the statewide voter registration database."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (156) was not adopted.

Representative Buys moved the adoption of amendment (175).

On page 2, after line 30, insert the following:

"(3) The secretary of state, in consultation with the county auditors and the director of the department of licensing, shall adopt rules for voter preregistration under this section."

On page 4, after line 27, insert the following:

"NEW SECTION, Sec. 6. This act takes effect ninety days after the session in which the bill is adopted or 31 days after the rules for voter preregistration have been filed with the office of the code reviser, whichever occurs later."

Correct the title.

Representative Buys spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (175) was not adopted.

Representative Buys moved the adoption of amendment (174).

On page 4, after line 27, insert the following:

"NEW SECTION, Sec. 6. This act takes effect January 1, 2014."

Correct the title.

Representatives Buys and Hunt spoke in favor of the adoption of the amendment.

Amendment (174) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist, Hurst, Hunt and Riccelli spoke in favor of the passage of the bill.

Representatives Buys, Alexander, Angel and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1279.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1279, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1639, by Representatives Bergquist, Pike, Riccelli, Carlyle, Walsh, Ryu and Moscoso

Adjusting presidential elector compensation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1639.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1639, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, DeBolt, Holy, Hurst, Klippert, Kretz, Kristiansen, MacEwen, O'Ban, Overstreet, Parker, Scott, Shea, Short, Taylor, Vick and Zeiger.

Excused: Representative Freeman.

HOUSE BILL NO. 1639, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of. SUBSTITUTE HOUSE BILL NO. 1950.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1950, by House Committee on Environment (originally sponsored by Representative Haler).

Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW.

Representatives Haler and Upthegrove spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1950.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1950, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1950, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1442, by Representatives Schmick, Cody, Hunt, Condotta, Blake and Sullivan

Providing increased access to parimutuel satellite locations in counties with a population exceeding one million.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1442.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1442, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1442, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1260, by Representatives Warnick and Stanford

Concerning public facilities' grants and loans.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1260 was substituted for House Bill No. 1260 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1260 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Warnick and Stanford spoke in favor of the passage of the bill.

Representative Pike spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1260.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1260, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee,

Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Taylor, Vick, Walsh and Wilcox.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1260, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1260.
Representative Hope, 44th District

SECOND READING

HOUSE BILL NO. 1245, by Representatives Hansen, Smith, Ryu, Wilcox, Maxwell, Warnick, Blake, Upthegrove, MacEwen, Lytton, Van De Wege, Takko, Walsh, Jinkins, Fitzgibbon, Hunt, Haigh, Morrell, Seaquist, Tharinger, Hudgins, Stanford and Hayes

Regarding derelict and abandoned vessels in state waters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1245 was substituted for House Bill No. 1245 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1245 was read the second time.

With the consent of the house, amendment (23) was withdrawn.

Representative Smith moved the adoption of amendment (138).

On page 33, beginning on line 1, after "(2)" strike all material through "RCW 79.100.010." on line 5 insert "(a) The department may, after satisfying the provisions of (b) of this subsection relating to administrative search warrants, board any vessel, at any reasonable time, that meets the definition of "abandoned vessel" or "derelict vessel" as provided in RCW 79.100.010, for the purposes of mitigating a potential threat to health, safety, or the environment, or for identifying ownership of the vessel."

(b) The department must, prior to boarding any vessel under the authority provided in this subsection, apply for an administrative search warrant in either the Thurston county superior court or the superior court in the county where the vessel is located, unless a warrant is not required. The court may issue an administrative search warrant where the court has reasonable cause to believe it is necessary to achieve the purposes in this subsection."

Representatives Smith and Hansen spoke in favor of the adoption of the amendment.

Amendment (138) was adopted.

Representative Hansen moved the adoption of amendment (86).

On page 34, line 31, after "(1)" strike "Beginning July 1, 2014, a" and insert "A"

On page 38, line 11, after "may" strike ", consistent with section 41 of this act."

Beginning on page 39, line 21, strike all of sections 41, 42, 43, 44, and 45

Re-number the remaining sections consecutively, correct any internal references accordingly, and correct the title.

On page 48, beginning on line 29, after "changes to" strike all material through "addresses" on line 30 and insert "laws and rules related to derelict and abandoned vessels that increase vessel owner responsibility and address"

On page 48, line 35, after "vessels" insert ", including the development of mandatory processes for public and private moorage facility operators to employ in an effort to appropriately limit the transfer of high risk vessels"

On page 49, after line 20, insert the following:
"NEW SECTION. Sec. 52. Section 37 of this act takes effect July 1, 2014."

Correct the title.

Representatives Hansen and Smith spoke in favor of the adoption of the amendment.

Amendment (86) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen, Smith and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1245.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1245, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1194, by Representatives Stanford, Warnick, Lytton, Goodman, Wilcox, Tharinger, Chandler, Blake, Nealey, Orcutt, Hansen, Kirby, Ryu, Fagan and McCoy

Limiting liability for habitat projects.

The bill was read the second time.

Representative Warnick moved the adoption of amendment (148).

On page 2, line 24, after "board" insert " provided that any logs and construction material used in the construction of a habitat project must be securely tagged with (a) the name of the landowner, and (b) the lead entity group associated with the habitat project"

Representative Warnick spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (148) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Warnick spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1194.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Lias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Crouse, Dahlquist, Hargrove, Harris, Hayes, Holy, Kochmar, Kretz, Kristiansen, Magendanz, Overstreet, Pike, Rodne, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor and Vick.

Excused: Representative Freeman.

HOUSE BILL NO. 1194, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1324, by Representatives Fitzgibbon, Springer, Upthegrove, Ryu, Dahlquist, Maxwell, Kochmar and Hargrove

Transferring ferry and flood control zone district functions and taxing authorities to county legislative authorities in counties with a population of one million five hundred thousand or more.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1324 was substituted for House Bill No. 1324 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1324 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1324.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1324, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1324, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1291, by Representatives Orwall, Kochmar, Hope, Parker, Goodman, Jinkins, Upthegrove, Ryu, Stanford, Roberts, Hurst, Morrell, Tarleton, Wylie, Bergquist and Ormsby

Concerning services for victims of the sex trade.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1291 was substituted for House Bill No. 1291 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1291 was read the second time.

Representative Kochmar moved the adoption of amendment (144).

On page 2, line 16, after "(a)" insert "Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively; (b)"

Renummer the remaining subsections consecutively and correct any internal references accordingly.

Representatives Kochmar and Goodman spoke in favor of the adoption of the amendment.

Amendment (144) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1291.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1968, by Representatives Kagi, Farrell, Pollet and Fey

Changing licensing provisions for certain before and after-school programs in school buildings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1968 was substituted for House Bill No. 1968 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1968 was read the second time.

Representative Dahlquist moved the adoption of amendment (143).

On page 2, after line 8, insert the following:

"New Section. Sec.2. The chief of the Washington state patrol, through the director of fire protection, shall have the power and it shall be his or her duty to adopt licensing minimum standard requirements for before-school and after-school programs in existing buildings approved by the state fire marshal."

Representatives Dahlquist and Kagi spoke in favor of the adoption of the amendment.

Amendment (143) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1968.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1968, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 1950 passed the House.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1950 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1950, by House Committee on Environment (originally sponsored by Representative Haler)

Designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW.

The bill was read the second time.

Representative Takko moved the adoption of amendment (167).

On page 3, line 2, after "canals," insert "water pipes whose primary purpose is for conveyance of water for domestic use,"

Representatives Takko and Haler spoke in favor of the adoption of the amendment.

Amendment (167) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Upthegrove spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1950.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1950, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan,

Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1950, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1413, by Representatives Moscoso, Hunt, Santos, Liias, Ryu, Fey, Upthegrove, Dunshee, Tarleton, Pedersen, Bergquist, Hudgins, McCoy, Maxwell, Cody, Jinkins, Appleton, Sawyer, Roberts, Fitzgibbon, Habib, Reykdal, Pollet, Ormsby, Green, Kagi, Freeman, Riccelli and Farrell

Enacting the Washington voting rights act of 2013.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1413 was substituted for House Bill No. 1413 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1413 was read the second time.

With the consent of the house, amendments (159) and (164) were withdrawn.

Representative Taylor moved the adoption of amendment (146).

On page 3, line 24, after "election." insert "However, a political subdivision has an absolute defense from liability, and a finding of polarized voting is precluded, if the proportion of elected officials serving on the political subdivision's legislative body who are members of the protected class is statistically equivalent to the proportion of the voting age population who are members of the protected class."

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (146) was not adopted.

Representative Taylor moved the adoption of amendment (154).

On page 5, beginning on line 24, after "(1)" strike all material through "implementation." on line 30 and insert "Upon a finding of a violation of section 3 of this act, the court shall notify the highest ranking elected official of the government subdivision subject to the lawsuit, directing the appointment of a redistricting commission to redraw the lines of the district in question, and providing direction regarding the legal error that needs to be corrected through the redistricting process. A five member commission must be appointed as follows:

(a) Within ten days' notice by the elected official, each leader of the two largest political parties in the county shall appoint one registered voter who resides within the challenged district and one registered voter who resides outside the challenged district to serve as voting members of the commission.

(b) The four appointed members, by an affirmative vote of at least three, shall appoint a nonvoting fifth member who shall act as the commission's chairperson. If the voting members fail to elect a chairperson within five days, the court shall appoint a nonvoting fifth member to act as chairperson. A vacancy on the commission shall be filled by the same party who made the original appointment, within ten days after the vacancy occurs.

(c) Persons eligible to serve are subject to the provisions in RCW 44.05.050 and 44.05.060.

(d) The commission may employ the services of experts, consultants, and support staff, including attorneys not employed by the attorney general, as necessary to carry out its duties pursuant to this section.

(e) Within three months of convening, and after holding public hearings, the commission must propose a redistricting plan. The plan shall be submitted to the government entity with the authority to change the configuration of the district. The plan must be scheduled for public hearing and final adoption within thirty days. If no plan is adopted, the authority to create a redistricting plan reverts to the court and the court shall create a district within thirty days.

(f) The commission is subject to the open public meetings act, chapter 42.30 RCW, and the public records act, chapter 42.56 RCW.

(g) After the plan takes effect, any registered voter affected by the change in the district may file a petition with the supreme court challenging the plan. The court may consolidate any or all petitions and shall give such petitions precedence over all other matters."

On page 5, line 32, after "the" insert "redistricting commission or the"

On page 5, line 36, after "the" insert "redistricting commission or the"

On page 6, at the beginning of line 2, insert "redistricting commission or the"

Representatives Taylor and Shea spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (154) was not adopted.

Representative Buys moved the adoption of amendment (155).

On page 5, after line 30, insert the following:

"(2) Any person appointed by the judge to redistrict must be a qualified expert with experience redrawing district lines in Washington state. Persons appointed may not:

(a) Be a convicted felon or convicted of any crimes under chapter 9.35, 9.38 or 9.45 RCW;

(b) Be an official, officer, or employee of any political party;

(c) Have made political contributions to the judge's election campaign or the judge's family members' election campaigns; or

(d) Be involved with, affiliated with, related to, or employed by any person that is a party or participant in the lawsuit."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Buys, Shea and Buys (again) spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (155) was not adopted.

Representative Buys moved the adoption of amendment (189).

On page 6, after line 29, insert the following:

"**NEW SECTION, Sec. 6.** No new action may be filed against a political subdivision that, pursuant to a court order finding a violation of section 3 of this act, has drawn or redrawn its district boundaries, and has implemented such districts with the court's approval, unless, at the time the new action is filed:

(1) The population of protected class members within the political subdivision has significantly changed, as compared to the population when the original action was filed; and

(2) Protected class members constitute fifty percent or more of the voting age population of the political subdivision."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 13, line 7, after "through" strike "9" and insert "10"

Representative Buys spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (189) was not adopted.

Representative Manweller moved the adoption of amendment (99).

On page 2, line 18, after "on" insert "the totality of the circumstances and all"

On page 2, line 31, after "(a)" strike "The" and insert "Based on the totality of the circumstances, the"

On page 3, beginning on line 10, after "least" strike "one candidate is a member" and insert "five candidates are members"

Representative Manweller spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (99) was not adopted.

Representative Manweller moved the adoption of amendment (158).

On page 6, line 34, after "fees." insert "However, the court may elect not to allow the award of attorneys' fees, costs, or expert witness fees under this section, or may elect to reduce the amount of fees and costs awarded, when, in the court's determination:

(a) The award would create undue hardship to the political subdivision; and

(b) The award would directly impact the ability of the political subdivision to provide services to low-income minority individuals within the political subdivision."

On page 7, beginning on line 1, strike all of subsection (3)

Representatives Manweller, Dahlquist and Smith spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (158) and the amendment was not adopted by the following vote: Yeas: 47 Nays: 51 Absent: 0 Excused: 0

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Tarleton, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, and Wylie

Amendment (158) was not adopted.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1413.
Representative Kirby, 29 District

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso, Hunt and Fitzgibbon spoke in favor of the passage of the bill.

Representatives Hawkins, Buys, Walsh, Walsh (again) and Scott spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Clibborn was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1413.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1413, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Clibborn.

SUBSTITUTE HOUSE BILL NO. 1413, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1413.
Representative Tarleton, 36th District

HOUSE JOINT MEMORIAL NO. 4001, by Representatives Pedersen, Hope, Carlyle, Goodman, Kagi, Sells, Van De Wege, Haigh, Springer, Lytton, Tharinger, Jinkins, Hunt, Cody, Morrell, Ormsby, Hudgins, Pettigrew, Moeller, Upthegrove, Reykdal, Fitzgibbon, Ryu, Liias, Roberts, Maxwell, Sawyer, Riccelli, Farrell, Pollet, Moscoso, Santos and Hansen

Requesting an amendment to the United States Constitution to return the authority to regulate election campaign contributions to congress and state legislatures.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen, Morris and Carlyle spoke in favor of the passage of the bill.

Representatives Manweller, Shea and Shea (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4001.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4001, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Clibborn.

HOUSE JOINT MEMORIAL NO. 4001, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1934, by Representatives Pedersen, Nealey, Hope, Kagi, Goodman, Hansen, Orwall, Pollet, Roberts, Appleton, Hunt, Maxwell, Ormsby, Jinkins, Green, Morrell, Carlyle, Seaquist, Haigh, Hudgins, Pettigrew,

Tarleton, Sells, Smith, Reykdal, Sawyer, Morris, Dunshee, Magendanz, Hunter, Wylie, Liias, Fitzgibbon, Fagan, Upthegrove, Farrell, Takko, Ryu, Riccelli, Bergquist, Freeman, Habib, Van De Wege, Haler, Clibborn, Sullivan, Walsh, Tharinger, Moeller, Blake, Cody, Springer, Lytton, McCoy, Stanford, Moscoso, Fey and Santos

Concerning visitation rights for persons, including grandparents, with an ongoing and substantial relationship with a child.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1934 was substituted for House Bill No. 1934 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1934 was read the second time.

With the consent of the house, amendment (169) was withdrawn.

Representative Shea moved the adoption of amendment (168).

On page 1, line 10, after "means a" insert "fit"

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment.

Amendment (168) was adopted.

Representative Shea moved the adoption of amendment (122).

On page 1, beginning on line 13, after "child if" strike all material through "provider" on page 2, line 3, and insert ":

(a) The person and the child have had a substantial relationship with substantial continuity for at least one year through interaction, companionship, and mutuality, without expectation of financial compensation;

(b) The person has performed parenting functions as defined in RCW 26.09.004 for the child for a substantial period of time while the substantial relationship was being established or the person has served as the primary residential care provider for the child for a substantial period of time while the substantial relationship was being established; and

(c) The parent consented to or allowed the formation of the relationship between the person and the child for a substantial period of time while the substantial relationship was being established, or the relationship between the person and the child was formed as a result of the unavailability or inability of the parent to perform caretaking functions for the child for a substantial period of time while the substantial relationship was being established"

On page 2, line 17, after "existed" insert "as required under section 1 of this act"

Representative Shea spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (122) was not adopted.

Representative Shea moved the adoption of amendment (173).

On page 1, beginning on line 16, after "least" strike "one year" and insert "two years unless the child is under the age of two years, in which case there must be substantial continuity for at least half of the child's life"

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment.

Amendment (173) was adopted.

Representative Pedersen moved the adoption of amendment (186).

On page 2, line 17, after "(a)" strike all material through "child" and insert "A relationship with the child that satisfies the requirements of section 1 of this act"

Representatives Pedersen and Shea spoke in favor of the adoption of the amendment.

Amendment (186) was adopted.

Representative Manweller moved the adoption of amendment (170).

On page 3, after line 29, insert the following:

"(d) The love, affection, and strength of the current relationship between the child and the respondent;"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Representatives Manweller and Pedersen spoke in favor of the adoption of the amendment.

Amendment (170) was adopted.

Representative Rodne moved the adoption of amendment (171).

On page 4, line 5, after "preference;" strike "and"

On page 4, line 6, after "interest" insert ";

(k) The fact that the respondent has not lost his or her parental rights by being adjudicated as an unfit parent"

Representatives Rodne and Pedersen spoke in favor of the adoption of the amendment.

Amendment (171) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen, Kagi, Jinkins and Nealey spoke in favor of the passage of the bill.

Representatives Rodne, Hargrove, O'Ban, Smith, Smith (again) and Overstreet spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Hope was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1934.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1934, and the bill passed the House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Clibborn and Hope.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1934, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1013

HOUSE BILL NO. 1117
 HOUSE BILL NO. 1158
 HOUSE BILL NO. 1159
 HOUSE BILL NO. 1202
 HOUSE BILL NO. 1253
 HOUSE BILL NO. 1349
 HOUSE BILL NO. 1383
 HOUSE BILL NO. 1429
 HOUSE BILL NO. 1445
 HOUSE BILL NO. 1471
 HOUSE BILL NO. 1539
 HOUSE BILL NO. 1542
 HOUSE BILL NO. 1544
 HOUSE BILL NO. 1613
 HOUSE BILL NO. 1621
 HOUSE BILL NO. 1648
 HOUSE BILL NO. 1683
 HOUSE BILL NO. 1686
 HOUSE BILL NO. 1688
 HOUSE BILL NO. 1692
 HOUSE BILL NO. 1818
 HOUSE BILL NO. 1843
 HOUSE BILL NO. 1858
 HOUSE BILL NO. 1898
 HOUSE BILL NO. 1900
 HOUSE BILL NO. 1953
 HOUSE BILL NO. 1959

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 8, 2013, the 54th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY FOURTH DAY

House Chamber, Olympia, Friday, March 8, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gus Phillips and Joseph McDermott. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Lee Giermann, Lake Sawyer Christian Church, Black Diamond, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 7, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5048
 SUBSTITUTE SENATE BILL NO. 5088
 ENGROSSED SENATE BILL NO. 5105
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5138
 SUBSTITUTE SENATE BILL NO. 5182
 SECOND SUBSTITUTE SENATE BILL NO. 5199
 SUBSTITUTE SENATE BILL NO. 5264
 SUBSTITUTE SENATE BILL NO. 5315
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329
 SUBSTITUTE SENATE BILL NO. 5332
 SUBSTITUTE SENATE BILL NO. 5416
 SUBSTITUTE SENATE BILL NO. 5437
 SENATE BILL NO. 5465
 SENATE BILL NO. 5496
 SUBSTITUTE SENATE BILL NO. 5523
 SECOND SUBSTITUTE SENATE BILL NO. 5732
 SENATE BILL NO. 5748
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5753
 SUBSTITUTE SENATE BILL NO. 5774
 SENATE JOINT MEMORIAL NO. 8005

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 7, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5378
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5709
 ENGROSSED SENATE BILL NO. 5843

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READINGHB 1993 by Representative Angel

AN ACT Relating to the construction and alteration of ferries; adding new sections to chapter 47.60 RCW; and repealing RCW 47.60.810, 47.60.812, 47.60.814, 47.60.816, 47.60.818, 47.60.820, 47.60.822, 47.60.824, and 47.60.8241.

Referred to Committee on Transportation.

HB 1994 by Representatives Fitzgibbon, Habib, Orcutt and Condotta

AN ACT Relating to providing that certain cover charges for the opportunity to dance are not considered retail sales; and amending RCW 82.04.050.

Referred to Committee on Finance.

E2SSB 5237 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Litzow, Rivers, Tom, Fain, Hobbs, Hatfield and Carrell)

AN ACT Relating to establishing accountability for student performance in reading; amending RCW 43.215.410, 28A.165.025, and 28A.165.035; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.655 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5242 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Dammeier, Tom, Hobbs, Hatfield, Delvin, Hewitt, Padden and Schoesler)

AN ACT Relating to policies regarding assignment of certificated instructional staff in public schools; adding a new section to chapter 28A.405 RCW; and adding a new section to chapter 41.59 RCW.

Referred to Committee on Education.

E2SSB 5243 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Dammeier, Tom, Harper, Hobbs, Delvin, Hewitt, Padden, Mullet and Shin)

AN ACT Relating to establishing policies to support academic acceleration for high school students; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Education.

E2SSB 5244 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Dammeier, Ranker, Hobbs, Harper, Hatfield, Delvin, Tom, Hewitt, Schoesler, Smith and Mullet)

AN ACT Relating to school suspensions and expulsions; amending RCW 28A.600.015, 28A.600.020, 28A.600.410, 28A.300.046, 28A.300.042, and 28A.300.507; adding a new section to chapter 28A.600 RCW; and creating new sections.

Referred to Committee on Education.

ESSB 5328 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Hobbs, Dammeier, Hatfield, Baumgartner, Roach, Hill, Braun and Tom)

AN ACT Relating to creating a school-grading program that relies on the accountability index; and adding a new section to chapter 28A.655 RCW.

Referred to Committee on Education.

E2SSB 5330 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Shin and Hill)

AN ACT Relating to improved student achievement and student outcomes; amending RCW 28A.150.220, 28A.150.260, 28A.165.005, 28A.165.015, 28A.165.025, 28A.165.035, and 28A.175.025; adding a new section to chapter 28A.415 RCW; adding new sections to chapter 28A.165 RCW; adding new sections to chapter 28A.180 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 43.09 RCW; adding a new section to chapter 28A.155 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Education.

ESSB 5491 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Kohl-Welles, Dammeier, Frockt, Nelson, Rolfes, Chase, Eide, Cleveland, Rivers, Hobbs, Fain, Hewitt, Murray, Kline, Billig and Conway)

AN ACT Relating to statewide indicators of educational health; adding a new section to chapter 28A.150 RCW; and creating a new section.

Referred to Committee on Education.

ESSB 5587 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Dammeier, Rivers, Fain and Tom)

AN ACT Relating to student assessments; amending RCW 28A.655.061, 28A.655.066, 28A.655.070, 28A.655.071, 28B.105.010, 28B.105.030, and 28B.105.060; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

2SSB 5794 by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Ranker, McAuliffe, Honeyford, Eide and Litzow)

AN ACT Relating to alternative learning experience courses; amending RCW 28A.150.100, 28A.150.325, 28A.250.010, 28A.250.020, 28A.250.050, 28A.525.162, and 28A.525.166; amending 2011 1st sp.s. c 34 s 1 (uncodified); adding a new chapter to Title 28A RCW; and recodifying RCW 28A.150.262 and 28A.150.325.

Referred to Committee on Education.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1501, by Representatives Lytton, Kretz and Ryu

Building upon the existing wildlife interaction program to establish the mechanisms behind an uncapped funding source for implementing the provisions of the Washington wolf conservation and management plan adopted by the fish and wildlife commission in 2011 in a way that does not change the management provisions of the plan.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1501 was substituted for House Bill No. 1501 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1501 was read the second time.

Representative Taylor moved the adoption of amendment (22).

On page 2, beginning on line 7, after "section." strike all material through "account." on line 10

On page 2, beginning on line 13, after "chapter." strike all material through "46.68.425." on line 15

Beginning on page 5, line 28, strike all of sections 5, 6, 7, 8, and 9
Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Blake spoke against the adoption of the amendment.

Amendment (22) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Kretz spoke in favor of the passage of the bill.

Representatives Taylor and Short spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1501.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1501, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Condotta, Crouse, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Kristiansen, Overstreet, Pike, Rodne, Scott, Shea, Short, Smith, Taylor, Vick and Wilcox.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1501, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1633, by Representatives Magendanz, Haigh, Dahlquist, Santos, Pollet, Smith, Wylie, Takko, Angel, Clibborn, Condotta and Scott

Modifying school district bidding requirements for improvement and repair projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1633 was substituted for House Bill No. 1633 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1633 was read the second time.

Representative Dunshee moved the adoption of amendment (65).

On page 2, at the beginning of line 36, strike "seventy-five" and insert "sixty"

Representative Dunshee spoke in favor of the adoption of the amendment.

Representatives Magendanz and Haigh spoke against the adoption of the amendment.

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1633, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1134, by Representatives McCoy, Santos, Appleton, Lytton, Ryu, Stanford, Roberts, Jinkins, Haigh, Freeman and Hunt

Authorizing state-tribal education compact schools.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1134 was substituted for House Bill No. 1134 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1134 was read the second time.

Representative Hunt moved the adoption of amendment (81).

On page 5, line 26, after "shall be" strike "allocated" and insert "apportioned"

On page 5, line 29, after "Allocations" strike all material through "funding" on line 33 and insert "for certificated instructional staff must be based on the average staff mix ratio of the school, as calculated by the superintendent of public instruction using the statewide salary allocation schedule and related documents, conditions, and limitations established by the omnibus appropriations act. Allocations for classified staff and certificated administrative staff must be based on the salary allocations of the school district in which the school is located, subject to conditions and limitations established by the omnibus appropriations act. Nothing in this section requires a school that is the subject of a state tribal education compact to use the statewide salary allocation schedule"

On page 6, beginning on line 1, strike all of subsection (3)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Hunt and McCoy spoke in favor of the adoption of the amendment.

Representative Dahlquist spoke against the adoption of the amendment.

Amendment (81) was adopted.

Representative Hunter moved the adoption of amendment (80).

On page 10, line 34, after "school" strike "located in the district that is the subject of a state-tribal education compact" and insert "that is the subject of a state-tribal education compact and that formerly contracted with the school district to provide educational services through an inter-local agreement and received funding from the district"

Representatives Hunter and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (80) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCoy, Dahlquist and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1134.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1134, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Hawkins, Holy, Kristiansen, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1276, by Representatives Reykdal, Hunt, Tharinger, Wylie, Pollet, Jinkins, Ryu, Roberts, Morrell and Bergquist

Creating the dropout prevention through farm engagement pilot project.

The bill was read the second time.

There being no objection, the committee amendments by the Committee on Education were adopted.

With the consent of the house, amendments (103), (104), (105), (106), (107), (108), (109), (110), (111), (112), (113), (133) were withdrawn.

Representative Reykdal moved the adoption of amendment (215).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that low-income youth are not only at higher risk of dropping out of school, they are also less likely to have dependable access to sufficient and nutritious food. Innovative partnerships between community-based organizations, schools, food banks, and farms or gardens offer promise to address both dropout prevention and food security for such youth, as well as enhancing health and nutrition in the surrounding community. These types of partnerships should be supported as pilot projects and carefully evaluated to assure that desired outcomes are met and to identify opportunities for expansion and replication in other parts of the state.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.630 RCW to read as follows:

(1) The dropout prevention through farm engagement pilot project is established for a three-year period beginning in the 2013-14 school year.

(2) The office of the superintendent of public instruction shall select two pilot projects from school districts that agree to partner with community-based organizations, food banks, and farms or gardens to establish an alternative high school program targeted primarily to at-risk youth as provided in subsection (3) of this section. One of the selected projects must be a currently operating program with a record of success in engaging low-income and disengaged youth. The second selected project must create a new program in a different community. One of the projects must be selected from east of the crest of the Cascade mountains and one must be selected from west of the crest of the Cascade mountains. The selected projects must operate near farm-related activities and may include partnerships with farm-oriented student clubs and organizations. Participating in this pilot project may be incorporated into a student's culminating project to meet any community service requirements.

(3) Dropout prevention through farm engagement pilot projects must have the following characteristics:

(a) Primarily target low-income and disengaged youth who have dropped out or are at risk of dropping out of high school;

(b) Provide participating youth with opportunities for community service such as building food gardens for low-income families and work-based learning and employment training during the school year and during the summer through a farm or garden program;

(c) Provide participating youth with opportunities to earn core credits and elective credits toward high school graduation, including but not limited to science, health, and career and technical education credits;

(d) Offer youth development support and services to participating youth including social emotional learning, counseling, leadership training, and career and college guidance; and

(e) Improve food security for participating youth and the community through the farm or garden program.

(4) For each annual average full-time equivalent student enrolled in the pilot project, including enrollment during the summer months, the participating school district shall receive a basic education allocation as calculated under RCW 28A.150.260 and the omnibus appropriations act for a skill center student. The allocation under this subsection does not apply to a student's enrollment in courses of study that are not part of the pilot project. The allocations provided for the pilot project based on the basic education allocation as calculated under RCW 28A.150.260 and the omnibus appropriations act for a skills center student may not be used to provide participating youth with stipends. No funds from levies under RCW 84.52.0531 may be used to provide participating youth with stipends. Any stipends that are provided to participating youth through other funds must be prorated based on attendance, and youth who are absent for a day may not receive any stipend amount for that day.

(5) The purpose of the dropout prevention through farm engagement pilot project is to measure the effectiveness and cost-benefit of a particular alternative high school program on improving outcomes for at-risk youth. The office of the superintendent of public instruction shall conduct a rigorous evaluation after the pilot projects have been operating for two years, including analysis of a statistical comparison group of students who did not participate in the project. The office shall submit the evaluation results to the education committees of the legislature by December 1, 2015, including recommendations for whether the pilot projects should be continued or replicated in other parts of the state.

(6) Outcomes to be measured under the pilot project include:

(a) Student GPA overall and in science;

(b) Number of earned credits in core courses and elective courses;

(c) Incidence of discipline issues;

(d) School attendance rates;

- (e) High school graduation and GED attainment;
 - (f) Student health and nutrition;
 - (g) Acreage used for fresh produce;
 - (h) Volume of produce produced and made available to students, families, school district food programs, and community food banks; and
 - (i) Hours of community service activity by students.
- (7) This section expires August 31, 2016."

Representatives Reykdal and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (215) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Dahlquist, Warnick, Pike and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1276.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1276, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Carlyle, Chandler, Hunter, Overstreet, Scott, Shea, Taylor and Upthegrove.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1276, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1283, by Representatives Maxwell, Stonier, Johnson, Hunt, Reykdal, Bergquist, Sawyer, Pollet, Cody, Kagi, Roberts, Orwall, Lytton, Jinkins and Ryu

Changing compulsory school attendance requirements for children six and seven years of age.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1283 was substituted for House Bill No. 1283 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1283 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morrell, Dahlquist and Santos spoke in favor of the passage of the bill.

Representatives Overstreet, Overstreet (again) and Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1283.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1283, and the bill passed the House by the following vote: Yeas, 75; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Harris, Holy, Kretz, Kristiansen, MacEwen, Morrell, Orcutt, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Taylor, Vick and Zeiger.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1283, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1348, by Representatives Reykdal, Hope, Stanford, Pollet, Hunt, Ryu, Seaquist, Goodman, Haigh, Wylie, Fitzgibbon, Santos, Pettigrew, Lytton, Blake, Moscoso, Sells, Orwall, Liias, Roberts, Carlyle, Sullivan, Upthegrove, Dunshee, Maxwell, Green, Riccelli, Ormsby, Springer, Appleton, McCoy, Van De Wege, Bergquist, Tarleton, Fey and Hudgins

Modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Pollet and Reykdal (again) spoke in favor of the passage of the bill.

Representatives Condotta and Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1348.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1348, and the bill passed the House by the following vote: Yeas, 61; Nays, 36; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Hawkins, Holy, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick and Wilcox.

Excused: Representative Freeman.

HOUSE BILL NO. 1348, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1556, by Representatives Van De Wege, Dahlquist, Morrell, Hayes, Cody, Pettigrew, Habib, McCoy, Ryu, Angel, Hunt, Goodman, Pollet, Fitzgibbon, Stonier, Dunshee and Fey

Creating initiatives in high schools to save lives in the event of cardiac arrest.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1556 was substituted for House Bill No. 1556 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1556 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1556.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1556, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Holy, Kretz, Kristiansen, MacEwen, Manweller, Overstreet, Pike, Schmick, Scott, Short, Taylor and Vick.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1556, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1642, by Representatives Pettigrew, Springer, Habib, Holy, Ryu and Magendanz

Establishing policies to support academic acceleration for high school students.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1642 was substituted for House Bill No. 1642 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1642 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pettigrew and Dahlquist spoke in favor of the passage of the bill.

Representative Kochmar spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1642.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1642, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Harris, Kochmar, Kretz, Overstreet, Pike, Pollet, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1642, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1252, by Representatives Stonier, Carlyle, Sullivan, Lytton, Hunt, Maxwell, Harris, Takko, Fitzgibbon, Morrell, Tarleton, Jinkins, Hawkins, Haigh, Bergquist, Dahlquist, Tharinger, Freeman and Roberts

Establishing the Washington K-12 online professional development project.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1252 was substituted for House Bill No. 1252 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1252 was read the second time.

With the consent of the house, amendments (180) and (181) were withdrawn.

Representative Hawkins moved the adoption of amendment (216).

On page 3, after line 27, insert the following:

"(5) Each professional development module must contain an end-of-module assessment that documents the user's successful completion.

(6) Completion of the online professional development modules under this section may only be considered approved in-service training for purposes of the statewide salary allocation schedule according to rules adopted by the professional educator standards board under section 3 of this act and only after the rules take effect.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.415 RCW to read as follows:

The professional educator standards board shall adopt rules that establish standards for minimum content, documentation of participation, and verification of completion of the online professional development modules developed under section 2 of this act in order for completion of the modules to be considered equivalent to clock hours of approved in-service training under RCW 28A.415.020."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 37, after "modules;" insert "and"

On page 4, beginning on line 2, after "project" strike all material through "schedule" on line 6

On page 4, at the beginning of line 26, after "sections" strike "2 and 3 of this act, referencing sections 2 and 3" and insert "2, 3, and 4 of this act, referencing sections 2, 3, and 4"

On page 4, line 28, after "sections" strike "2 and 3" and insert "2, 3, and 4"

Correct the title.

Representatives Hawkins and Santos spoke in favor of the adoption of the amendment.

Amendment (216) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Dahlquist, Carlyle and Hawkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1252.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1252, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representative Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1252, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1424, by Representatives Haigh, Santos, Sullivan, Maxwell, Ryu, Freeman, Stonier, Seaquist, McCoy, Fey, Roberts, Morrell, Kagi, Bergquist and Jinkins

Enhancing the statewide K-12 dropout prevention, intervention, and reengagement system.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1424 was substituted for House Bill No. 1424 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1424 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haigh, Dahlquist and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1424.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1424, and the bill passed the House by the following vote: Yeas, 88; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Harris, Holy, Overstreet, Parker, Pike, Scott, Shea, Taylor and Vick.

SECOND SUBSTITUTE HOUSE BILL NO. 1424, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1638, by Representatives Ryu, Kirby, Cody and Morrell**Addressing insurance, generally.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1638 was substituted for House Bill No. 1638 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1638 was read the second time.

With the consent of the house, amendment (172) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1638.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1638, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen,

Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Holy, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Scott, Shea, Short, Taylor, Vick, Warnick and Zeiger.

SUBSTITUTE HOUSE BILL NO. 1638, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Klippert: "Today when we were debating House Bill 1276 on the floor, it was mentioned multiple times the positive contributions of women. Which reminded me today, Mr. Speaker, that today is International Women's Day. I stand in support and celebration of all the women here in the Legislature, all the women within the sound of my voice, thanking you for all your many wonderful, positive contributions from all around our world."

SECOND READING**HOUSE BILL NO. 1872, by Representatives Maxwell, Dahlquist, Lytton, Sullivan, McCoy, Upthegrove, Bergquist, Seaquist, Morrell, Wylie, Goodman, Ryu, Tarleton, Tharinger, Springer, Stonier, Jinkins, Orwall, Pollet, Fey, Hansen, Liias and Freeman****Establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1872 was substituted for House Bill No. 1872 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1872 was read the second time.

Representative Dahlquist moved the adoption of amendment (218).

On page 3, beginning on line 13, strike all of subsection (4)

Representative Dahlquist and Dahlquist (again) spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (218) was not adopted.

Representative Maxwell moved the adoption of amendment (67).

On page 13, beginning on line 5, strike all of section 8

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representatives Maxwell and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (67) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Maxwell spoke in favor of the passage of the bill.

Representatives Dahlquist and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1872.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1872, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Wilcox and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1472, by Representatives Hansen, Habib, Freeman and Magendanz

Providing initiatives to improve and expand access to computer science education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1472 was substituted for House Bill No. 1472 and the second substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1472 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen, Magendanz and Habib spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1472.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1472, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

SUBSTITUTE HOUSE BILL NO. 1472, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1314, by Representatives Green, O'Ban, Zeiger, Fey, Upthegrove and Jinkins

Concerning municipally produced class A biosolids.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1314 was substituted for House Bill No. 1314 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1314 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Green, O'Ban, Short and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1314.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1314, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt,

Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris, Kristiansen, Morris, Overstreet, Scott, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1314, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1779, by Representatives Kirby and Ryu

Concerning esthetics.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1779 was substituted for House Bill No. 1779 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1779 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby, Parker and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1779.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1779, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Harris, Kretz, Kristiansen, Manweller, Overstreet, Scott, Shea, Short and Taylor.

SUBSTITUTE HOUSE BILL NO. 1779, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1680, by Representatives Santos, Upthegrove, Maxwell, Ryu and Bergquist

Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1680 was substituted for House Bill No. 1680 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1680 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos, Kagi, Upthegrove, Santos (again) and Stonier spoke in favor of the passage of the bill.

Representatives Dahlquist, Manweller, Magendanz, Alexander and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1680.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1680, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1680, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1769, by Representatives Stonier, Zeiger, Stanford, Warnick, Seaquist, Haler, Ryu, Springer, Morrell, Fey, Pollet, Riccelli and Fagan

Creating efficiencies for institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1769 was substituted for House Bill No. 1769 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1769 was read the second time.

Representative Dunshee moved the adoption of amendment (185).

On page 5, line 17, after "property" strike "authorized under RCW 28B.10.0224) or"

Representative Dunshee spoke in favor of the adoption of the amendment.

Amendment (185) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1769.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1769, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1769, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1544, by Representatives Lytton, Seaquist, Johnson, Smith, Sells, Ryu, Morrell, Roberts, Bergquist, Springer, Pollet and Santos

Authorizing educational specialist degrees at Central Washington University and Western Washington University.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Lytton spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1544.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1544, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1544, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1526, by Representatives Orwall, Reykdal, Santos, Goodman, Upthegrove, Maxwell, Seaquist, Freeman, Bergquist, Lytton, Ryu, Kagi, Tarleton, Jinkins, Fey and Pollet

Creating a pilot project to increase enrollment of underrepresented students in the running start program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1526 was substituted for House Bill No. 1526 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1526 was read the second time.

Representative Orwall moved the adoption of amendment (95).

On page 2, line 6, after "(1)" strike "A second component of the" and insert "The"

Representatives Orwall and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (95) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1526.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1526, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Nealey, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

SECOND SUBSTITUTE HOUSE BILL NO. 1526, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1686, by Representatives Seaquist, Haler, Roberts, Zeiger, Reykdal, Springer, Pettigrew, Pollet, Dahlquist, McCoy, Maxwell, Fagan, Morrell and Ryu

Concerning high school equivalency certificates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1686 was substituted for House Bill No. 1686 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1686 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1686.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1686, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins,

Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1686, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1900, by Representatives Stonier, Magendanz, Hunter, Ryu, Maxwell and Pollet

Specifying "caseload" for purposes of caseload forecasts of common school students.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1900, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1900, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

ENGROSSED HOUSE BILL NO. 1900, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1068, by Representatives Manweller and Warnick

Concerning the television reception improvement district excise tax.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1068 was substituted for House Bill No. 1068 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1068 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller, Carlyle, Warnick, Bergquist and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1068.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1068, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Goodman, McCoy, Roberts and Ryu.

SUBSTITUTE HOUSE BILL NO. 1068, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Warnick congratulated Representative Manweller on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1467, by Representatives Green, Sells, Reykdal, Ormsby, McCoy, Van De Wege, Appleton and Bergquist

Addressing the collection of unpaid wages.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1467 was substituted for House Bill No. 1467 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1467 was read the second time.

With the consent of the house, amendment (64) was withdrawn.

Representative Reykdal moved the adoption of amendment (188).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 49.48.086 and 2010 c 42 s 4 are each amended to read as follows:

(1) After a final order is issued under RCW 49.48.084, if an employer defaults in the payment of: (a) Any wages determined by the department to be owed to an employee, including interest; or (b) any civil penalty ordered by the department under RCW 49.48.083, the director may file with the clerk of any county within the state a warrant in the amount of the payment plus any filing fees. The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the employer mentioned in the warrant, the amount of payment due on it plus any filing fees, and the date when the warrant was filed. The aggregate amount of the warrant as docketed becomes a lien upon the title to, and interest in, all real and personal property of the employer against whom the warrant is issued, the same as a judgment in a civil case docketed in the office of the clerk. The sheriff shall proceed upon the warrant in all respects and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgment in a court of competent jurisdiction. The warrant so docketed is sufficient to support the issuance of writs of garnishment in favor of the state in a manner provided by law in case of judgment, wholly or partially unsatisfied. The clerk of the court is entitled to a filing fee which will be added to the amount of the warrant. A copy of the warrant shall be mailed to the employer within three days of filing with the clerk.

(2)(a) The director may issue to any person, firm, corporation, other entity, municipal corporation, political subdivision of the state, a public corporation, or any agency of the state, a notice and order to withhold and deliver property of any kind when he or she has reason to believe that there is in the possession of the person, firm, corporation, other entity, municipal corporation, political subdivision of the state, public corporation, or agency of the state, property that is or will become due, owing, or belonging to an employer upon whom a notice of assessment has been served by the department for payments or civil penalties due to the department. The effect of a notice and order is continuous from the date the notice and order is first made until the liability out of which the notice and order arose is satisfied or becomes unenforceable because of lapse of time. The department shall release the notice and order when the liability out of which the notice and order arose is satisfied or becomes unenforceable by reason of lapse of time and shall notify the person against whom the notice and order was made that the notice and order has been released.

(b) The notice and order to withhold and deliver must be served by the sheriff of the county or by the sheriff's deputy, by certified mail, return receipt requested, or by the director. A person, firm, corporation, other entity, municipal corporation, political subdivision of the state, public corporation, or agency of the state upon whom

service has been made shall answer the notice within twenty days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice and order. Upon service of the notice and order, if the party served possesses any property that may be subject to the claim of the department, the party shall promptly deliver the property to the director. The director shall hold the property in trust for application on the employer's indebtedness to the department, or for return without interest, in accordance with a final determination of a petition for review. In the alternative, the party shall furnish a good and sufficient surety bond satisfactory to the director conditioned upon final determination of liability. If a party served and named in the notice fails to answer the notice within the time prescribed in this section, the court may render judgment by default against the party for the full amount claimed by the director in the notice, together with costs. If a notice is served upon an employer and the property subject to it is wages, the employer may assert in the answer all exemptions provided for by chapter 6.27 RCW to which the wage earner is entitled.

(c) As an alternative to the methods of service described in this section, the department may electronically serve a financial institution with a notice and order to withhold and deliver as described in subsection (i) or (ii) of this subsection (c).

(i) The department may provide a list of its outstanding warrants, except those for which a payment agreement is in good standing, to the department of revenue. The department of revenue shall include the warrants provided by the department in any notice and order to withhold and deliver served under RCW 82.32.235(3). A financial institution that is served with a notice and order to withhold and deliver under this subsection (c)(i) must answer the notice within the time period applicable to service under RCW 82.32.235(3).

(ii) The department may match its outstanding warrants, except those for which a payment is in good standing, against deposit accounts held by financial institutions registered in Washington by using the same format and process as the department of revenue uses for electronic service of a notice and order to withhold and deliver under RCW 82.32.235(3). A financial institution that is served with a notice and order to withhold and deliver under this subsection (c)(ii) must answer the notice within thirty days, exclusive of the day of service.

(iii) The department and the department of revenue may adopt rules to implement this subsection (c).

(3) In addition to the procedure for collection of wages owed, including interest, and civil penalties as set forth in this section, the department may recover wages owed, including interest, and civil penalties assessed under RCW 49.48.083 in a civil action brought in a court of competent jurisdiction of the county where the violation is alleged to have occurred.

(4) Whenever any employer quits business, sells out, exchanges, or otherwise disposes of the employer's business or stock of goods, any person who becomes a successor to the business becomes liable for the full amount of any outstanding citation and notice of assessment or penalty against the employer's business under this chapter if, at the time of the conveyance of the business, the successor has: (a) Actual knowledge of the fact and amount of the outstanding citation and notice of assessment or (b) a prompt, reasonable, and effective means of accessing and verifying the fact and amount of the outstanding citation and notice of assessment from the department. If the citation and notice of assessment or penalty is not paid in full by the employer within ten days of the date of the sale, exchange, or disposal, the successor is liable for the payment of the full amount of the citation and notice of assessment or penalty, and payment thereof by the successor must, to the extent thereof, be deemed a payment upon the purchase price. If the payment is greater in amount than the purchase price, the amount of the difference becomes a debt due the successor from the employer.

(5) This section does not affect other collection remedies that are otherwise provided by law.

Sec. 2. RCW 82.32.235 and 2009 c 562 s 1 are each amended to read as follows:

(1) In addition to the remedies provided in this chapter the department is authorized to issue to any person, a notice and order to withhold and deliver property of any kind whatsoever when there is reason to believe that there is in the possession of such person, property which is or will become due, owing, or belonging to any taxpayer against whom a warrant has been filed.

(2) The sheriff of the county where the service is made, or his or her deputy, or any duly authorized representative of the department may personally serve the notice and order to withhold and deliver upon the person to whom it is directed or may do so by certified mail, with return receipt requested.

(3)(a) The department is authorized to issue a notice and order to withhold and deliver to any financial institution in the form of a listing of all or a portion of the unsatisfied tax warrants filed under this chapter and outstanding warrants under RCW 49.48.086 with the clerk of the superior court of a county of the state, except tax warrants subject to a payment agreement, which is not in default, between the department and the taxpayer.

(b) As an alternative to the methods of service in subsection (2) of this section, the department may serve the notice and order to withhold and deliver authorized under this subsection electronically. The remedy in this subsection (3) is in addition to any other remedies authorized by law.

(c) No more than one notice and order to withhold and deliver under this subsection (3) may be served on the same financial institution in a calendar month.

(d) Notice and order to withhold and deliver under this subsection (3) must include the federal taxpayer identification number of each taxpayer.

(e) For purposes of this subsection, "financial institution" means a bank, trust company, mutual savings bank, savings and loan association, or credit union authorized to do business and accept deposits in this state under state or federal law.

(f) The department may provide a financial institution relief from a notice and order to withhold and deliver in the form provided under this subsection (3) upon the request of the financial institution. The department must consider the size, customer base, and geographic location of the financial institution when considering whether to provide relief. The department must serve any financial institution so relieved under subsection (1) of this section.

(4) Any person who has been served with a notice and order to withhold and deliver under subsection (1) of this section must answer the notice within twenty days, exclusive of the day of service. Any person who has been served with a notice and order to withhold and deliver under subsection (3) of this section must answer the notice within thirty days, exclusive of the day of service. The answer must be in writing, under oath if required by the department, and include true answers to the matters inquired of in the notice. Any person served under subsection (3) of this section may answer in aggregate within thirty days, but must answer separately as to each taxpayer listed and specify any property by taxpayer which is delivered. The department must allow any person served electronically under subsection (3) of this section to answer the notice and order to withhold and deliver electronically in a format provided or approved by the department.

(5) In the event there is in the possession of any person served with a notice and order to withhold and deliver, any property which may be subject to the claim of the department, such property must be delivered immediately to the department of revenue or its duly authorized representative upon demand. The department must hold the property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of

liability or nonliability. Instead of delivering the property to the department or the department's duly authorized representative, the person may furnish a bond satisfactory to the department conditioned upon final determination of liability.

(6) Should any person, having been served with a notice and order to withhold and deliver, fail to answer the notice and order to withhold and deliver within the time prescribed in this section or otherwise fail to comply with the duties imposed in this section, the department may bring a proceeding, in the superior court of Thurston county or of the county in which service of the notice was made, to enforce the notice and order to withhold and deliver. The court may render judgment by default against such person for the full amount claimed by the department in the notice and order to withhold and deliver or may grant such other relief as the court deems just, together with costs.

(7) For purposes of this section, "person" has the same meaning as in RCW 82.04.030 and also includes any agency, department, or institution of the state."

Correct the title.

Representative Manweller moved the adoption of amendment (214) to amendment (188).

On page 3, beginning on line 13 of the striking amendment, after "~~deliver~~" strike all material through "provide" on line 15 of the striking amendment and insert "by providing"

On page 3, line 21 of the striking amendment, after "subsection" strike "(c)(i)" and insert "(c)"

On page 3, beginning on line 22 of the striking amendment, after "RCW 82.32.235(3)," strike all material through "(iii)" on line 32 of the striking amendment

Representatives Manweller and Reykdal spoke in favor of the adoption of the amendment to the amendment.

Amendment (214) to amendment (188) was adopted.

Representative Reykdal spoke in favor of the adoption of amendment (188) as amended.

Amendment (188) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Manweller and Green spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1467.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1467, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert,

Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1467, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1566, by Representatives Carlyle, Kagi, Ryu, Roberts, Moscoso and Pollet

Concerning educational outcomes of youth in out-of-home care.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1566 was substituted for House Bill No. 1566 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1566 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Parker and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1566.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1566, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Crouse, Hargrove, Klippert, Kristiansen, MacEwen, Orcutt, Overstreet, Scott, Shea, Taylor and Vick.

SECOND SUBSTITUTE HOUSE BILL NO. 1566, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1401, by Representatives Fitzgibbon, Dahlquist, Takko, Fey, Wilcox, Kochmar, Magendanz, O'Ban, Morrell and Jinkins

Addressing the timing of penalties under the growth management act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1401 was substituted for House Bill No. 1401 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1401 was read the second time.

With the consent of the house, amendment (126) was withdrawn.

Representative Morrell moved the adoption of amendment (50).

On page 3, line 3, after "within" strike "twenty-one" and insert "thirty"

On page 3, at the beginning of line 31, strike "twenty-one" and insert "thirty"

Representatives Morrell and Taylor spoke in favor of the adoption of the amendment.

Amendment (50) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon, Dahlquist, Taylor and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1401.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1401, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Hope, Kristiansen, Overstreet, Pike, Schmick, Scott, Shea and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1401, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1717, by Representatives Fitzgibbon, Jinkins, Liias, Maxwell, Roberts, Pollet, Upthegrove, Morrell and Springer

Incentivizing up-front environmental planning, review, and infrastructure construction actions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1717 was substituted for House Bill No. 1717 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1717 was read the second time.

With the consent of the house, amendments (132), (211) and (127) were withdrawn.

Representative Fitzgibbon moved the adoption of amendment (224).

On page 2, after line 6, insert the following:
"(c) Counties, cities, and towns are not authorized by this section to assess fees for general comprehensive plan amendments or updates."

On page 3, line 14, after "(1)" insert "'Latecomer fee" means a charge collected by a municipality, whether separately stated or as part of a connection fee for providing access to a municipal system, against a real property owner who connects to or uses a water or sewer facility subject to a contract created under RCW 35.91.020. (2)"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

On page 4, line 6, after "expense." insert "The owner must submit a request for a contract to the municipality prior to approval of the water or sewer facility by the municipality."

On page 4, line 19, after "standards." strike all material through "extension" on line 21 and insert "Unless the municipality provides written notice to the owner of its intent to request a comprehensive plan approval, the owner must request a comprehensive plan approval for a water or sewer facility, if required, and connection of the water or sewer facility"

On page 4, line 23, after "of the" strike "extension" and insert "water or sewer facility"

On page 4, line 25, after "of the" strike "extension" and insert "water or sewer facility"

On page 4, line 26, after "of the" strike "extension" and insert "water or sewer facility"

On page 4, line 28, strike "extension" and insert "water or sewer facility"

On page 4, beginning on line 29, after "(iv)" strike all material through "(v)" on line 31

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, line 34, after "of the" strike "extension" and insert "water or sewer facility"

On page 4, line 36, after "with the" strike "extension" and insert "water or sewer facility"

On page 5, line 2, after "to the" strike "extension" and insert "water or sewer facility"

On page 5, line 21, after "for the" insert "pro rata"

On page 5, line 27, after "from" strike "connection charges" and insert "latecomer fees"

On page 5, beginning on line 33, after "authorized" strike "under this chapter (" and insert "~~((under this chapter~~"

On page 5, line 36, after "~~agreement~~)" insert "in accordance with subsection (7) of this section"

On page 5, line 37, after "prevent the" strike "collection of" and insert "~~((collection of))~~ municipality from collecting"

On page 6, line 25, after "provide the" strike "contracting" and insert "~~((contracting))~~"

On page 7, line 8, after "Within" strike "ninety" and insert "one hundred twenty"

On page 7, after line 14, insert the following:

"(9) Nothing in this section is intended to create a private right of action for damages against a municipality for failing to comply with the requirements of this section. A municipality, its officials, employees, or agents may not be held liable for failure to collect a latecomer fee unless the failure was willful or intentional. Failure of a municipality to comply with the requirements of this section does not relieve a municipality of any future requirement to comply with this section.

On page 8, beginning on line 28, after "RCW 43.21C.420(6)" strike all material through "act" on line 29 and insert ", section 1 of this act, and beginning July 1, 2014. RCW 35.91.020"

On page 9, after line 19, insert the following:
"NEW SECTION. Sec. 5. Sections 2 and 3 of this act take effect July 1, 2014."

Correct the title.

Representatives Fitzgibbon and Taylor spoke in favor of the adoption of the amendment.

Amendment (224) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1717.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1717, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwell, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove,

Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

March 8, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5045
SUBSTITUTE SENATE BILL NO. 5054
SUBSTITUTE SENATE BILL NO. 5135
SUBSTITUTE SENATE BILL NO. 5165
SECOND SUBSTITUTE SENATE BILL NO. 5213
SUBSTITUTE SENATE BILL NO. 5256
SUBSTITUTE SENATE BILL NO. 5282
SUBSTITUTE SENATE BILL NO. 5287
SUBSTITUTE SENATE BILL NO. 5289
SENATE BILL NO. 5297
SENATE BILL NO. 5337
SENATE BILL NO. 5476
SECOND SUBSTITUTE SENATE BILL NO. 5540
SUBSTITUTE SENATE BILL NO. 5565
ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
SUBSTITUTE SENATE BILL NO. 5591
SENATE BILL NO. 5641
SUBSTITUTE SENATE BILL NO. 5691
SENATE BILL NO. 5715
SENATE BILL NO. 5747
SUBSTITUTE SENATE BILL NO. 5754
SUBSTITUTE SENATE BILL NO. 5761
SENATE BILL NO. 5775
SUBSTITUTE SENATE BILL NO. 5804
SENATE JOINT MEMORIAL NO. 8006
SENATE CONCURRENT RESOLUTION NO. 8402

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2013

MR. SPEAKER: The Senate has passed SUBSTITUTE SENATE BILL NO. 5187 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 1290, by Representatives Orwall, Hunt, Bergquist, Fitzgibbon, Maxwell, Lytton, McCoy, Ryu, Riccelli, Hudgins, Pollet, Zeiger, Farrell and Ormsby

Requiring county auditors to place ballot drop boxes at various locations throughout the county. Revised for 1st Substitute: Concerning ballot drop boxes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1290 was substituted for House Bill No. 1290 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1290 was read the second time.

With the consent of the house, amendments (207), (206), (204), (187), (183), (182), (166), (162), (161), (152), (151), and (102) were withdrawn.

Representative Hunt moved the adoption of amendment (235).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 29A.40 RCW to read as follows:

(1) Each county auditor or other local election official must place at least one ballot drop box at each public college and university, the branch campuses of Washington State University and the University of Washington, and the main campuses of each public community college and technical college. This requirement is waived if the county already has a ballot drop box within one mile of the campus. Ballot drop boxes may be placed inside a building or outdoors, and must be in place at least eighteen days before the next general election. The administration or an associated student body association may assist with funding the ballot drop boxes provided under this section.

(2) The county auditor or election official may install a ballot drop box on any campus, in addition to those required in subsection (1) of this section, if the administration or an associated student body association commits to jointly funding the installation of the ballot drop box.

(3) Each county auditor or local election official shall establish and maintain an advisory committee that includes a representative from the Washington student association and a representative from the administration and student government associated with each public college, university, community college, and technical college located in that county. The committee shall assist election officials by:

(a) Identifying locations for the ballot drop boxes that will maximize accessibility to students; and

(b) Developing an outreach plan that identifies other means to promote students' voting by use of the ballot drop boxes.

(4) The requirements of this section do not apply to Western Governors University, which is an online university.

NEW SECTION. Sec. 2. A new section is added to chapter 29A.40 RCW to read as follows:

(1) Within ninety days of the effective date of this section, each county auditor or local election official shall provide a report to the secretary of state's office that includes the following information:

(a) The number, type, and location of the county's ballot boxes, including those permanently installed and those installed on a temporary basis in the periods immediately preceding an election; and

(b) A description of the methods used to inform voters of the location of the ballot drop boxes.

(2) The secretary of state, in consultation with county auditors and county election officials, shall compile the information listed in subsection (1)(a) of this section and develop and implement a plan to provide voter access to drop boxes in every county.

NEW SECTION. Sec. 3. A new section is added to chapter 29A.40 RCW to read as follows:

(1) County auditors, local election officials, and the secretary of state must consider Indian reservations, especially those in remote locations, when identifying ballot drop box locations or developing proposals for the placement of ballot drop boxes.

(2) Any person who tampers with or destroys a ballot drop box is subject to a civil penalty of not more than five thousand dollars. The civil penalty imposed in this section is in addition to any other penalties authorized by law."

Correct the title.

Representative Alexander moved the adoption of amendment (239) to amendment (235).

On page 1, beginning on line 3 of the striking amendment, strike all of section 1 and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 29A.40 RCW to read as follows:

The office of the secretary of state and the Washington state association of county auditors shall:

(1) Inventory the style, location, cost, and utilization of all existing off-site ballot drop boxes.

(2) Create best practice standards for the placement and maintenance of ballot drop boxes.

(3) Create a 2013 pilot project to test ballot drop boxes on the campuses of public or private four-year colleges and community and technical colleges. County auditors may volunteer to install permanent or temporary ballot drop boxes on or at these campuses for use during the 2013 primary and general elections and 2014 special elections. The office of the secretary of state shall fund the fabrication and installation of these pilot campus ballot drop boxes, not to exceed eight boxes, at locations to be determined by county auditors who volunteer to test a campus ballot drop box.

(4) Produce a report for the legislature by July 1, 2014, that includes the inventory and best practices for ballot drop boxes and the results of the college campus pilot project. The report must also include recommendations for how to maximize ballot drop box utilization, as well as recommendations for alternative strategies for twenty-four hour, postage-free ballot deposit."

Representative Alexander spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (239) to amendment (235) and the amendment was not adopted by the following vote: Yeas: 45 Nays: 53 Absent: 0 Excused: 0

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Amendment (239) to amendment (235) was not adopted.

Representative Buys moved the adoption of amendment (236) to amendment (235).

On page 1, line 13 of the striking amendment, after "election." insert "The requirement in this subsection (1) only applies if and to the extent that the legislative authority of the county has allocated sufficient funding to pay for the cost associated with the purchase and placement of each ballot drop box."

Representative Buys spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

MOTION

On motion of Representative Van De Wege, Representative Goodman was excused.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (236) to amendment (235) and the amendment was not adopted by the following vote: Yeas: 45 Nays: 52 Absent: 0 Excused: 1

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Fey, Haler, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fitzgibbon, Freeman, Green, Habib, Haigh, Hansen, Hargrove, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, and Wylie

Excused: Representative Goodman

Amendment (236) to amendment (235) was not adopted.

Representative Hunt spoke in favor of the adoption of amendment (235).

Amendment (235) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Orwall spoke in favor of the passage of the bill.

Representative Buys spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1290.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1290, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew,

Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative Goodman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1290, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1302, by Representatives Roberts, Walsh, Kagi, Goodman, Carlyle, Freeman, Stonier, Reykdal, Lytton, Jinkins, Ryu, Maxwell, Tharinger, Santos and Pollet

Concerning extended foster care services.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1302 was substituted for House Bill No. 1302 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1302 was read the second time.

Representative Roberts moved the adoption of amendment (163).

On page 11, line 35, beginning with "(2)" strike all material through "youth" on page 12, line 24 and insert the following:

"(2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. The court shall dismiss the dependency if the youth:

(i) Has not requested extended foster care services from the department by the end of the six-month period; or

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six-month period.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth."

On page 12, at the beginning of line 25, insert "(("

On page 12, at the end of line 34, insert ")")"

On page 12, line 35, beginning with "(4)" strike all material through "years)" on line 38 and insert the following:

"(((4)))(3) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years."

On page 21, line 11, after "(b)" insert the following:

"The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c)"

On page 25, line 22, after "(b)" insert the following:

"The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and

the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c)"

Representatives Roberts and Walsh spoke in favor of the adoption of the amendment.

Amendment (163) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Roberts and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1302.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1302, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Klippert, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representative Goodman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1302, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1341, by Representatives Orwall, Goodman, Pollet, Jinkins, Carlyle, Roberts, Appleton, Hunt, Upthegrove, Green, Kagi, Seaquist, Moeller, Kirby, Santos, Ryu, Pedersen and Moscoso

Creating a claim for compensation for wrongful conviction and imprisonment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1341 was substituted for House Bill No. 1341 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1341 was read the second time.

Representative Klippert moved the adoption of amendment (72).

On page 5, beginning on line 18, after "trial" strike all material through "claim" on line 22 and insert ", an additional fifty thousand dollars for each year served on death row, and twenty-five thousand dollars for each year served on parole, community custody, or as a registered sex offender pursuant only to the felony or felonies which are grounds for the claim, the total of all compensation under this subsection (5)(a) not to exceed a total of three hundred thousand dollars"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 5, line 34 after "(5)(a)" strike "and (b)"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (72) was not adopted.

Representative Orwall moved the adoption of amendment (141).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that persons convicted and imprisoned for crimes they did not commit have been uniquely victimized. Having suffered tremendous injustice by being stripped of their lives and liberty, they are forced to endure imprisonment and are later stigmatized as felons. A majority of those wrongly convicted in Washington state have no remedy available under the law for the destruction of their personal lives resulting from errors in our criminal justice system. The legislature intends to provide an avenue for those who have been wrongly convicted in Washington state to redress the lost years of their lives, and help to address the unique challenges faced by the wrongly convicted after exoneration.

NEW SECTION. Sec. 2. (1) Any person convicted in superior court and subsequently imprisoned for one or more felonies of which he or she is actually innocent may file a claim for compensation against the state.

(2) For purposes of this chapter, a person is:

(a) "Actually innocent" of a felony if he or she did not engage in any illegal conduct alleged in the charging documents; and

(b) "Wrongly convicted" if he or she was charged, convicted, and imprisoned for one or more felonies of which he or she is actually innocent.

(3)(a) If the person entitled to file a claim under subsection (1) of this section is incapacitated and incapable of filing the claim, or if he or she is a minor, or is a nonresident of the state, the claim may be filed on behalf of the claimant by an authorized agent.

(b) A claim filed under this chapter survives to the personal representative of the claimant as provided in RCW 4.20.046.

NEW SECTION. Sec. 3. (1) All claims under this chapter must be filed in superior court. The venue for such actions is governed by RCW 4.12.020.

(2) Service of the summons and complaint is governed by RCW 4.28.080.

NEW SECTION. Sec. 4. (1) In order to file an actionable claim for compensation under this act, the claimant must establish by documentary evidence that:

(a) The claimant has been convicted of one or more felonies in superior court and subsequently sentenced to a term of imprisonment, and has served all or part of the sentence;

(b)(i) The claimant is not currently incarcerated for any offense; and

(ii) During the period of confinement for which the claimant is seeking compensation, the claimant was not serving a term of imprisonment or a concurrent sentence for any crime other than the felony or felonies that are the basis for the claim;

(c)(i) The claimant has been pardoned on grounds consistent with innocence for the felony or felonies that are the basis for the claim; or

(ii) The claimant's judgment of conviction was reversed or vacated and the charging document dismissed on the basis of significant new exculpatory information or, if a new trial was ordered pursuant to the presentation of significant new exculpatory information, either the claimant was found not guilty at the new trial or the claimant was not retried and the charging document dismissed; and

(d) The claim is not time barred by section 9 of this act.

(2) In addition to the requirements in subsection (1) of this section, the claimant shall state facts in sufficient detail for the finder of fact to determine that:

(a) The claimant did not engage in any illegal conduct alleged in the charging documents; and

(b) The claimant did not commit or suborn perjury, or fabricate evidence to cause or bring about the conviction. A guilty plea to a crime the claimant did not commit, or a confession that is later determined by a court to be false, does not automatically constitute perjury or fabricated evidence under this subsection.

(3) Convictions vacated, overturned, or subject to resentencing pursuant to *In re: Personal Detention of Andress*, 147 Wn.2d 602 (2002) may not serve as the basis for a claim under this chapter unless the claimant otherwise satisfies the qualifying criteria set forth in section 2 of this act and this section.

(4) The claimant shall verify the claim unless he or she is incapacitated, in which case the personal representative or agent filing on behalf of the claimant shall verify the claim.

(5) If the attorney general concedes that the claimant was wrongly convicted, the court shall award compensation as provided in section 6 of this act.

(6)(a) If the attorney general does not concede that the claimant was wrongly convicted and the court finds after reading the claim that the claimant does not meet the filing criteria set forth in this section, it may dismiss the claim, either on its own motion or on the motion of the attorney general.

(b) If the court dismisses the claim, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law.

NEW SECTION. Sec. 5. Any party is entitled to the rights of appeal afforded parties in a civil action following a decision on such motions. In the case of dismissal of a claim, review of the superior court action is de novo.

NEW SECTION. Sec. 6. (1) In order to obtain a judgment in his or her favor, the claimant must show by clear and convincing evidence that:

(a) The claimant was convicted of one or more felonies in superior court and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;

(b)(i) The claimant is not currently incarcerated for any offense; and

(ii) During the period of confinement for which the claimant is seeking compensation, the claimant was not serving a term of imprisonment or a concurrent sentence for any conviction other than those that are the basis for the claim;

(c)(i) The claimant has been pardoned on grounds consistent with innocence for the felony or felonies that are the basis for the claim; or

(ii) The claimant's judgment of conviction was reversed or vacated and the charging document dismissed on the basis of significant new exculpatory information or, if a new trial was ordered pursuant to the presentation of significant new exculpatory information, either the claimant was found not guilty at the new trial or the claimant was not retried and the charging document dismissed;

(d) The claimant did not engage in any illegal conduct alleged in the charging documents; and

(e) The claimant did not commit or suborn perjury, or fabricate evidence to cause or bring about his or her conviction. A guilty plea to a crime the claimant did not commit, or a confession that is later determined by a court to be false, does not automatically constitute perjury or fabricated evidence under this subsection.

(2) Any pardon or proclamation issued to the claimant must be certified by the officer having lawful custody of the pardon or proclamation, and be affixed with the seal of the office of the governor, or with the official certificate of such officer before it may be offered as evidence.

(3) In exercising its discretion regarding the weight and admissibility of evidence, the court shall give due consideration to difficulties of proof caused by the passage of time or by release of evidence pursuant to a plea, the death or unavailability of witnesses, the destruction of evidence, or other factors not caused by the parties.

(4) The claimant may not be compensated for any period of time in which he or she was serving a term of imprisonment or a concurrent sentence for any conviction other than the felony or felonies that are the basis for the claim.

(5) If the jury or, in the case where the right to a jury is waived, the court finds by clear and convincing evidence that the claimant was wrongly convicted, the court shall order the state to pay the actually innocent claimant the following compensation award, as adjusted for partial years served and to account for inflation from the effective date of this section:

(a) Fifty thousand dollars for each year of actual confinement including time spent awaiting trial and an additional fifty thousand dollars for each year served under a sentence of death pursuant to chapter 10.95 RCW;

(b) Twenty-five thousand dollars for each year served on parole, community custody, or as a registered sex offender pursuant only to the felony or felonies which are grounds for the claim;

(c) Compensation for child support payments owed by the claimant that became due and interest on child support arrearages that accrued while the claimant was in custody on the felony or felonies that are grounds for the compensation claim. The funds must be paid on the claimant's behalf in a lump sum payment to the department of social and health services for disbursement under Title 26 RCW;

(d) Reimbursement for all restitution, assessments, fees, court costs, and all other sums paid by the claimant as required by pretrial orders and the judgment and sentence; and

(e) Attorneys' fees for successfully bringing the wrongful conviction claim calculated at ten percent of the monetary damages awarded under subsection (5)(a) and (b) of this section, plus expenses. However, attorneys' fees and expenses may not exceed seventy-five thousand dollars. These fees may not be deducted from the compensation award due to the claimant and counsel is not entitled to receive additional fees from the client related to the claim. The court may not award any attorneys' fees to the claimant if the claimant fails to prove he or she was wrongly convicted.

(6) The compensation award may not include any punitive damages.

(7) The court may not offset the compensation award by any expenses incurred by the state, the county, or any political subdivision of the state including, but not limited to, expenses incurred to secure the claimant's custody, or to feed, clothe, or provide medical services for the claimant. The court may not offset against the compensation

award the value of any services or reduction in fees for services to be provided to the claimant as part of the award under this section.

(8) The compensation award is not income for tax purposes, except attorneys' fees awarded under subsection (5)(e) of this section.

(9)(a) Upon finding that the claimant was wrongly convicted, the court shall seal the claimant's record of conviction.

(b) Upon request of the claimant, the court may order the claimant's record of conviction vacated if the record has not already been vacated, expunged, or destroyed under court rules. The requirements for vacating records under RCW 9.94A.640 do not apply.

(10) Upon request of the claimant, the court shall refer the claimant to the department of corrections or the department of social and health services for access to reentry services, if available, including but not limited to the community-based transition programs and long-term support programs for education, mentoring, life skills training, assessment, job skills development, mental health and substance abuse treatment.

NEW SECTION. Sec. 7. (1) On or after the effective date of this section, when a court grants judicial relief, such as reversal and vacation of a person's conviction, consistent with the criteria established in section 4 of this act, the court shall provide to the claimant a copy of sections 2 through 11 of this act at the time the relief is granted.

(2) The clemency and pardons board or the indeterminate sentence review board, whichever is applicable, upon issuance of a pardon by the governor on grounds consistent with innocence on or after the effective date of this section, shall provide a copy of sections 2 through 11 of this act to the individual pardoned.

(3) If an individual entitled to receive the information required under this section shows that he or she was not provided with the information, he or she has an additional twelve months, beyond the statute of limitations under section 9 of this act, to bring a claim under this chapter.

NEW SECTION. Sec. 8. (1) Nothing in this chapter precludes any existing remedy available to the claimant related to his or her wrongful conviction and imprisonment.

(2) If a claimant is awarded compensation under this act and receives a tort award related to his or her wrongful conviction and incarceration, the claimant shall reimburse the state for the lesser of:

(a) The amount of the compensation award, excluding the portion awarded pursuant to section 6(5) (c) through (e) of this act; or

(b) The amount received by the claimant under the tort award.

(3) A release dismissal agreement, plea agreement, or any similar agreement whereby a prosecutor's office or an agent acting on its behalf agrees to take or refrain from certain action if the accused individual agrees to forgo legal action against the county, the state of Washington, or any political subdivision, is admissible and should be evaluated in light of all the evidence. However, any such agreement is not dispositive of the question of whether the claimant was wrongly convicted or entitled to compensation under this act.

NEW SECTION. Sec. 9. Except as provided in section 7 of this act, an action for compensation under this chapter must be commenced within three years after the grant of a pardon, the grant of judicial relief and satisfaction of other conditions described in section 2 of this act, or release from custody, whichever is later; provided, however, that any action by the state challenging or appealing the grant of judicial relief or release from custody tolls the three-year period. Any persons meeting the criteria set forth in section 2 of this act who was wrongly convicted before the effective date of this section may commence an action under this chapter within three years after the effective date of this section.

NEW SECTION. Sec. 10. A new section is added to chapter 28B.15 RCW to read as follows:

(1) Subject to the conditions in subsection (2) of this section and the limitations in RCW 28B.15.910, the governing boards of the state

universities, the regional universities, The Evergreen State College, and the community colleges, shall waive all tuition and fees for the following persons:

(a) A wrongly convicted person; and

(b) Any child or stepchild of a wrongly convicted person who was born or became the stepchild of, or was adopted by, the wrongly convicted person before compensation is awarded under section 6 of this act.

(2) The following conditions apply to waivers under subsection (1) of this section:

(a) A wrongly convicted person must be a Washington domiciliary to be eligible for the tuition waiver.

(b) A child must be a Washington domiciliary ages seventeen through twenty-six years to be eligible for the tuition waiver. A child's marital status does not affect eligibility.

(c) Each recipient's continued participation is subject to the school's satisfactory progress policy.

(d) Tuition waivers for graduate students are not required for those who qualify under subsection (1) of this section but are encouraged.

(e) Recipients who receive a waiver under subsection (1) of this section may attend full time or part time. Total credits earned using the waiver may not exceed two hundred quarter credits, or the equivalent of semester credits.

(3) Private vocational schools and private higher education institutions are encouraged to provide waivers consistent with the terms of this section.

(4) For the purposes of this section:

(a) "Child" means a biological child, stepchild, or adopted child who was born of, became the stepchild of, or was adopted by a wrongly convicted person before compensation is awarded under section 6 of this act.

(b) "Fees" includes all assessments for costs incurred as a condition to a student's full participation in coursework and related activities at an institution of higher education.

(c) "Washington domiciliary" means a person whose true, fixed, and permanent house and place of habitation is the state of Washington. In ascertaining whether a wrongly convicted person or child is domiciled in the state of Washington, public institutions of higher education shall, to the fullest extent possible, rely upon the standards provided in RCW 28B.15.013.

(d) "Wrongly convicted person" means a Washington domiciliary who was awarded damages under section 6 of this act.

NEW SECTION. Sec. 11. A new section is added to chapter 72.09 RCW to read as follows:

When a court refers a person to the department under section 6 of this act as part of the person's award in a wrongful conviction claim, the department shall provide reasonable access to existing reentry programs and services. Nothing in this section requires the department to establish new reentry programs or services.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. Sections 1 through 9 of this act constitute a new chapter in Title 4 RCW."

Correct the title.

Representative Klippert moved the adoption of amendment (145) to amendment (141).

On page 5, beginning on line 5 of the striking amendment, after "trial" strike all material through "claim" on line 10, and insert ", an additional fifty thousand dollars for each year served under a sentence of death pursuant to chapter 10.95 RCW, and twenty-five thousand dollars for each year served on parole, community custody, or as a

registered sex offender pursuant only to the felony or felonies which are grounds for the claim, the total of all compensation under this subsection (5)(a) not to exceed a total of three hundred thousand dollars"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 5, line 22 of the striking amendment, after "(5)(a)" strike "and (b)"

Representative Klippert spoke in favor of the adoption of the amendment to the amendment.

Representative Pedersen spoke against the adoption of the amendment to the amendment.

Amendment (145) to amendment (141) was not adopted.

Representative Orwall spoke in favor of the adoption of amendment (141).

Amendment (141) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orwall and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1341.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Habib and Klippert.

Excused: Representative Goodman.

SUBSTITUTE HOUSE BILL NO. 1341, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1459, by Representatives Haler, Springer, Walsh, Wylie, Seaquist, Wilcox, Johnson, Condotta, Fagan, Maxwell and Pollet

Authorizing students under the age of twenty-one to taste wine in viticulture and enology programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1459 was substituted for House Bill No. 1459 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1459 was read the second time.

With the consent of the house, amendment (200) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1459.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1459, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Green, Harris and Van De Wege.

Excused: Representative Goodman.

SUBSTITUTE HOUSE BILL NO. 1459, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1710, by Representatives Springer, Walsh, Sells, Chandler, Morris and Kagi

Concerning the taxation of commuter air carriers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1710.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1710, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Stonier and Taylor.
Excused: Representative Goodman.

HOUSE BILL NO. 1710, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1710.
Representative Shea, 4th District

SECOND READING

HOUSE BILL NO. 1790, by Representatives Parker, Ormsby, Riccelli and Ryu

Concerning the use of traffic school fees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Parker and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1790.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1790, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts,

Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.
Excused: Representative Goodman.

HOUSE BILL NO. 1790, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1808, by Representatives Nealey and Hurst

Addressing the proper disposal of legal amounts of marijuana inadvertently left at retail stores holding a pharmacy license.

The bill was read the second time.

Representative Hurst moved the adoption of amendment (90).

On page 1, beginning on line 9, after "agency" strike "or the Washington state patrol"

On page 1, beginning on line 11, after "agency" strike "or the Washington state patrol"

Representatives Hurst and Nealey spoke in favor of the adoption of the amendment.

Amendment (90) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Nealey, Hurst and Nealey (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1808.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1808, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Goodman.

ENGROSSED HOUSE BILL NO. 1808, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1819, by Representatives Tarleton, Habib, Maxwell, Orwall, Morris, Farrell, Sells, Fitzgibbon and Tharinger

Creating and using digital infrastructure maps to inform economic development decisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1819 was substituted for House Bill No. 1819 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1819 was read the second time.

Representative Tarleton moved the adoption of amendment (137).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 43.330 RCW to read as follows:

(1) The legislature finds that every year significant public and private infrastructure investments are made in Washington for the purposes of energy, information networks, water, sewer, and transportation. These investments are critical to contributing towards the nation's economic and national security interests, connecting regions, achieving long-term global competitiveness, and creating equal access to economic opportunity for all the state's citizens.

(2) The legislature further finds that the public and private investments may not be coordinated such that they provide maximum efficiency and effectiveness, and that access to a broader array of information would enable the state to make and manage more informed investment decisions.

(3) Therefore, the legislature intends to direct the use of available maps and available data for the creation and use of digital cross-system infrastructure maps to inform and develop state priorities around economic development and make investment decisions that allow Washington's critical infrastructure to support both state and national interests.

NEW SECTION. Sec. 2. A new section is added to chapter 43.330 RCW to read as follows:

(1) The state energy office and broadband office of the department, the public works board, and the community economic revitalization board, in collaboration with the department of transportation and department of natural resources, and in consultation with other agencies and organizations with expertise in energy, information networks, water, sewer, and transportation, must:

(a) Develop one or more digital layered maps that within economic corridors identify:

(i) Major power facilities and energy infrastructure sites;

(ii) Broadband availability;

(iii) Water and sewer infrastructure; and

(iv) Rail corridors, public highways including waterways, and ports;

(b) Leverage and use available maps, available data, Washington's adopted geographic information systems mapping standards, enterprise infrastructure, web services, and applications, where appropriate; and

(c) Use commercially available, off-the-shelf software for the creation of the maps that meet the following conditions:

(i) The map scale must not allow displays closer than 1:24,000;

(ii) The economic corridors may only identify energy, transportation, water, sewer, and broadband services;

(iii) No geographical coordinates of any features or physical facilities associated with the infrastructure may be identified; and

(iv) Information exempt from disclosure under RCW 42.56.420, including through order or agreement, must not be included.

(2) The department and department of transportation must analyze the maps to identify:

(a) Gaps in infrastructure, including missing, aged and substandard infrastructure, corresponding with economic corridors; and

(b) Priority areas for future investment, based on the ability of the infrastructure to meet the needs of local economies to compete in the regional and global marketplace.

(3) The department and department of transportation must jointly report to the legislature by January 1st of each year, beginning on January 1, 2014, with the infrastructure gaps and investment recommendations.

Sec. 3. RCW 43.330.010 and 2011 c 286 s 4 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Associate development organization" means a local economic development nonprofit corporation that is broadly representative of community interests.

(2) "Department" means the department of commerce.

(3) "Director" means the director of the department of commerce.

(4) "Energy" has the definition in RCW 43.21F.025.

(5) "Financial institution" means a bank, trust company, mutual savings bank, savings and loan association, or credit union authorized to do business in this state under state or federal law.

~~((5))~~ (6) "Microenterprise development organization" means a community development corporation, a nonprofit development organization, a nonprofit social services organization or other locally operated nonprofit entity that provides services to low-income entrepreneurs.

~~((6))~~ (7) "Small business" has the same meaning as provided in RCW 39.29.006.

~~((7))~~ (8) "Statewide microenterprise association" means a nonprofit entity with microenterprise development organizations as members that serves as an intermediary between the department of commerce and local microenterprise development organizations."

Correct the title.

Representative Tarleton spoke in favor of the adoption of the amendment.

Amendment (137) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tarleton and Kochmar spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1819.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1819, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Overstreet, Parker, Pike, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Goodman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1819, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1843, by Representatives Pollet, Seaquist, Tarleton, Ryu and Tharinger

Evaluating compliance and performance of institutions of higher education participating in financial aid programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1843 was substituted for House Bill No. 1843 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1843 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet, Haler and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1843.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1843, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger,

Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Klippert, MacEwen and Scott.

Excused: Representative Goodman.

SUBSTITUTE HOUSE BILL NO. 1843, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1923, by Representatives Ormsby, Sullivan, Hayes, Pollet, Blake, Hope, Orcutt, Alexander, Moscoso, Bergquist, Santos and Freeman

Authorizing membership in the Washington public safety employees' retirement system for employees at city and county corrections departments, public corrections entities, the department of corrections, and the department of social and health services who provide direct care to, or ensure the custody and safety of, offender and patient populations.

The bill was read the second time.

Representative Alexander moved the adoption of amendment (212).

On page 8, after line 10, insert the following:

"NEW SECTION. Sec. 3. The state actuary, with the assistance of the department of retirement systems, shall study the change in the covered employers and members of the public safety employees' retirement system between the plan's inception and current law including this act. The study shall assess how the policy objectives that drove the creation of the public safety employees' retirement system may have been altered through the legislative changes made since the inception of the plan. The state actuary shall report the findings of the study to the relevant fiscal committees of the legislature and the select committee on pension policy no later than December 1, 2013."

Correct the title.

Representatives Alexander and Ormsby spoke in favor of the adoption of the amendment.

Amendment (212) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby, Alexander and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1923.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1923, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen,

Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Springer.

Excused: Representative Goodman.

ENGROSSED HOUSE BILL NO. 1923, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of. SUBSTITUTE HOUSE BILL NO. 1633 on second reading, resuming remarks on amendment (65).

HOUSE BILL NO. 1633, by Representatives Magendanz, Haigh, Dahlquist, Santos, Pollet, Smith, Wylie, Takko, Angel, Clibborn, Condotta and Scott

Modifying school district bidding requirements for improvement and repair projects.

Representatives Dunshee and Magendanz spoke in favor of the adoption of the amendment.

Representative Hawkins spoke against the adoption of the amendment.

Amendment (65) was adopted.

Representative Magendanz moved the adoption of amendment (46).

On page 3, beginning on line 23, strike all of subsection 7

Re-number the remaining subsections accordingly and correct any internal references.

Correct the title.

Representatives Magendanz and Dunshee spoke in favor of the adoption of the amendment.

Amendment (46) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Magendanz, Dunshee and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1633.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1633, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Klippert, Kretz, Kristiansen, Orcutt, Overstreet, Schmick, Scott, Shea, Taylor and Vick.

Excused: Representative Goodman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Rodne congratulated Representative Magendanz on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1891, by Representatives Reykdal, Ormsby, Sells, Moeller, Ryu, Green and Freeman

Increasing protections for employees under the Washington industrial safety and health act of 1973.

The bill was read the second time.

With the consent of the house, amendments (60), (59), (58) and (53) were withdrawn.

Representative Reykdal moved the adoption of amendment (223).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 49.17.160 and 2010 c 8 s 12013 are each amended to read as follows:

(1) ~~((No))~~ A person shall not discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this chapter, or has testified or is about to testify in any such proceeding or because of the exercise by such employee on behalf of himself or herself or others of any right afforded by this chapter.

(2) Any employee who believes that he or she has been discharged or otherwise discriminated against by any person in violation of this section may, within ~~((thirty))~~ one hundred eighty days after such violation occurs, file a complaint with the director alleging such discrimination. Upon receipt of such complaint, the director shall cause such investigation to be made as he or she deems appropriate. If upon such investigation, the director determines that the provisions of this section have been violated, he ~~((of her))~~ or she shall bring an action in the superior court of the county wherein the violation is alleged to have occurred against the person or persons who is alleged to have violated the provisions of this section. If the

director determines that the provisions of this section have not been violated, the employee may institute the action on his or her own behalf within thirty days of such determination. In any such action the superior court shall have jurisdiction, for cause shown, to restrain violations of subsection (1) of this section and order all appropriate relief including rehiring or reinstatement of the employee to his or her former position with back pay.

(3) Within ninety days of the receipt of the complaint filed under this section, the director shall notify the complainant of his or her determination under subsection (2) of this section.

NEW SECTION. Sec. 2. A new section is added to chapter 49.17 RCW to read as follows:

(1) Upon request of a victim or victim's representative, the director must:

(a) Meet with the victim or victim's representative regarding the inspection or investigation conducted under this chapter concerning an employee's serious physical harm that resulted in in-patient hospitalization or death. Alternatives to live meetings may be used. Reasonable efforts must be made to arrange for the meeting to take place before the director decides whether to issue a citation;

(b) Provide to the victim or victim's representative:

(i) A copy of any citation or report issued as a result of the inspection or investigation. The citation or report must be provided at no cost and provided on the later of the date the citation or report is received by the employer and the date of the request;

(ii) Notification of any appeal filed under RCW 49.17.140 regarding a citation issued as a result of the inspection or investigation; and

(iii) An explanation of the rights of employees and employee representatives to participate in the proceedings conducted under RCW 49.17.140;

(c) Provide to the victim or victim's representative an opportunity to appear and make a statement before the parties at proceedings during reassumption of jurisdiction by the director or appeal before the board of industrial insurance appeals regarding any violations associated with the fatality or hospitalization. This opportunity must be provided before the director enters an agreement to withdraw or modify a violation associated with the fatality or hospitalization or reduce an associated penalty. Alternatives to live appearances may be used.

(2) The director shall adopt rules regarding the rights of victims and their representatives under this section and for the informal review of any claim of a denial of such a right. These rules shall ensure insofar as possible that the issuance of a citation following a workplace fatality or hospitalization is not unduly delayed in order for the director to meet with the victim or victim's representative.

(3) For purposes of this section, "victim" means:

(a) An employee who has sustained serious physical harm resulting in death or in-patient hospitalization that is the subject of an inspection or investigation conducted under this chapter; or

(b) A family member of an employee described in (a) of this subsection, if the employee is killed or cannot reasonably exercise the employee's rights under this section.

NEW SECTION. Sec. 3. A new section is added to chapter 49.17 RCW to read as follows:

(1) The requirements of this section apply to an employer that is required by law or chooses to establish a safety committee to communicate and evaluate safety and health issues in the workplace.

(2) The employer must provide at least eight hours of safety and health training to members of the safety committee within three months of appointment to the committee and annually thereafter. This training must include training on hazard identification and control. Trainers and class content must meet requirements established by the department. The training shall be in addition to and may be combined with training programs provided to all employees pursuant to the rules for accident prevention programs.

(3) The safety committee shall:

(a) Identify situations that may be a source of danger or hazard to workers;

(b) Make recommendations to the employer and the workers for the improvement of the safety and health of workers; and

(c) Recommend to the employer and the workers the establishment, maintenance, and monitoring of programs, measures, and procedures respecting the safety and health of workers.

(4) If the employer receives written recommendations from the safety committee pursuant to subsection (3) of this section, the employer shall respond to the safety committee in writing no later than twenty-one calendar days after receiving the recommendations.

(5) At least one employer and one employee member of the safety committee shall conduct regular inspections of the physical condition of the workplace, as well as equipment, work methods, and work practices, to ensure that prompt action is taken to correct any hazardous condition found. Such an inspection must be performed no less than once every three months. Written reports of such inspections must be provided to and reviewed by the full safety committee within forty-five days of the inspection's completion.

NEW SECTION. Sec. 4. A new section is added to chapter 49.17 RCW to read as follows:

(1) The employer shall provide to each new employee at the time of hiring and prior to beginning work written information about all employee rights provided pursuant to this chapter, including at least the following:

(a) The right to request a workplace inspection;

(b) The right to receive information and training about workplace hazards;

(c) The right to receive copies of test results done to find hazards in the workplace;

(d) The right to review records of work-related injuries and illnesses;

(e) The right to get copies of medical records; and

(f) The right to exercise these rights without fear of retaliation or discrimination.

(2) The department shall develop and make available materials to assist employers with implementing this section.

NEW SECTION. Sec. 5. The WISHA advisory committee shall continue its work of reviewing and making recommendations regarding civil penalties under the Washington industrial safety and health act to ensure that the assessment of civil penalties meets the requirements under the occupational safety and health act of 1970 (84 Stat. 1590; 29 U.S.C. Sec. 651 et seq.). The WISHA advisory committee shall also review statutory civil penalties and make recommendations regarding any changes to the civil penalties. The department of labor and industries shall report to the appropriate committees of the legislature by December 1, 2013, regarding: (1) Recommendations by the WISHA advisory committee and department steps with respect to ensuring the assessment of civil penalties meets federal requirements; and (2) recommendations of the WISHA advisory committee regarding any changes to the statutory civil penalties." Correct the title.

Representatives Reykdal and Manweller spoke in favor of the adoption of the amendment.

Amendment (223) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1891.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1891, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Hansen, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Goodman.

ENGROSSED HOUSE BILL NO. 1891, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1396, by Representatives Manweller, Sells, Chandler, Reykdal, Condotta, Hunt, Wylie, Van De Wege, Green, Appleton and Morrell

Changing the unemployment insurance shared work program by adopting short-time compensation provisions in the federal middle class tax relief and job creation act of 2012.

The bill was read the second time.

With the consent of the house, amendment (16) was withdrawn.

Representative Manweller moved the adoption of amendment (75).

On page 5, beginning on line 4, after "(2)" strike all material through "section" on line 9 and insert "For weeks of benefits paid between July 1, 2012, and June 28, 2015, any amount of shared work benefits reimbursed by the federal government is not charged to experience rating accounts of employers or to employers who are liable for payments in lieu of contributions. The department shall remove charges for any amount of shared work benefits reimbursed by the federal government between July 1, 2012, and the week prior to the effective date of this section"

On page 5, beginning on line 24, strike all of section 7
Correct the title.

Representatives Manweller and Sells spoke in favor of the adoption of the amendment.

Amendment (75) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1396.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1396, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Goodman.

ENGROSSED HOUSE BILL NO. 1396, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1403, by Representatives Smith, Morris, Short, Ryu, Magendanz, Blake, Walsh, Hansen, Dahlquist and Maxwell

Promoting economic development by providing information to businesses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1403 was substituted for House Bill No. 1403 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1403 was read the second time.

With the consent of the house, amendments (160) and (184) were withdrawn.

Representative Smith moved the adoption of amendment (217).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.02.050 and 2011 c 298 s 6 are each amended to read as follows:

~~((The legislature hereby directs the full participation by the following agencies))~~ Each of the following agencies must fully participate in the implementation of this chapter:

(1) Department of agriculture;

- (2) Secretary of state;
- (3) Department of social and health services;
- (4) Department of revenue;
- (5) Department of fish and wildlife;
- (6) Employment security department;
- (7) Department of labor and industries;
- (8) ~~((Department of commerce;~~
- ~~—(9))~~ Liquor control board;
- ~~((40))~~ (9) Department of health;
- ~~((11))~~ (10) Department of licensing;
- ~~((12) Parks and recreation commission;~~
- ~~—(13))~~ (11) Utilities and transportation commission; ~~((and~~
- ~~—(14))~~ (12) Board of accountancy;
- (13) Department of archaeology and historic preservation;
- (14) Department of early learning;
- (15) Department of ecology;
- (16) Department of financial institutions;
- (17) Department of transportation;
- (18) Gambling commission;
- (19) Horse racing commission;
- (20) Office of the insurance commissioner;
- (21) State lottery;
- (22) Student achievement council;
- (23) Washington state patrol;
- (24) Workforce training and education coordinating board; and
- (25) Other agencies as determined by the governor.

NEW SECTION. Sec. 2. A new section is added to chapter 19.02 RCW to read as follows:

(1)(a) Each agency required to fully participate in the implementation of this chapter under RCW 19.02.050 must provide the department with the name of the agency's coordinator for the purposes of implementing the requirements of this section. Using a format designated by the department, each agency must provide the department with the following information:

- (i) A listing of each business license issued by the agency;
- (ii) A description of the persons and specific activities for which the license is required;
- (iii) The time period for which the license is issued and any issuance, renewal, or reissuance requirements; and
- (iv) Other information the department determines necessary to implement this section, including links to the licensing information, application, and instructions on the agency's web site, if available.

(b) An agency that issues licenses in accordance with (i) national or federal mandates, requirements, or standards; or (ii) educational standards and an examination, may alternatively comply with this chapter by providing the department with a link to its licensing web site, summary information about the licensing requirements or standards in a format or formats designated by the department, and a designated agency contact.

(2) In addition to the requirements in subsection (1) of this section, each agency, by November 1st of each year, beginning November 1, 2013, must provide the department with certification on a form designated by the department that all business licensing information submitted by the agency is complete and up-to-date. If an agency has not submitted all the business licensing information required under this section, the agency must instead submit a progress report and explanation to the department.

(3) The department must compile the information submitted by each agency, and submit an aggregate report to the governor and the economic development committees of the legislature by January 1st of each year, beginning January 1, 2014.

Sec. 3. RCW 19.02.030 and 2011 c 298 s 5 are each amended to read as follows:

(1) There is located within the department a business license center.

(2) The duties of the center include:

- (a) Developing and administering a computerized one-stop master license system capable of storing, retrieving, and exchanging license information with due regard to privacy statutes, as well as issuing and renewing master licenses in an efficient manner;
 - (b) Providing a license information service detailing requirements to establish or engage in business in this state;
 - (c) Providing for staggered master license renewal dates;
 - (d) Identifying types of licenses appropriate for inclusion in the master license system;
 - (e) Recommending in reports to the governor and the legislature the elimination, consolidation, or other modification of duplicative, ineffective, or inefficient licensing or inspection requirements; and
 - (f) Incorporating licenses into the master license system. Both the regulatory agency legally authorized to issue the license and the department must agree that the license will be issued through the master license system in order for the license to be incorporated.
- (3) The department may adopt under chapter 34.05 RCW such rules as may be necessary to effectuate the purposes of this chapter." Correct the title.

Representative Smith spoke in favor of the adoption of the amendment.

Amendment (217) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1403.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1403, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Goodman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1403, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1587, by Representatives Cody, Van De Wege, Morrell, Jinkins, Ryu and Holy

Addressing public employee benefits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1587.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1587, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Not Voting, 1; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox and Wylie.

Voting nay: Representatives Condotta, Fagan, Manweller, Overstreet, Pike, Schmick, Shea, Taylor, Vick and Zeiger.

Not Voting: Mr. Speaker.

Excused: Representative Goodman.

HOUSE BILL NO. 1587, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1587.
Speaker Chopp, 43rd District

SECOND READING

HOUSE BILL NO. 1608, by Representatives Appleton, Angel, Sells, Fitzgibbon, Seaquist, Ryu, Stanford and Hansen

Concerning the marine employees' commission.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1608.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1608, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Goodman.

HOUSE BILL NO. 1608, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1674, by Representatives Santos, Morris and Maxwell**Increasing the regulatory oversight and accountability of the office of minority and women's business enterprises.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1674 was substituted for House Bill No. 1674 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1674 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Dahlquist spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1674.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1674, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Hansen, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan,

Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, DeBolt, Haler, Hargrove, Harris, Hawkins, Johnson, Klippert, Kretz, Kristiansen, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representative Goodman.

SUBSTITUTE HOUSE BILL NO. 1674, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1768, by Representatives Moscoso, Liias, Ryu, Moeller, Johnson, Kochmar and McCoy

Authorizing use of the job order contracting procedure by the department of transportation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1768.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1768, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Goodman.

HOUSE BILL NO. 1768, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4403, by Representatives Sells, Seaquist, Manweller, Haler, Moscoso, Hansen, Reykdal, Wylie, Santos, Hayes, Fagan, Condotta, Smith, Pollet, Maxwell, Ormsby, Ryu, Morrell, Parker and Riccelli

Concerning the workforce training and education coordinating board's high skills high wages plan.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Manweller and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4403.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4403, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Carlyle, Hunter, Overstreet, Scott, Seaquist and Taylor.

Excused: Representative Goodman.

HOUSE CONCURRENT RESOLUTION NO. 4403, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1283 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1283.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1283, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, DeBolt, Harris, Holy, Johnson, Kretz, Kristiansen, MacEwen, Morrell,

Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Taylor, Vick and Zeiger.

Excused: Representative Goodman.

SUBSTITUTE HOUSE BILL NO. 1283, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1008
- HOUSE BILL NO. 1023
- HOUSE BILL NO. 1063
- HOUSE BILL NO. 1124
- HOUSE BILL NO. 1145
- HOUSE BILL NO. 1233
- HOUSE BILL NO. 1247
- HOUSE BILL NO. 1269
- HOUSE BILL NO. 1287
- HOUSE BILL NO. 1395
- HOUSE BILL NO. 1399
- HOUSE BILL NO. 1412
- HOUSE BILL NO. 1416
- HOUSE BILL NO. 1420
- HOUSE BILL NO. 1421
- HOUSE BILL NO. 1437
- HOUSE BILL NO. 1466

- HOUSE BILL NO. 1468
- HOUSE BILL NO. 1486
- HOUSE BILL NO. 1490
- HOUSE BILL NO. 1527
- HOUSE BILL NO. 1568
- HOUSE BILL NO. 1620
- HOUSE BILL NO. 1627
- HOUSE BILL NO. 1773
- HOUSE BILL NO. 1822
- HOUSE BILL NO. 1828
- HOUSE BILL NO. 1841
- HOUSE BILL NO. 1844
- HOUSE BILL NO. 1859
- HOUSE BILL NO. 1884
- HOUSE BILL NO. 1892
- HOUSE BILL NO. 1897
- HOUSE BILL NO. 1903
- HOUSE BILL NO. 1909
- HOUSE BILL NO. 1911
- HOUSE BILL NO. 1922
- HOUSE BILL NO. 1941
- HOUSE BILL NO. 1946

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 9, 2013, the 55th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY FIFTH DAY

House Chamber, Olympia, Saturday, March 9, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sean McKechnie and Steve Traff. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Jan Angel, 26th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 1995 by Representatives Hudgins, Stanford, Riccelli, Sells, Green, Ormsby, Hunt and Appleton

AN ACT Relating to state contracts for call center services; adding a new section to chapter 39.26 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Government Operations & Elections.

HB 1996 by Representative Orcutt

AN ACT Relating to environmental standards related to transportation projects; amending RCW 47.01.290, 90.48.260, and 77.55.021; adding a new section to chapter 43.21C RCW; and adding a new section to chapter 77.55 RCW.

Referred to Committee on Environment.

ESB 5048 by Senators Sheldon, Benton and Hargrove

AN ACT Relating to notice against trespass; and reenacting and amending RCW 9A.52.010.

Referred to Committee on Judiciary.

SSB 5088 by Senate Committee on Transportation (originally sponsored by Senators Benton, Rivers, Holmquist Newbry, Honeyford and Becker)

AN ACT Relating to the establishment of high capacity transportation corridor areas; and amending RCW 81.104.200.

Referred to Committee on Transportation.

ESB 5105 by Senators Dammeier, Harper and Pearson

AN ACT Relating to conditions under which the department of corrections provides rental vouchers to an offender; amending RCW 9.94A.729; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Public Safety.

ESSB 5138 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette and Hargrove)

AN ACT Relating to improving the management of state debt; amending RCW 43.88.030 and 43.88.031; reenacting and amending RCW 39.42.070; adding a new section to chapter 39.42 RCW; adding a new section to chapter 43.08 RCW; adding a new section to chapter 43.88 RCW; creating a new section; and repealing 2011 1st sp.s. c 46 ss 1 and 2 (uncodified).

Referred to Committee on Capital Budget.

SSB 5182 by Senate Committee on Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs and Schlicher)

AN ACT Relating to the disclosure of vehicle owner information; reenacting and amending RCW 46.12.635; and providing an effective date.

Referred to Committee on Judiciary.

2SSB 5199 by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen and Holmquist Newbry)

AN ACT Relating to de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies; adding a new section to chapter 90.03 RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5264 by Senate Committee on Transportation (originally sponsored by Senators Benton, Mullet, Baumgartner and Sheldon)

AN ACT Relating to the transportation and storage of certain explosive devices; and amending RCW 70.74.191.

Referred to Committee on Judiciary.

SSB 5315 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker, Dammeier, Rivers, Padden and Roach)

AN ACT Relating to the implementation of the recommendations made by the Powell fatality team; amending RCW 13.34.136, 13.34.380, and 74.14B.010;

reenacting and amending RCW 13.34.130; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Early Learning & Human Services.

E2SSB 5329 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Hobbs, Fain, Hatfield, Tom, Frockt and Roach)

AN ACT Relating to transforming persistently failing schools; amending RCW 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.090, and 28A.657.100; adding new sections to chapter 28A.657 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

SSB 5332 by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Nelson, Rolfes, Conway, Fain and Delvin)

AN ACT Relating to voter-approved benefit charges for fire protection districts; and amending RCW 52.18.050.

Referred to Committee on Local Government.

ESB 5378 by Senators Benton, Schoesler, Bailey, Carrell, Becker, Holmquist Newbry, Sheldon, Ericksen and Dammeier

AN ACT Relating to a six-year time frame for substantial building code amendments; amending RCW 19.27.074, 19.27A.045, and 19.27A.025; and creating a new section.

Referred to Committee on Local Government.

SSB 5416 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Schlicher, Becker and Keiser)

AN ACT Relating to prescription information; amending RCW 69.41.010, 69.50.308, and 69.50.312; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care & Wellness.

SSB 5437 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Hargrove, Roach, Kline, Sheldon, Pearson and Chase)

AN ACT Relating to boating safety; amending RCW 79A.60.040, 10.31.100, and 79A.60.150; reenacting and amending RCW 7.80.120; adding new sections to chapter 79A.60 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5465 by Senators Dammeier, Schlicher, Becker, Keiser and McAuliffe

AN ACT Relating to exemptions from licensure as a physical therapist; and amending RCW 18.74.150 and 18.74.180.

Referred to Committee on Health Care & Wellness.

SB 5496 by Senators Braun, Fain, Hatfield, Hargrove, Dammeier, Chase and Kohl-Welles

AN ACT Relating to authorizing approval of online school programs in private schools; adding a new section to chapter 28A.195 RCW; and creating new sections.

Referred to Committee on Education.

SSB 5523 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton and Roach)

AN ACT Relating to the property taxation of mobile homes and park model trailers; amending RCW 46.44.170; and adding a new section to chapter 84.56 RCW.

Referred to Committee on Finance.

ESSB 5709 by Senate Committee on Ways & Means (originally sponsored by Senators Smith, Ericksen, Sheldon, Holmquist Newbry, Dammeier, Brown and Roach)

AN ACT Relating to a pilot program to demonstrate the feasibility of using densified biomass to heat public schools; and creating new sections.

Referred to Committee on Environment.

2SSB 5732 by Senate Committee on Ways & Means (originally sponsored by Senators Carrell, Darneille, Keiser and Pearson)

AN ACT Relating to improving behavioral health services provided to adults in Washington state; amending RCW 71.24.025; adding a new section to chapter 43.20A RCW; adding a new section to chapter 70.97 RCW; adding a new section to chapter 71.05 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

SB 5748 by Senator Roach

AN ACT Relating to extending contribution limits to candidates for public hospital district boards of commissioners; and amending RCW 42.17A.405.

Referred to Committee on Government Operations & Elections.

ESSB 5753 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Hobbs, Tom, Hewitt, King and McAuliffe)

AN ACT Relating to flexibility in the education system; amending RCW 28A.150.520, 28A.300.118, 28A.300.150, 28A.655.061, and 39.35D.040; repealing RCW 28A.220.050, 28A.220.080, 28A.230.150, and 28A.320.185; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

SSB 5774 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist

Newbry, McAuliffe, Bailey, Keiser, Conway, Schoesler, Kohl-Welles, Mullet and Kline)

AN ACT Relating to authorizing applications for a special permit to allow alcohol tasting by persons at least eighteen years of age under certain circumstances; and amending RCW 66.20.010.

Referred to Committee on Government Accountability & Oversight.

ESB 5843 by Senators Tom, Billig, Hill, Hobbs, Murray, Darneille, Kohl-Welles, Conway and Frockt

AN ACT Relating to strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide a statement of legislative intent and include an expiration date where applicable; adding a new section to chapter 43.135 RCW; adding a new section to chapter 82.02 RCW; and creating a new section.

Referred to Committee on Finance.

SJM 8005 by Senators Hargrove, King, Sheldon, Eide, Hobbs, Hatfield, Benton, Padden, Shin and Chase

Requesting that state route number 117 be designated as the POW/MIA Memorial Highway.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1826, by Representative Morris

Updating integrated resource plan requirements to address changing energy markets.

The bill was read the second time.

Representative Morris moved the adoption of amendment (142).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.280.010 and 2006 c 195 s 1 are each amended to read as follows:

It is the intent of the legislature to encourage the development of new safe, clean, and reliable energy resources to meet demand in Washington for affordable and reliable electricity. To achieve this end, the legislature finds it essential that electric utilities in Washington develop comprehensive resource plans that explain the mix of generation and demand-side resources they plan to use to meet their customers' electricity needs in both the short term and the long term. The legislature intends that information obtained from integrated resource planning under this chapter will be used to assist in identifying and developing: (1) New energy generation(¶); (2) conservation and efficiency resources(¶); (3) methods, commercially available technologies, and facilities for integrating renewable

resources, including to address an overgeneration event; and (4) related infrastructure to meet the state's electricity needs.

Sec. 2. RCW 19.280.020 and 2009 c 565 s 19 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission.

(2) "Conservation and efficiency resources" means any reduction in electric power consumption that results from increases in the efficiency of energy use, production, transmission, or distribution.

(3) "Consumer-owned utility" includes a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, a mutual corporation or association formed under chapter 24.06 RCW, a port district formed under Title 53 RCW, or a water-sewer district formed under Title 57 RCW, that is engaged in the business of distributing electricity to one or more retail electric customers in the state.

(4) "Department" means the department of commerce.

(5) "Electric utility" means a consumer-owned or investor-owned utility.

(6) "Full requirements customer" means an electric utility that relies on the Bonneville power administration for all power needed to supply its total load requirement other than that served by nondispatchable generating resources totaling no more than six megawatts or renewable resources.

(7) "Governing body" means the elected board of directors, city council, commissioners, or board of any consumer-owned utility.

(8) "High efficiency cogeneration" means the sequential production of electricity and useful thermal energy from a common fuel source, where, under normal operating conditions, the facility has a useful thermal energy output of no less than thirty-three percent of the total energy output.

(9) "Integrated resource plan" means an analysis describing the mix of generating resources (~~and~~), conservation, various technologies and resources to integrate renewable resources, including to address an overgeneration event, and efficiency resources that will meet current and projected needs at the lowest reasonable cost to the utility and its ratepayers and that complies with the requirements specified in RCW 19.280.030(1).

(10) "Investor-owned utility" means a corporation owned by investors that meets the definition in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(11) "Lowest reasonable cost" means the lowest cost mix of generating resources and conservation and efficiency resources determined through a detailed and consistent analysis of a wide range of commercially available resources. At a minimum, this analysis must consider resource cost, market-volatility risks, demand-side resource uncertainties, resource dispatchability, resource effect on system operation, the risks imposed on the utility and its ratepayers, public policies regarding resource preference adopted by Washington state or the federal government, and the cost of risks associated with environmental effects including emissions of carbon dioxide.

(12) "Plan" means either an "integrated resource plan" or a "resource plan."

(13) "Renewable resources" means electricity generation facilities fueled by: (a) Water; (b) wind; (c) solar energy; (d) geothermal energy; (e) landfill gas; (f) biomass energy utilizing animal waste, solid organic fuels from wood, forest, or field residues or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (g) by-products of pulping or wood manufacturing processes, including but not limited to bark, wood

chips, sawdust, and lignin in spent pulping liquors; (h) ocean thermal, wave, or tidal power; or (i) gas from sewage treatment facilities.

(14) "Resource plan" means an assessment that estimates electricity loads and resources over a defined period of time and complies with the requirements in RCW 19.280.030(2).

(15) "Overgeneration event" means an event within an operating period of a balancing authority when the electricity supply, including generation from intermittent renewable resources, exceeds the demand for electricity for that utility's energy delivery obligations and a negatively priced regional market.

Sec. 3. RCW 19.280.030 and 2011 c 180 s 305 are each amended to read as follows:

Each electric utility must develop a plan consistent with this section.

(1) Utilities with more than twenty-five thousand customers that are not full requirements customers shall develop or update an integrated resource plan by September 1, 2008. At a minimum, progress reports reflecting changing conditions and the progress of the integrated resource plan must be produced every two years thereafter. An updated integrated resource plan must be developed at least every four years subsequent to the 2008 integrated resource plan. The integrated resource plan, at a minimum, must include:

(a) A range of forecasts, for at least the next ten years or longer, of projected customer demand which takes into account econometric data and customer usage;

(b) An assessment of commercially available conservation and efficiency resources. Such assessment may include, as appropriate, high efficiency cogeneration, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources;

(c) An assessment of commercially available, utility scale renewable and nonrenewable generating technologies including a comparison of the benefits and risks of purchasing power or building new resources;

(d) A comparative evaluation of renewable and nonrenewable generating resources, including transmission and distribution delivery costs, and conservation and efficiency resources using "lowest reasonable cost" as a criterion;

(e) An assessment of methods, commercially available technologies, or facilities for integrating renewable resources, including to address an overgeneration event, if applicable to the utility's resource portfolio;

(f) The integration of the demand forecasts and resource evaluations into a long-range assessment describing the mix of supply side generating resources and conservation and efficiency resources that will meet current and projected needs at the lowest reasonable cost and risk to the utility and its ratepayers; and

~~((f))~~ (g) A short-term plan identifying the specific actions to be taken by the utility consistent with the long-range integrated resource plan.

(2) All other utilities may elect to develop a full integrated resource plan as set forth in subsection (1) of this section or, at a minimum, shall develop a resource plan that:

(a) Estimates loads for the next five and ten years;

(b) Enumerates the resources that will be maintained and/or acquired to serve those loads; and

(c) Explains why the resources in (b) of this subsection were chosen and, if the resources chosen are not: (i) Renewable resources ~~((i))~~; (ii) methods, commercially available technologies, or facilities for integrating renewable resources, including to address an overgeneration event; or (iii) conservation and efficiency resources, why such a decision was made.

(3) An electric utility that is required to develop a resource plan under this section must complete its initial plan by September 1, 2008.

(4) Resource plans developed under this section must be updated on a regular basis, at a minimum on intervals of two years.

(5) Plans shall not be a basis to bring legal action against electric utilities.

(6) Each electric utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

Sec. 4. RCW 19.280.060 and 2006 c 195 s 6 are each amended to read as follows:

The department shall review the plans of consumer-owned utilities and investor-owned utilities, and data available from other state, regional, and national sources, and prepare an electronic report to the legislature aggregating the data and assessing the overall adequacy of Washington's electricity supply. The report shall include a statewide summary of utility load forecasts, load/resource balance, and utility plans for the development of thermal generation, renewable resources, ~~((and))~~ conservation and efficiency resources, and an examination of assessment methods used by utilities to address overgeneration events. The commission shall provide the department with data summarizing the plans of investor-owned utilities for use in the department's statewide summary. The department may submit its report within the biennial report required under RCW 43.21F.045." Correct the title.

Representatives Morris and Short spoke in favor of the adoption of the amendment.

Amendment (142) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Short spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1826.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1826, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Sequist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hawkins, Holy, MacEwen, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1826, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1866, by Representatives Morris, Smith, Lias, Maxwell, Morrell, Habib, Ryu, Sells, Hansen and Hudgins

Concerning the joint center for aerospace technology innovation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1866 was substituted for House Bill No. 1866 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1866 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1866.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1866, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet, Scott and Taylor.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1866, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1306, by Representatives Wylie, Moeller, Harris, Pike, Johnson, Chandler, Sells, Pollet, Upthegrove and Moscoso

Extending the expiration dates of the local infrastructure financing tool program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1306 was substituted for House Bill No. 1306 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1306 was read the second time.

Representative Morris moved the adoption of amendment (213).

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 39.102 RCW to read as follows:

This chapter expires June 30, 2044.

NEW SECTION. Sec. 2. RCW 39.102.904 (Expiration date--2006 c 181) and 2006 c 181 s 707 are each repealed.

Sec. 3. RCW 82.14.475 and 2010 c 164 s 12 are each amended to read as follows:

(1) A sponsoring local government, and any cosponsoring local government, that has been approved by the board to use local infrastructure financing may impose a sales and use tax in accordance with the terms of this chapter and subject to the criteria set forth in this section. Except as provided in this section, the tax is in addition to other taxes authorized by law and is collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing jurisdiction of the sponsoring local government or cosponsoring local government.

(2) The tax authorized under subsection (1) of this section is credited against the state taxes imposed under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1). The department must perform the collection of such taxes on behalf of the sponsoring local government or cosponsoring local government at no cost to the sponsoring local government or cosponsoring local government and must remit the taxes as provided in RCW 82.14.060.

(3) The aggregate rate of tax imposed by the sponsoring local government, and any cosponsoring local government, must not exceed the lesser of:

(a) The rate provided in RCW 82.08.020(1) less:

(i) The aggregate rates of all other local sales and use taxes imposed by any taxing authority on the same taxable events;

(ii) The aggregate rates of all taxes under RCW 82.14.465 and this section that are authorized to be imposed on the same taxable events but have not yet been imposed by a sponsoring local government or cosponsoring local government that has been approved by the department or the community economic revitalization board to receive a state contribution under chapter 39.100 or 39.102 RCW; and

(iii) The percentage amount of distributions required under RCW 82.08.020(5) multiplied by the rate of state taxes imposed under RCW 82.08.020(1); and

(b) The rate, as determined by the sponsoring local government, and any cosponsoring local government, in consultation with the department, reasonably necessary to receive the state contribution over ten months.

(4) Sponsoring local governments that have been approved before October 1, 2008, by the community economic revitalization board for a state contribution must select the rate of tax under this section no later than September 1, 2009.

(5) The department, upon request, must assist a sponsoring local government and cosponsoring local government in establishing their

tax rate in accordance with subsection (3) of this section. Once the rate of tax is selected, it may not be increased.

(6)(a) No tax may be imposed under the authority of this section:

(i) Before July 1st of the second calendar year following the year approval by the board under RCW 39.102.040 was made; and

(ii) Until a sponsoring local government reports to the board and the department as required by RCW 39.102.140 that the state has benefited through the receipt of state excise tax allocation revenues or state property tax allocation revenues, or both.

(b) The tax imposed under this section expires when all indebtedness issued under the authority of RCW 39.102.150 is retired and all other contractual obligations relating to the financing of public improvements under chapter 39.102 RCW are satisfied, but not more than twenty-five years after the tax is first imposed.

(7) An ordinance adopted by the legislative authority of a sponsoring local government or cosponsoring local government imposing a tax under this section must provide that:

(a) The tax is first imposed on the first day of a fiscal year;

(b) The cumulative amount of tax received by the sponsoring local government, and any cosponsoring local government, in any fiscal year may not exceed the amount of the state contribution;

(c) The tax will cease to be distributed for the remainder of any fiscal year in which either:

(i) The amount of tax received by the sponsoring local government, and any cosponsoring local government, equals the amount of the state contribution;

(ii) The amount of revenue from taxes imposed under this section by all sponsoring and cosponsoring local governments equals the annual state contribution limit; or

(iii) The amount of tax received by the sponsoring local government equals the amount of project award granted in the approval notice described in RCW 39.102.040;

(d) Neither the local excise tax allocation revenues nor the local property tax allocation revenues may constitute more than eighty percent of the total local funds as described in RCW 39.102.020(~~((28))~~) (29)(b). This requirement applies beginning January 1st of the fifth calendar year after the calendar year in which the sponsoring local government begins allocating local excise tax allocation revenues under RCW 39.102.110;

(e) The tax must be distributed again, should it cease to be distributed for any of the reasons provided in (c) of this subsection, at the beginning of the next fiscal year, subject to the restrictions in this section; and

(f) Any revenue generated by the tax in excess of the amounts specified in (c) of this subsection belongs to the state of Washington.

(8) If a county and city cosponsor a revenue development area, the combined amount of distributions received by both the city and county may not exceed the state contribution.

(9) The department must determine the amount of tax receipts distributed to each sponsoring local government, and any cosponsoring local government, imposing sales and use tax under this section and shall advise a sponsoring or cosponsoring local government when tax distributions for the fiscal year equal the amount of state contribution for that fiscal year as provided in subsection (11) of this section. Determinations by the department of the amount of tax distributions attributable to each sponsoring or cosponsoring local government are final and may not be used to challenge the validity of any tax imposed under this section. The department must remit any tax receipts in excess of the amounts specified in subsection (7)(c) of this section to the state treasurer who must deposit the money in the general fund.

(10) If a sponsoring or cosponsoring local government fails to comply with RCW 39.102.140, no tax may be distributed in the subsequent fiscal year until such time as the sponsoring or cosponsoring local government complies and the department calculates the state contribution amount for such fiscal year.

(11) Each year, the amount of taxes approved by the department for distribution to a sponsoring or cosponsoring local government in the next fiscal year must be equal to the state contribution and may be no more than the total local funds as described in RCW 39.102.020(~~((28))~~) (29)(b). The department must consider information from reports described in RCW 39.102.140 when determining the amount of state contributions for each fiscal year.

The department's determination of the amount of the state contribution is final and conclusive, and may not be changed once such determination is made and such contribution is distributed to the sponsoring or cosponsoring local government, unless the department subsequently determines that local revenue information contained in a report described in RCW 39.102.140 differs from the actual dedicated local revenue. If a discrepancy is found, the department must adjust its determination accordingly. A sponsoring or cosponsoring local government may not receive, in any fiscal year, more revenues from taxes imposed under the authority of this section than the amount approved annually by the department. The department may not approve the receipt of more distributions of sales and use tax under this section to a sponsoring or cosponsoring local government than is authorized under subsection (7) of this section.

(12) The amount of tax distributions received from taxes imposed under the authority of this section by all sponsoring and cosponsoring local governments is limited annually to not more than seven million five hundred thousand dollars.

(13) The definitions in RCW 39.102.020 apply to this section unless the context clearly requires otherwise.

(14) If a sponsoring local government is a federally recognized Indian tribe, the distribution of the sales and use tax authorized under this section must be authorized through an interlocal agreement pursuant to chapter 39.34 RCW.

(15) Subject to RCW 39.102.195, the tax imposed under the authority of this section may be applied either to provide for the payment of debt service on bonds issued under RCW 39.102.150 by the sponsoring local government or to pay public improvement costs on a pay-as-you-go basis, or both.

(16) The tax imposed under the authority of this section must cease to be imposed if the sponsoring local government or cosponsoring local government (~~(fails to issue indebtedness under the authority of RCW 39.102.150, and)~~) fails to commence construction on public improvements(;) by June (~~(30th of the fifth fiscal year in which the local tax authorized under this section is imposed)~~) 30, 2017.

(17) For purposes of this section, the following definitions apply:

(a) "Local sales and use taxes" means sales and use taxes imposed by cities, counties, public facilities districts, and other local governments under the authority of this chapter, chapter 67.28 or 67.40 RCW, or any other chapter, and that are credited against the state sales and use taxes.

(b) "State sales and use taxes" means the tax imposed in RCW 82.08.020(1) and the tax imposed in RCW 82.12.020 at the rate provided in RCW 82.08.020(1).

(18) This section expires June 30, 2044.

Sec. 4. RCW 39.102.150 and 2009 c 267 s 6 are each amended to read as follows:

(1) A sponsoring local government that has designated a revenue development area and instead of paying public improvement costs on a pay-as-you-go basis has been authorized the use of local infrastructure financing may incur general indebtedness, including issuing general obligation bonds, to finance the public improvements and retire the indebtedness in whole or in part from local excise tax allocation revenues, local property tax allocation revenues, and sales and use taxes imposed under the authority of RCW 82.14.475 that it receives, subject to the following requirements:

(a)(i) The ordinance adopted by the sponsoring local government and authorizing the use of local infrastructure financing indicates an

intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated; and

(ii) The sponsoring local government includes this statement of the intent in all notices required by RCW 39.102.100; or

(b) The sponsoring local government adopts a resolution, after opportunity for public comment, that indicates an intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated.

(2)(a) Except as provided in (b) of this subsection, the general indebtedness incurred under subsection (1) of this section may be payable from other tax revenues, the full faith and credit of the local government, and nontax income, revenues, fees, and rents from the public improvements, as well as contributions, grants, and nontax money available to the local government for payment of costs of the public improvements or associated debt service on the general indebtedness.

(b) A sponsoring local government that issues bonds under this section ~~((shall))~~ may not pledge any money received from the state of Washington for the payment of such bonds, other than the local sales and use taxes imposed under the authority of RCW 82.14.475 and collected by the department.

(3) In addition to the requirements in subsection (1) of this section, a sponsoring local government designating a revenue development area and authorizing the use of local infrastructure financing may require the nonpublic participant to provide adequate security to protect the public investment in the public improvement within the revenue development area.

(4) Bonds issued under this section ~~((shall))~~ must be authorized by ordinance of the governing body of the sponsoring local government and may be issued in one or more series and ~~((shall))~~ must bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered as provided in RCW 39.46.030, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption with or without premium, be secured in such manner, and have such other characteristics, as may be provided by such ordinance or trust indenture or mortgage issued pursuant thereto.

(5) The sponsoring local government may annually pay into a fund to be established for the benefit of bonds issued under this section a fixed proportion or a fixed amount of any local excise tax allocation revenues and local property tax allocation revenues derived from property or business activity within the revenue development area containing the public improvements funded by the bonds, such payment to continue until all bonds payable from the fund are paid in full. The local government may also annually pay into the fund established in this section a fixed proportion or a fixed amount of any revenues derived from taxes imposed under RCW 82.14.475, such payment to continue until all bonds payable from the fund are paid in full. Revenues derived from taxes imposed under RCW 82.14.475 are subject to the use restriction in RCW 39.102.130.

(6) In case any of the public officials of the sponsoring local government whose signatures appear on any bonds or any coupons issued under this chapter ~~((shall))~~ cease to be such officials before the delivery of such bonds, such signatures ~~((shall))~~, nevertheless, ~~((be))~~ are valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued under this chapter are fully negotiable.

(7) Notwithstanding subsections (4) through (6) of this section, bonds issued under this section may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 5. RCW 39.102.140 and 2009 c 518 s 12 and 2009 c 267 s 5 are each reenacted and amended to read as follows:

(1) A sponsoring local government shall provide a report to the board and the department by March 1st of each year. The report shall contain the following information:

(a) The amount of local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, and taxes under RCW 82.14.475 received by the sponsoring local government, cosponsoring local government, or any participating local government during the preceding calendar year that were dedicated to pay the public improvements financed in whole or in part with local infrastructure financing, and a summary of how these revenues were expended;

(b) The names of any businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(c) The total number of permanent jobs created in the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(d) The average wages and benefits received by all employees of businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(e) That the sponsoring local government is in compliance with RCW 39.102.070; and

(f) Beginning with the reports due March 1, 2010, the following must also be included:

(i) A list of public improvements financed on a pay-as-you-go basis in previous calendar years and by indebtedness issued under this chapter;

(ii) The date when any indebtedness issued under this chapter is expected to be retired;

(iii) At least once every three years, updated estimates of state excise tax allocation revenues, state property tax allocation revenues, and local excise tax increments, as determined by the sponsoring local government, that are estimated to have been received by the state, any participating local government, sponsoring local government, and cosponsoring local government, since the approval of the project award under RCW 39.102.040 by the board; and

(iv) Any other information required by the department or the board to enable the department or the board to fulfill its duties under this chapter and RCW 82.14.475.

(2) The board shall make a report available to the public and the legislature by June 1st of each even-numbered year. The report shall include a list of public improvements undertaken by sponsoring local governments and financed in whole or in part with local infrastructure financing and it shall also include a summary of the information provided to the department by sponsoring local governments under subsection (1) of this section.

(3) The department, upon request, must assist a sponsoring local government in estimating the amount of state excise tax allocation revenues and local excise tax increments required in subsection (1)(f)(iii) of this section.

Sec. 6. RCW 39.102.020 and 2010 c 164 s 11 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Annual state contribution limit" means seven million five hundred thousand dollars statewide per fiscal year.

(2) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(3) "Board" means the community economic revitalization board under chapter 43.160 RCW.

(4) "Dedicated" means pledged, set aside, allocated, received, budgeted, or otherwise identified.

~~(5)~~ "Demonstration project" means one of the following projects:

- (a) Bellingham waterfront redevelopment project;
- (b) Spokane river district project at Liberty Lake; and
- (c) Vancouver riverwest project.

~~((5))~~ (6) "Department" means the department of revenue.

~~((6))~~ (7) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.

~~((7))~~ (8) "Local excise tax allocation revenue" means an amount of local excise taxes equal to some or all of the sponsoring local government's local excise tax increment, amounts of local excise taxes equal to some or all of any participating local government's excise tax increment as agreed upon in the written agreement under RCW 39.102.080(1), or both, and dedicated to local infrastructure financing.

~~((8))~~ (9) "Local excise tax increment" means an amount equal to the estimated annual increase in local excise taxes in each calendar year following the approval of the revenue development area by the board from taxable activity within the revenue development area, as set forth in the application provided to the board under RCW 39.102.040, and updated in accordance with RCW 39.102.140(1)(f).

~~((9))~~ (10) "Local excise taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030.

~~((10))~~ (11) "Local government" means any city, town, county, port district, and any federally recognized Indian tribe.

~~((11))~~ (12) "Local infrastructure financing" means the use of revenues received from local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, and revenues received from the local option sales and use tax authorized in RCW 82.14.475, dedicated to pay either the principal and interest on bonds authorized under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both.

~~((12))~~ (13) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local infrastructure financing.

~~((13))~~ (14) "Low-income housing" means residential housing for low-income persons or families who lack the means which is necessary to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding. For the purposes of this subsection, "low income" means income that does not exceed eighty percent of the median family income for the standard metropolitan statistical area in which the revenue development area is located.

~~((14))~~ (15) "Ordinance" means any appropriate method of taking legislative action by a local government.

~~((15))~~ (16) "Participating local government" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of all or some of its local excise tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

~~((16))~~ (17) "Participating taxing district" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of some or all of its local property tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

~~((17))~~ (18) "Property tax allocation revenue base value" means the assessed value of real property located within a revenue development area less the property tax allocation revenue value.

~~((18))~~ (19)(a)(i) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revenue development area resulting from:

(A) The placement of new construction, improvements to property, or both, on the assessment roll, where the new construction and improvements are initiated after the revenue development area is approved by the board;

(B) The cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the revenue development area is approved by the board;

(C) The cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the revenue development area is approved by the board.

(ii) Increases in the assessed value of real property in a revenue development area resulting from (a)(i)(A) through (C) of this subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.

(b) "Property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of new construction consisting of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.

(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.

(d) There is no property tax allocation revenue value if the assessed value of real property in a revenue development area has not increased as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.

(e) For purposes of this subsection, "initial year" means:

(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;

(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year; and

(iii) For the cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.

~~((19))~~ (20) "Public improvement costs" means the cost of: (a) Design, planning, acquisition including land acquisition, site preparation including land clearing, construction, reconstruction, rehabilitation, improvement, and installation of public improvements; (b) demolishing, relocating, maintaining, and operating property pending construction of public improvements; (c) the local government's portion of relocating utilities as a result of public improvements; (d) financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; (e) assessments incurred in revaluing real property for the purpose of determining the property tax allocation revenue base value that are in excess of costs incurred by the assessor in accordance with the revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; (f) administrative expenses and feasibility studies reasonably necessary and related to these costs; and (g) any of the above-described costs that may have been incurred

before adoption of the ordinance authorizing the public improvements and the use of local infrastructure financing to fund the costs of the public improvements.

~~((20))~~ (21) "Public improvements" means:

(a) Infrastructure improvements within the revenue development area that include:

- (i) Street, bridge, and road construction and maintenance, including highway interchange construction;
 - (ii) Water and sewer system construction and improvements, including wastewater reuse facilities;
 - (iii) Sidewalks, traffic controls, and streetlights;
 - (iv) Parking, terminal, and dock facilities;
 - (v) Park and ride facilities of a transit authority;
 - (vi) Park facilities and recreational areas, including trails; and
 - (vii) Storm water and drainage management systems;
- (b) Expenditures for facilities and improvements that support affordable housing as defined in RCW 43.63A.510.

~~((21))~~ (22) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

~~((22))~~ (23) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065; and (c) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose. "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

~~((23))~~ (24) "Relocating a business" means the closing of a business and the reopening of that business, or the opening of a new business that engages in the same activities as the previous business, in a different location within a one-year period, when an individual or entity has an ownership interest in the business at the time of closure and at the time of opening or reopening. "Relocating a business" does not include the closing and reopening of a business in a new location where the business has been acquired and is under entirely new ownership at the new location, or the closing and reopening of a business in a new location as a result of the exercise of the power of eminent domain.

~~((24))~~ (25) "Revenue development area" means the geographic area adopted by a sponsoring local government and approved by the board, from which local excise and property tax allocation revenues are derived for local infrastructure financing.

~~((25))~~ (26)(a) "Revenues from local public sources" means:

(i) Amounts of local excise tax allocation revenues and local property tax allocation revenues, dedicated by sponsoring local governments, participating local governments, and participating taxing districts, for local infrastructure financing; and

(ii) Any other local revenues, except as provided in (b) of this subsection, including revenues derived from federal and private sources.

(b) Revenues from local public sources do not include any local funds derived from state grants, state loans, or any other state moneys including any local sales and use taxes credited against the state sales and use taxes imposed under chapter 82.08 or 82.12 RCW.

~~((26))~~ (27) "Small business" has the same meaning as provided in RCW 19.85.020.

~~((27))~~ (28) "Sponsoring local government" means a city, town, or county, and for the purpose of this chapter a federally recognized Indian tribe or any combination thereof, that adopts a revenue development area and applies to the board to use local infrastructure financing.

~~((28))~~ (29) "State contribution" means the lesser of:

- (a) One million dollars;

(b) The total amount of local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources, that are dedicated by a sponsoring local government, any participating local governments, and participating taxing districts, in the preceding calendar year to the payment of principal and interest on bonds issued under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both;

(c) The amount of project award granted by the board in the notice of approval to use local infrastructure financing under RCW 39.102.040; or

(d) The highest amount of state excise tax allocation revenues and state property tax allocation revenues for any one calendar year as determined by the sponsoring local government and reported to the board and the department as required by RCW 39.102.140.

~~((29))~~ (30) "State excise tax allocation revenue" means an amount equal to the annual increase in state excise taxes estimated to be received by the state in each calendar year following the approval of the revenue development area by the board, from taxable activity within the revenue development area as set forth in the application provided to the board under RCW 39.102.040 and periodically updated and reported as required in RCW 39.102.140(1)(f).

~~((30))~~ (31) "State excise taxes" means revenues derived from state retail sales and use taxes under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1), less the amount of tax distributions from all local retail sales and use taxes, other than the local sales and use taxes authorized by RCW 82.14.475 for the applicable revenue development area, imposed on the same taxable events that are credited against the state retail sales and use taxes under chapters 82.08 and 82.12 RCW.

~~((31))~~ (32) "State property tax allocation revenue" means an amount equal to the estimated tax revenues derived from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value, as set forth in the application submitted to the board under RCW 39.102.040 and updated annually in the report required under RCW 39.102.140(1)(f).

~~((32))~~ (33) "Taxing district" means a government entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved revenue development area." Correct the title.

Representatives Morris and Crouse spoke in favor of the adoption of the amendment.

Representative Dahlquist spoke against the adoption of the amendment.

Amendment (213) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie, Crouse and Morris spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1306.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1306, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, Crouse, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Ryu, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Carlyle, Condotta, Dahlquist, Fagan, Hawkins, Hunter, Hurst, Kristiansen, Overstreet, Reykdal, Rodne, Ross, Santos, Scott and Taylor.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1395, by Representatives Sells, Manweller, Reykdal, Wylie, Chandler, Condotta, Hunt, Van De Wege, Green, Warnick, Appleton and Morrell

Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011.

The bill was read the second time.

Representative Sells moved the adoption of amendment (247).

On page 9, beginning on line 12, after "failure" strike all material through "failures" on line 13

On page 9, beginning on line 15, after "subsection." strike all material through "(a)" on line 16

On page 9, beginning on line 19, strike all of subsection (b)

Representative Sells spoke in favor of the adoption of the amendment.

Representative Manweller spoke against the adoption of the amendment.

Amendment (247) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1395.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1395, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1395, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1468, by Representatives Sells, Reykdal, Manweller, Condotta, Ormsby, Van De Wege, Fagan and Green

Modifying payment methods on certain claimants' benefits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1468.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1468, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1473, by Representatives Sells, McCoy, Morrell, Roberts, Takko, Lytton, Green, Ormsby, Bergquist, Freeman, Pollet and Tarleton

Requiring certain entities to report payments for construction services.

The bill was read the second time.

Representative Sells moved the adoption of amendment (34).

On page 1, line 11, after "department." insert "The requirement to report payments under this section begins with payments made in the 2014 taxable year."

Representatives Sells and Manweller spoke in favor of the adoption of the amendment.

Amendment (34) was adopted.

Representative Haler moved the adoption of amendment (54).

On page 1, line 19, after "number;" insert "and"

On page 2, beginning on line 3, after "services" strike all material through "rule" on line 4

Representatives Haler and Sells spoke in favor of the adoption of the amendment.

Amendment (54) was adopted.

The bill was ordered engrossed.

There being no objection, the House deferred action on ENGROSSED HOUSE BILL NO. 1473, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1568, by Representatives Carlyle, Nealey and Ryu

Concerning the business licensing service program administered by the department of revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1568 was substituted for House Bill No. 1568 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1568 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1568, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1648, by Representatives Appleton, Johnson, McCoy, Pike, Ryu, Moscoso and Hansen

Providing for community economic revitalization in incorporated areas.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1648 was substituted for House Bill No. 1648 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1648 was read the second time.

Representative Appleton moved the adoption of amendment (36).

On page 3, line 8, after "plan" insert "or other means of health care coverage"

Representatives Appleton and Warnick spoke in favor of the adoption of the amendment.

Amendment (36) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton, Johnson, Warnick and Angel spoke in favor of the passage of the bill.

COLLOQUY

Representative Johnson: "On page 2, beginning on line 24, the second substitute bill states that the board "must not" provide financing for any public facility project that has the primary purpose of facilitating or promoting a retail shopping development whose floor area exceeds 10,000 square feet; will result in a development or expansion that would displace existing jobs in any other community in the state; has the primary purpose of

facilitating or promoting gambling; is located outside the jurisdiction of the applicant; or will result in a development or expansion of a professional sports arena. On page 3, at line 15, the second substitute bill states that the board “must not” make loans that exceed twenty years; and on page 3, at line 20, the second substitute bill states that one or a combination of loans made to a municipality for a specific project “must not” exceed \$2 million. Is the intent of using the directive language “must not” in this bill to expressly prohibit the board from taking these actions?”

Representative Appleton: “Yes. The second substitute bill is intended to prohibit the board from financing a public facility project that has any of the effects listed in Section 1, paragraph (4) of the bill from making loans that exceed twenty years or from making a loan or combination of loans to a municipality for a specific project that exceeds \$2 million.”

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1648.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1648, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O’Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Kristiansen, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1648, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1818, by Representatives Smith, Maxwell, Magendanz, Morris, Hargrove, Sells, Angel, Ryu, Hayes, Zeiger, Vick, O’Ban, Morrell, Bergquist, Stonier and Fey

Promoting economic development through business and government streamlining projects.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1818.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1818, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O’Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1818, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1841, by Representatives Stonier, Warnick, Dunshee, Morrell, Ryu and Freeman

Authorizing electronic competitive bidding for state public works contracting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1841 was substituted for House Bill No. 1841 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1841 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Warnick and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1841.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1841, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz,

Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1841, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1903, by Representatives Fitzgibbon and Ryu

Providing unemployment insurance benefit charging relief for part-time employers who continue to employ a claimant on a part-time basis and the claimant qualified for two consecutive claims with wages attributable to at least one employer who employed the claimant in both base years.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fitzgibbon and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1903.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1903, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Holy, Klippert, Kretz, Kristiansen, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representative Freeman.

HOUSE BILL NO. 1903, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1247, by Representatives Hansen, Warnick, Smith, Zeiger, Fey, Springer, Tharinger and Santos

Modifying job skills program provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1247 was substituted for House Bill No. 1247 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1247 was read the second time.

Representative Hansen moved the adoption of amendment (98).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28C.04.420 and 2009 c 554 s 2 are each amended to read as follows:

The college board may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the college board, and with the advice of the workforce training customer advisory committee established in RCW 28C.04.390, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. The college board shall work in collaboration with the workforce training customer advisory committee established in RCW 28C.04.390 to assure that:

- (1) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;
- (2) Provision has been made to use any available alternative funding from local, state, and federal sources;
- (3) The job skills grant will only be used to cover the costs associated with the program;
- (4) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;
- (5) The program involves an area of skills training and education for which there is a demonstrable need;
- (6) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;
- (7) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;
- (8) The program represents a collaborative partnership between business, industry, labor, educational institutions, and other partners, as appropriate;
- (9)(a) The commitment of financial support from businesses ((and industry)) with an annual gross business income of five hundred thousand dollars or more shall be equal to or greater than the amount of the requested job skills grant;
- (b) The commitment of financial support from businesses with an annual gross business income of less than five hundred thousand dollars shall be at least equal to the trainees' salaries and benefits while in training;
- (c) The annual gross business income shall be the income reported to the department of revenue for the previous fiscal year;
- (10) The job skills program gives priority to applications:
 - (a) Proposing training that ((leads to transferable skills that are interchangeable among different jobs, employers, or workplaces)) provides college credit or leads to a recognized industry credential;
 - (b) From firms in strategic industry clusters as identified by the state or local areas;
 - (c) Proposing coordination with other cluster-based programs or initiatives including, but not limited to, industry skill panels, centers of excellence, innovation partnership zones, state-supported cluster

growth grants, and local cluster-based economic development initiatives;

(d) ~~((Proposing industry-based credentialing))~~ From consortia of colleges or consortia of employers; and

(e) Proposing increased capacity for educational institutions that can be made available to industry and students beyond the grant recipients;

(11) Binding commitments have been made to the college board by the applicant for adequate reporting of information and data regarding the program to the college board, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the college board as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the ~~((commission))~~ college board and without limitation, right of access to financial and other records of the applicant directly related to the programs; and

(12) A provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees, and that provision has been made by the applicant for the participation as trainees of low-income persons including temporary assistance for needy families recipients, dislocated workers, and persons from minority and economically disadvantaged groups to participate in the program.

Beginning ~~((October 1, 1999))~~ January 1, 2014, and every ~~((two))~~ year(s) thereafter, the college board shall provide the legislature and the governor with a report describing the activities and outcomes of the state job skills program."

Correct the title.

Representatives Hansen and Warnick spoke in favor of the adoption of the amendment.

Amendment (98) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1247.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1247, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford,

Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of. ENGROSSED HOUSE BILL NO. 1473.

HOUSE BILL NO. 1473, by Representatives Sells, McCoy, Morrell, Roberts, Takko, Lytton, Green, Ormsby, Bergquist, Freeman, Pollet and Tarleton

Requiring certain entities to report payments for construction services.

Representative Sells moved the adoption of amendment (35).

On page 3, after line 14, insert the following:

"(8) Funding to implement this section must come from the public works administration account."

On page 3, after line 34, insert the following:

"**Sec. 4.** RCW 39.12.080 and 2006 c 230 s 2 are each amended to read as follows:

The public works administration account is created in the state treasury. The department of labor and industries shall deposit in the account all moneys received from fees or civil penalties collected under RCW 39.12.050, 39.12.065, and 39.12.070. Appropriations from the account may be made only for the purposes of administration of this chapter, including, but not limited to, the performance of adequate wage surveys, and for the investigation and enforcement of all alleged violations of this chapter as provided for in this chapter and chapters 49.48 and 49.52 RCW, and to implement the payment reporting requirements under section 1 of this act."

Correct the title.

Representatives Sells and Manweller spoke in favor of the adoption of the amendment.

Amendment (35) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Reykdal and Green spoke in favor of the passage of the bill.

Representatives Condotta, Smith, Buys, Vick, Orcutt, Schmick, Wilcox and Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1473.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1473, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Clibborn, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Springer, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED HOUSE BILL NO. 1473, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1420, by Representatives Liias, Orcutt, Clibborn and Fey

Concerning public contracts for transportation improvement projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1420 was substituted for House Bill No. 1420 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1420 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Liias and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1420.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1420, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1625, by Representatives Pollet, Clibborn, Kagi, Pedersen, Hunt, Riccelli, Appleton, Hudgins, Moscoso, Fitzgibbon, Morrell, Sells and Bergquist

Concerning certain tow truck operator requirements and rates. Revised for 1st Substitute: Concerning limitations on certain tow truck operator rates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1625 was substituted for House Bill No. 1625 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1625 was read the second time.

Representative Pollet moved the adoption of amendment (205).

On page 2, after line 32, insert the following:

"(5) This section does not affect the authority of any city, town, or county to enforce, maintain, or amend any ordinance, enacted prior to January 1, 2013 and valid under state law in existence at the time of its enactment, that regulates maximum allowable rates and related charges for private impounds by registered tow truck operators."

Representative Pollet spoke in favor of the adoption of the amendment.

Representative Orcutt spoke against the adoption of the amendment.

Amendment (205) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet, Rodne and Orcutt spoke in favor of the passage of the bill.

COLLOQUY

Representative Rodne: "Is it the intent of this bill to affect, one way or another, the pending lawsuit between the City of Seattle and the towing industry?"

Representative Pollet: "No, there is no express preemption and no express carve out for Seattle in the bill. The court will decide whether existing state law preempts the city's ability to enact an ordinance regulating private property impounds."

Representative Rodne: "Thank you. Is it the intent of this bill to affect the enforceability of the current Seattle ordinance?"

Representative Pollet: "No. The bill, particularly after being amended, is crafted to allow Seattle's rates to continue until a court rules on the issue of preemption based on state law existing at the time of the ordinance's enactment. As amended, the bill is very clear that Seattle, as a city which adopted an ordinance prior to January 1, 2013, is not required by RCW 46.55.240 to amend its

ordinance to reflect the rate set out in this bill before the courts have ruled on the issue of preemption.”

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1625.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1625, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Chandler, Condotta, DeBolt, Harris, Kirby and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1625, having received the necessary constitutional majority, was declared passed.

SECOND READING

HOUSE BILL NO. 1644, by Representatives Fey, Klippert, Ryu, Clibborn, Rodne, Hargrove, Moscoso and Pollet

Concerning transportation planning objectives and performance measures for local and regional agencies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1644.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1644, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1644, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1944, by Representative Haler

Addressing vehicle license plate and registration fraud.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1944 was substituted for House Bill No. 1944 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1944 was read the second time.

Representative Haler moved the adoption of amendment (203).

On page 1, beginning on line 14, after "vehicle." strike all material through "plate." on line 18

On page 2, after line 3, insert the following:
 "(d) For purposes of this section, "license plate flipping device" means a device that enables a license plate on a vehicle to be changed to another license plate either manually or electronically. "License plate flipping device" includes technology that is capable of changing the appearance of a license plate to appear as a different license plate."

Representatives Haler and Liias spoke in favor of the adoption of the amendment.

Amendment (203) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler, Liias and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1944.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1944, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy,

Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Kristiansen, MacEwen, Overstreet, Pike, Scott, Shea, Short, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1944, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1028, by Representatives Dahlquist, Hurst and Clibborn

Modifying a portion of the scenic and recreational highway on state route number 410.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dahlquist and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1028.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1028, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Hawkins, Kristiansen, Overstreet, Pike, Scott, Shea and Taylor.

HOUSE BILL NO. 1028, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1892, by Representatives Reykdal, Hunt, Liias, Ryu and Fey

Modifying certain provisions regarding transportation benefit districts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Reykdal spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1892.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1892, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Freeman, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

HOUSE BILL NO. 1892, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1922, by Representatives Moscoso, Angel, Sells, Ryu, Upthegrove, Fitzgibbon, Zeiger, Freeman, Bergquist, Farrell, Takko, Tarleton, Kochmar, Riccelli, Moeller, Fey, Santos and Pollet

Concerning highway construction workforce development.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1922 was substituted for House Bill No. 1922 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1922 was read the second time.

Representative Moscoso moved the adoption of amendment (69).

On page 2, line 5, after "department" insert ", in coordination with the department's apprenticeship utilization advisory committee,"

Representative Moscoso spoke in favor of the adoption of the amendment.

Amendment (69) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moscoso and Clibborn spoke in favor of the passage of the bill.

Representatives Orcutt, Smith and Smith (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1922.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1922, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1922, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1941, by Representatives Habib, Clibborn and Springer

Concerning the adjudication of tolls and accompanying civil penalties.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1941 was substituted for House Bill No. 1941 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1941 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Habib, Orcutt and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1941.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1941, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1941, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1008, by Representatives Hunt, Appleton, Hurst, McCoy, Condotta, Fitzgibbon, Tharinger, Upthegrove, Reykdal and Magendanz

Allowing sales of growlers of cider.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1008.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1008, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Green and Harris.

HOUSE BILL NO. 1008, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1013, by Representatives Appleton, Seaquist, Ryu and Hansen

Authorizing regular meetings of county legislative authorities to be held at alternate locations within the county.

The bill was read the second time.

With the consent of the house, amendment (213) was withdrawn.

Representative Appleton moved the adoption of amendment (14).

On page 1, line 10, after "(2)" strike "Regular" and insert "As an alternative option that may be exercised only on an infrequent and irregular basis, regular"

On page 1, line 10, after "held" strike "on an occasional basis"

Representatives Appleton and Taylor spoke in favor of the adoption of the amendment.

Amendment (14) was adopted.

Representative Angel moved the adoption of amendment (226).

On page 1, line 14, after "government" insert ". However, at any regular meeting held outside of the county seat, the county legislative authority may not take final action.

(3) As used in this section, the term "final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance"

Representative Angel spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (226) was not adopted.

Representative Pollet moved the adoption of amendment (225).

On page 1, after line 14, insert the following:

"(3) The county legislative authority must give notice of any regular meeting held outside of the county seat. Notice must be given at least twenty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(a) Posted on the county's web site;

(b) Published in a newspaper of general circulation in the county; and

(c) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail address."

Representatives Pollet and Taylor spoke in favor of the adoption of the amendment.

Amendment (225) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1013.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Morrell, O'Ban, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

ENGROSSED HOUSE BILL NO. 1013, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1124, by Representatives Hurst and Condotta

Concerning recommendations for streamlining reporting requirements for taxes and fees on spirits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1124.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1124, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler,

Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1124, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1558, by Representatives Warnick, Manweller, Taylor and Morrell

Concerning the taxation of honey beekeepers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1558 was substituted for House Bill No. 1558 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1558 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Warnick, Carlyle and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1558.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1558, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1558, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1117, by Representatives Hansen, Rodne and Pedersen

Concerning the transfer of real property by deed taking effect at the grantor's death.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1117 was substituted for House Bill No. 1117 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1117 was read the second time.

Representative Hansen moved the adoption of amendment (68).

On page 22, beginning on line 20, after "inheritance" strike "or a transfer on death deed"

On page 22, line 22, after "(b)" insert "A transfer by transfer on death deed, to the extent that it is not in satisfaction of a contractual obligation of the decedent owed to the recipient of the property.

(c)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Hansen spoke in favor of the adoption of the amendment.

Amendment (68) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1117.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1117, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1117, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1946, by Representatives Hunt and Reykdal

Concerning special parking privileges for persons with disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1946 was substituted for House Bill No. 1946 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1946 was read the second time.

Representative Klippert moved the adoption of amendment (246).

On page 3, beginning on line 20, after "placard," strike the remainder of the section

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Habib spoke against the adoption of the amendment.

Amendment (246) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1946.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1946, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1946, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1301, by Representatives Morris, Ryu, McCoy, Hudgins, Morrell and Pollet

Creating clean energy jobs in Washington state through renewable energy incentives.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1301 was substituted for House Bill No. 1301 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1301 was read the second time.

Representative Upthegrove moved the adoption of amendment (274).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature makes the following findings:

(1) In order to mitigate the negative consequences of greenhouse gas and particulate air emissions, every state and nation in the world must do its part to develop clean energy technology.

(2) The sooner that economies of scale are available for the manufacture and marketing of renewable energy technologies, the sooner these technologies will become cost-competitive or even less expensive than traditional, polluting sources of energy.

(3) The clean technology sector of the economy is one that is growing rapidly, even in a time when other sectors have been stagnant or in a recession.

(4) In enacting incentives for renewable energy systems, the legislature intends to attract to Washington a vibrant clean technology sector.

(5) The tax incentives created in this act can be an important economic development tool, increasing high-wage employment both east and west of the Cascade mountains.

(6) It is the intent of the legislature, in modifying the existing renewable energy investment cost recovery incentive program, to improve utilization of the incentive by state residents and businesses, streamline program administration, and incubate the development of clean energy technology.

NEW SECTION. Sec. 2. A new section is added to chapter 82.16 RCW to read as follows:

(1) The legislature finds that the effectiveness of attempts to foster job creation and retention are important aspects of setting tax policy. In order to make policy choices regarding the best use of limited state resources, the legislature needs to know how tax incentives are used, and the degree to which incentive programs meet the legislature's intent.

(2) The legislature intends to achieve the following performance milestones as a result of the incentives awarded under this act:

(a) Increased utilization of the available tax credits, as evidenced by:

(i) A one hundred percent increase in the number of solar energy systems installed and receiving the incentive, from the 2012 baseline; and

(ii) A one hundred percent increase in the total generating capacity of installed systems, from the 2012 baseline;

(b) A decrease over time in the levelized cost of the systems receiving the tax preferences; and

(c) Growth of solar-related employment, as evidenced by:

(i) An increase in the total number and per capita rate of solar-related jobs in Washington;

(ii) Achievement of a top ten national ranking for solar-related employment and a top nine ranking for per capita solar-related employment;

(d) An increase in the utilization of, and employment related to, nonsolar renewable energy systems eligible to receive the incentives created in this act; and

(e) Leveraging of nonstate funds, as measured by a report of the total dollar value of tax credits awarded within each county and zip code, and the total amount of nonstate funds leveraged within each county and zip code.

(3)(a) The department must collect, through its application and certification process, data from persons receiving the tax preferences created in this act as necessary to report on progress toward achieving the performance milestones listed in subsection (1) of this section.

(b) In compliance with RCW 43.01.036, the department must submit an annual report to the legislature that details the progress achieved in reaching the outcome specified in subsection (1)(a)(i) of this section.

(4) All recipients of tax credits or incentive payments awarded under this chapter must provide any data requested for reporting purposes. Failure to comply may result in the loss of a tax credit award or incentive payment in the following year.

(5) As part of its 2019 tax preference reviews conducted under chapter 43.136 RCW, the joint legislative audit and review committee must assess the performance of the incentives created in this act, with reference to all of the performance milestones established in this section.

Sec. 3. RCW 82.16.120 and 2011 c 179 s 3 are each amended to read as follows:

~~(1)(a) Any individual, business, local governmental entity, not in the light and power business or in the gas distribution business, or a participant in a community solar project may apply to the light and power business serving the situs of the system, each fiscal year beginning on July 1, 2005, for an investment cost recovery incentive for each kilowatt hour from a customer-generated electricity renewable energy system.)~~ Beginning July 1, 2013, any person, as defined in RCW 82.04.030, may apply to receive a voucher from an agency designated by the governor entitling the person to receive annual incentive payments from the light and power business serving the situs of a renewable energy system for a term of ten years. Throughout this act, "agency designated by the governor" means any unit of state government that the governor designates to administer the program created in this chapter. Eligibility to receive the voucher is limited as follows:

(a) The person applying to receive the voucher must be:

(i) The meter holder, meaning the party responsible to the light and power business for paying for electricity transmitted to the situs of an eligible renewable energy system;

(ii) The owner of the renewable energy system; and

(iii) Not a person who is a light and power business.

(b) In the case of a community solar project as defined in RCW 82.16.110(2)(a)(i), the administrator must apply for the investment cost recovery incentive on behalf of each of the other owners.

(c) In the case of a community solar project as defined in RCW 82.16.110(2)(a)(iii), the company owning the community solar project must apply for the investment cost recovery incentive on behalf of each member of the company.

~~((2))~~ (d) In the case of a customer-generated renewable energy system for which a person has already received payments prior to July 1, 2013, under RCW 82.16.120, a person may apply to receive a voucher as provided in this act entitling the person to receive incentive payments until June 30, 2023.

(2) The award of a voucher creates a contractually enforceable promise on behalf of the state to authorize the light and power

business to receive a credit against the taxes due under this chapter for an amount equal to the annual incentive payments made under this section in any fiscal year. A light and power business that chooses to participate in the voucher program created in this section may cease to accept vouchers for new systems at any time, but must continue to make payments pursuant to any existing voucher for its entire term, unless a court has declared the incentives provided under this section to be illegal.

(3) Eligibility to receive the incentive payments provided in subsection (1) of this section is limited as follows:

(a) The person applying to receive the voucher must be the meter holder, meaning the party responsible to the light and power business for paying for electricity transmitted to the situs of an eligible renewable energy system. The meter holder need not occupy the real property upon which the system is installed; and

(b) An owner of the renewable energy system.

(4) When the meter holder is a residential retail electric customer, the system must have an electrical generating capacity of not more than five kilowatts, and when the meter holder is not a residential retail electric customer, the system must have an electrical generating capacity of not more than one hundred kilowatts.

~~(5)(a) Before submitting for the first time the application for the incentive allowed under ((subsection (4) of)) this section, the applicant must submit to the department of revenue and to the ((climate and rural energy development center at the Washington State University, established under RCW 28B.30.642,))~~ agency designated by the governor a certification in a form and manner prescribed by the department that includes, but is not limited to, the following information:

(i) The name and address of the applicant and location of the renewable energy system.

(A) If the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), the certification must also include the name and address of each of the owners of the community solar project.

(B) If the applicant is a company that owns a community solar project as defined in RCW 82.16.110(2)(a)(iii), the certification must also include the name and address of each member of the company;

(ii) The applicant's tax registration number;

(iii) That the electricity produced by the applicant meets the definition of "customer-generated electricity" or is generated by a system that meets the eligibility requirements set forth in subsection (3) of this section, and that the renewable energy system produces electricity with:

(A) Any solar inverters and solar modules manufactured in Washington state;

(B) A wind generator powered by blades manufactured in Washington state;

(C) A solar inverter manufactured in Washington state;

(D) A solar module manufactured in Washington state;

(E) A stirling converter manufactured in Washington state; or

(F) Solar or wind equipment manufactured outside of Washington state;

(iv) That the electricity can be transformed or transmitted for entry into or operation in parallel with electricity transmission and distribution systems; ~~(and)~~

(v) The date that the renewable energy system received its final electrical permit from the applicable local jurisdiction;

(vi) The annual electricity consumption at the meter in the previous calendar year, or an engineering estimate of the projected annual consumption, if no record of annual consumption at the meter is available or if electricity consumption at the meter has substantially changed; and

(vii) A projection of the annual electricity production of the system in kilowatt-hours.

(b) Within thirty days of receipt of the certification the ~~((department of revenue))~~ agency designated by the governor must notify the applicant by mail, or electronically as provided in RCW 82.32.135, whether the renewable energy system qualifies for an incentive under this section. ~~((The department may consult with the climate and rural energy development center to determine eligibility for the incentive.))~~ The agency designated by the governor must either issue the voucher or inform the applicant of the reason that the application is denied. System certifications, applications, vouchers, and the information contained therein are subject to disclosure under RCW 82.32.330(3)(l).

~~((3))~~ (c) The agency designated by the governor is authorized to assess an application fee to recover its costs of administering the program established in this section.

(6)(a) The agency designated by the governor must also transmit the voucher electronically as provided in RCW 82.32.135 to the light and power business serving the situs of the system.

(b) The voucher must state the first and last day of the ten-year term, or other term in the case of persons receiving a voucher as provided in subsection (1)(d) of this section, for which the applicant has qualified to receive production incentive payments from the light and power business.

(c) The light and power business, upon receiving the voucher, must make incentive payments for each kilowatt-hour of electricity generated.

(d) If, during the ten-year term of the voucher, there is a change in the meter holder and a new party becomes financially responsible to the light and power business, the voucher is transferrable to the new meter holder, provided that the new meter holder is also a person eligible to receive payments under this section.

(7)(a) By August 1st of each year ~~((application for the incentive must be made to the light and power business serving the situs of the system by certification in a form and manner prescribed by the department that includes, but is not limited to, the following information))~~, the agency designated by the governor must receive a report of the amount of kilowatt-hours generated in the immediately preceding fiscal year by any system for which a person is receiving incentive payments pursuant to this section. The report may be submitted in one of the following ways:

(i) ~~((The name and address of the applicant and location of the renewable energy system.~~

— (A) If the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), the application must also include the name and address of each of the owners of the community solar project.

— (B) If the applicant is a company that owns a community solar project as defined in RCW 82.16.110(2)(a)(iii), the application must also include the name and address of each member of the company;

— (ii) The applicant's tax registration number;

— (iii) The date of the notification from the department of revenue stating that the renewable energy system is eligible for the incentives under this section; and

— (iv) A statement of the amount of kilowatt hours generated by the renewable energy system in the prior fiscal year.) The light and power business serving the situs of the system may report the amount of kilowatt-hours generated by the system over the course of the year, as determined by reading a production meter or any other meter that the utility determines to be ninety-eight percent accurate; or

(ii) The person receiving incentive payments may submit a statement in the form of a sworn affidavit reporting the amount of kilowatt-hours generated by the system over the course of the year.

(b) Within sixty days of receipt of the ~~((incentive certification))~~ report required by subsection (7) of this section, the agency designated by the governor must notify the light and power business serving the situs of the system ~~((must notify the applicant in writing))~~ whether the incentive payment will be authorized or denied. The

business may consult with the climate and rural energy development center to determine eligibility for the incentive payment. Incentive certifications and the information contained therein are subject to disclosure under RCW 82.32.330(3)(l).

(c)(i) Persons, administrators of community solar projects, and companies receiving incentive payments must keep and preserve, for a period of five years, suitable records as may be necessary to determine the amount of incentive applied for and received. Such records must be open for examination at any time upon notice by the light and power business that made the payment or by the department. If upon examination of any records or from other information obtained by the business or department it appears that an incentive has been paid in an amount that exceeds the correct amount of incentive payable, the business may assess against the person for the amount found to have been paid in excess of the correct amount of incentive payable and must add thereto interest on the amount. Interest is assessed in the manner that the department assesses interest upon delinquent tax under RCW 82.32.050.

(ii) If it appears that the amount of incentive paid is less than the correct amount of incentive payable the business may authorize additional payment.

~~((4))~~ (8) Except for community solar projects, the investment cost recovery incentive may be paid fifteen cents per economic development kilowatt-hour unless requests exceed the amount authorized for credit to the participating light and power business. For community solar projects, the investment cost recovery incentive may be paid thirty cents per economic development kilowatt-hour unless requests exceed the amount authorized for credit to the participating light and power business. For the purposes of this section, the rate paid for the investment cost recovery incentive may be multiplied by the following factors:

(a) For ~~((customer generated))~~ electricity produced using solar modules manufactured in Washington state or a solar stirling converter manufactured in Washington state, two and four-tenths;

(b) For ~~((customer generated))~~ electricity produced using a solar or a wind generator equipped with an inverter manufactured in Washington state, one and two-tenths;

(c) For ~~((customer generated))~~ electricity produced using an anaerobic digester, or by other solar equipment or using a wind generator equipped with blades manufactured in Washington state, one; and

(d) For all other ~~((customer generated))~~ electricity produced by wind, eight-tenths.

~~((5)(a) No individual, household, business, or local governmental entity is eligible for incentives provided under subsection (4) of this section for more than five thousand dollars per year.))~~ (9) On or after July 1, 2018, a new base rate and multipliers may go into effect. New rates and multipliers adopted under the authority of this subsection will be applicable to any vouchers awarded after July 1, 2018. The rates must be adjusted to reflect decreases in the capital costs of purchasing and installing a renewable energy system, changes in the leveled costs of such systems, or other factors that the agency deems relevant to fulfilling the purpose of incentivizing job growth and the environmental and economic benefits of renewable energy in the state.

(10)(a) No person is eligible for incentives under this section for electricity generated in excess of the net kilowatt-hours consumed annually at the metered location. No person is eligible for incentives provided under this section for more than twenty-five thousand dollars per year per eligible renewable energy system.

(b) Except as provided in (c) through ~~((e))~~ (d) of this subsection ~~((5))~~ (10), each applicant in a community solar project is eligible for up to five thousand dollars per year.

(c) Where the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), each owner is eligible

for an incentive but only in proportion to the ownership share of the project, up to five thousand dollars per year.

(d) Where the applicant is a company owning a community solar project that has applied for an investment cost recovery incentive on behalf of its members, each member of the company is eligible for an incentive that would otherwise belong to the company but only in proportion to each ownership share of the company, up to five thousand dollars per year. The company itself is not eligible for incentives under this section.

~~((e) In the case of a utility owned community solar project, each ratepayer that contributes to the project is eligible for an incentive in proportion to the contribution, up to five thousand dollars per year. (6)) (11) If, at any time before July 1, 2018, requests for the investment cost recovery incentive exceed fifty percent of the amount of funds available for credit to the participating light and power business, the ((incentive payments must be reduced proportionately. (7) The climate and rural energy development center at Washington State University energy program may establish guidelines and standards for technologies that are identified as Washington manufactured and therefore most beneficial to the state's environment)) agency designated by the governor must notify the governor and the legislature and must adjust base rates and multipliers to a level expected to allow all eligible systems to continue to apply for and receive incentives. New rates and multipliers adopted under the authority of this subsection (11) will be applicable to any vouchers awarded after the new rates and multipliers are adopted.~~

~~((8)) (12) The environmental attributes of the renewable energy system belong to the applicant, and do not transfer to the state or the light and power business upon receipt of the investment cost recovery incentive.~~

~~((9)) (13) No incentive may be paid under this section for kilowatt-hours generated before July 1, 2005((, or after June 30, 2020)). No new vouchers may be issued after June 30, 2023.~~

Sec. 4. RCW 82.16.130 and 2010 c 202 s 3 are each amended to read as follows:

(1) A light and power business ~~((shall be))~~ is allowed a credit against taxes due under this chapter in an amount equal to the investment cost recovery incentive payments made in any fiscal year under RCW 82.16.120. The credit shall be taken in a form and manner as required by the department. ~~((The credit under this section for the fiscal year may not exceed one half percent of the businesses' taxable power sales due under RCW 82.16.020(1)(b) or one hundred thousand dollars, whichever is greater.))~~

(2) Incentive payments to participants in a utility-owned community solar project as defined in RCW 82.16.110(2)(a)(ii) may only account for up to twenty-five percent of the total allowable credit. Incentive payments to participants in a company-owned community solar project as defined in RCW 82.16.110(2)(a)(iii) may only account for up to five percent of the total allowable credit.

(3) The total credit claimed under this section may not exceed the tax that would otherwise be due under this chapter. Refunds ~~((shall))~~ may not be granted in the place of credits. Expenditures not used to earn a credit in one fiscal year may not be used to earn a credit in subsequent years.

~~((2))~~ (4) For any light and power business that has claimed credit for amounts that exceed the correct amount of the incentive payable under RCW 82.16.120, the amount of tax against which credit was claimed for the excess payments ~~((shall be))~~ is immediately due and payable. The department ~~((shall))~~ must assess interest but not penalties on the taxes against which the credit was claimed. Interest ~~((shall be))~~ is assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW, retroactively to the date the credit was claimed, and ~~((shall))~~ accrues until the taxes against which the credit was claimed are repaid.

~~((3) The right to earn tax credits under this section expires June 30, 2020. Credits may not be claimed after June 30, 2021.))~~ (5) For

incentive payments made pursuant to RCW 82.16.120, the authority of the agency designated by the governor to issue a voucher expires June 30, 2023.

(6) The total credits available under this section is the aggregate of 0.5% of each participating light and power businesses' annual taxable power sales in the immediately preceding calendar year. Credits are available on a first-come, first-served basis.

NEW SECTION. Sec. 5. A new section is added to chapter 82.16 RCW to read as follows:

(1) The legislature finds that allowing utilities to finance and own renewable energy systems may help achieve the objectives of increasing the number of renewable energy systems in the state and incubating the development of the state's clean energy technology industry. Third-party ownership is also a tool to increase access to renewable energy systems for those residents and businesses who cannot leverage sufficient capital to pay the full cost of a renewable energy system upfront. The legislature intends to make a renewable energy investment cost recovery incentive tax credit available to renewable energy systems owned and financed by utilities.

(2) A qualifying utility, as defined in RCW 19.285.030(18), may claim a credit under this section for electricity generated by a solar energy system that has a generating capacity of not more than one hundred kilowatts, is installed on the premises of a residential or commercial retail electric customer of the qualifying utility in Washington, and is owned by the qualifying utility.

(3) The credit allowed for solar energy systems owned by a qualifying utility may not exceed 0.5% of the qualifying utility's taxable power sales due under RCW 82.16.020(1)(b), or one hundred thousand dollars, whichever is greater.

(4) The credit that may be claimed by a qualifying utility for power generated by a solar energy system is equal to the amount of incentive payment a community solar project with the same power generation, consumption, and system components would have been eligible to receive under RCW 82.16.120.

(5) The environmental attributes of the solar energy system belong to the qualifying utility.

(6) The total credit claimed under this section and RCW 82.16.130 may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Expenditures not used to earn a credit in one fiscal year may not be used to earn a credit in subsequent years.

(7) For any qualifying utility that has claimed credit for amounts that exceed the correct amount of the incentive payable under RCW 82.16.120, the amount of tax against which credit was claimed for the excess payments is immediately due and payable. The department must assess interest but not penalties on the taxes against which the credit was claimed. Interest is assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW retroactively to the date the credit was claimed and accrues until the taxes against which the credit was claimed are repaid.

(8) The legislature intends to achieve the following performance milestones as a result of the tax preference created in this section:

(a) Increased utilization of available tax credits at a growth rate of five percent each year for the first five years of the program; and

(b) Improved ability of consumers, regardless of their ability to pay upfront for the full capital costs of a renewable energy system, to install renewable energy systems on their real property. This milestone must be tracked by requiring those applying to receive incentive payments for a system owned or financed by a third party to indicate in their application whether they would have had the financial ability to fully fund the upfront installation costs for a system if systems leased from third-party owners had not been eligible to receive the incentive.

(9)(a) In the calendar year preceding the expiration of this section, the joint legislative audit and review committee must report to the

legislature on the effectiveness of the program in achieving the objectives described in subsection (8) of this section.

(b) Upon request of the joint legislative audit and review committee, the department of revenue and other agencies must cooperate by providing any data or information requested.

(10)(a) The qualifying utility must provide the customer on whose premises a solar energy system is being installed a contract that includes, but is not limited to, the following information:

(i) A guarantee of the minimum annual kilowatt-hours that the system will generate for the entire term of the contract;

(ii) In the case of a lease, a clear payment schedule with a total amount, inclusive of all fees, costs, and other charges, listed for each month and for each year of the entire term of the lease agreement;

(iii) An acknowledgment that the utility is responsible for system installation, repairs, and monitoring for the duration of the agreement;

(iv) Protections against damage to the customer's property caused by the system, its installation, and removal, including a clear statement of whose responsibility it is to pay any costs associated with restoring the customer's property to its original condition after removal of the system at the end of the lease term; and

(v) A disclosure of the terms and conditions governing when the property is sold or transferred.

(b) A qualifying utility must provide the customer a separate document with an easy to read, nontechnical summary of the provisions required under (a) of this subsection.

(c) The qualifying utility must compile and make available to the joint legislative audit and review committee a report of the average price per kilowatt-hour of electricity generated by the systems authorized in this section, as compared to the average price per kilowatt-hour of electricity generated by systems that received or are receiving the incentive under RCW 82.16.120.

(11) After December 31, 2015, if in compliance with other applicable law or rule, the agency designated by the governor may authorize renewable energy systems owned by third parties other than utilities to qualify for the incentives created under RCW 82.16.120. Nonutility third-party owners of renewable energy systems may only be authorized to receive the incentives if, in the agency's determination, based on objective criteria, such ownership is consistent with the legislature's objectives as established in section 2 of this act and subsection (1) of this section. The agency, in making its determination, must hold meetings with interested parties, and provide notice and an opportunity for public comment.

NEW SECTION. Sec. 6. A new section is added to chapter 80.28 RCW to read as follows:

(1)(a) Upon request by an electrical company, the commission may approve a tariff allowing the company to recover its costs from acquiring, installing, operating, and maintaining cost-effective distributed solar energy systems at the premises of retail electric customers of the company.

(b) The cost basis for a distributed solar energy system must include, but may not be limited to:

(i) A fair return on common equity equal to the return that the commission has authorized for the company's other capital assets;

(ii) The cost of debt incurred for investments made in the acquisition, installation, operation, and maintenance of distributed solar energy systems; and

(iii) Any reasonable incentive the company may offer to a retail electric customer to secure the right to place a distributed solar energy system on their premises.

(c) Costs incurred by the company to acquire, install, operate, and maintain a distributed solar energy system must be offset by:

(i) The value of an investment cost recovery incentive payable to the company under sections 5 and 6 of this act;

(ii) The estimated value of renewable energy credits produced by distributed solar energy systems owned by the company; and

(iii) The value of any other state and federal tax credits that may accrue to the company from the production of energy from a distributed solar energy system.

(d) If the company determines that a customer or class of customers should contribute a reasonable amount to the electrical utility's cost of acquiring, installing, operating, and maintaining a distributed solar energy system in order for the system to be cost-effective, it may specify the amount of the contribution in its tariff. The commission may approve or deny the company's request to include a customer contribution in the tariff, or revise the contribution requirement to an amount that will not increase financial risk to the company's shareholders or other customers. The commission may only deny the request for a customer contribution upon a finding that the tariff is fair, just, reasonable, and sufficient without the customer contribution requirement.

(e)(i) Once the company has recovered its costs under the tariff, the distributed solar energy system is no longer necessary and useful to the company pursuant to RCW 80.12.020. The tariff must specify the terms and conditions, including guidelines for establishing a fair market value, under which a customer may purchase the distributed solar energy system located at its premises after the company has recovered its costs under the tariff. Once the company has recovered its costs under the tariff, it may convey ownership of a distributed solar energy system without cost to a retail electric customer who has made a contribution under (d) of this subsection.

(ii) Any payments received by a company from the sale of distributed solar energy systems must be deposited in a segregated account to be used by the company to supplement any other measures it may use under (c) of this subsection to offset costs incurred by the company to acquire, install, operate, and maintain a distributed solar energy system.

(2) A distributed solar energy system that has been installed pursuant to this section is not eligible for net metering under chapter 80.60 RCW while the system is owned by the company.

(3) For the purposes of this section:

(a) "Cost-effective" means, at the time a distributed solar energy system is placed in the rate base, the distributed solar energy system is reasonably expected to generate energy at a total incremental system cost, per unit of energy delivered to end use, that is less than, or equal to, the comparable cost from the lowest reasonable cost eligible renewable resource, as identified in the company's last completed integrated resource plan under chapter 19.280 RCW, considering:

(i) The value of an investment cost recovery incentive payable to the company under RCW 82.16.120;

(ii) The estimated value of renewable energy credits produced by distributed solar energy systems owned by the company;

(iii) The value of any other state and federal tax credits that may accrue to the company from the production of energy from a distributed solar energy system; and

(iv) The financial contribution that may be required from a customer pursuant to subsection (1)(d) of this section.

(b) "Distributed solar energy system" means any device or combination of devices or elements that relies upon direct sunlight as an energy source for use in the generation of electricity and has an electrical generating capacity of not more than five kilowatts, when the meter holder is a residential retail electric customer, and not more than one hundred kilowatts, when the meter holder is a commercial retail electric customer.

(c) "Eligible renewable resource" has the same meaning as defined under RCW 19.285.030.

(4) This section expires December 31, 2020.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."
Correct the title.

Representatives Morris, and Crouse spoke in favor of the adoption of the amendment.

Amendment (274) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris, Morris (again) and Uptegrove spoke in favor of the passage of the bill.

Representatives Smith, Nealey, Dahlquist and Wilcox spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Condotta was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1301.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1301, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Crouse, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Uptegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1301, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1374, by Representatives Morris and Fey

Concerning the energy facility site evaluation council.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1374 was substituted for House Bill No. 1374 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1374 was read the second time.

Representative Morris moved the adoption of amendment (257).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 80.50.010 and 2001 c 214 s 1 are each amended to read as follows:

The legislature finds that the present and predicted growth in energy demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and the identification of a state position with respect to ~~((each))~~ the proposed site. The legislature also finds that there is a critical need for infrastructure to ensure the safe and reliable operations of electrical generation and energy transmission systems in Washington and the region. The legislature recognizes that the selection of sites will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington to recognize the ~~((pressing))~~ need for increased energy facilities, and to ensure through available and reasonable methods, that the location and operation of ~~((such))~~ facilities will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for energy facility location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

~~(3) ((To provide abundant energy at reasonable cost.~~
~~—(4))~~ To avoid costs of complete site restoration and demolition of improvements and infrastructure at unfinished nuclear energy sites, and to use unfinished nuclear energy facilities for public uses, including economic development, under the regulatory and management control of local governments and port districts.

~~((5))~~ (4) To avoid costly duplication in the siting process and ensure that decisions are made timely and without unnecessary delay.

Sec. 2. RCW 80.50.020 and 2010 c 152 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative energy resource" includes energy facilities of the following types: (a) Wind; (b) solar energy; (c) geothermal energy; (d) landfill gas; (e) wave or tidal action; ~~((f))~~ (f) energy storage; or (g) biomass energy based on solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) "Applicant" means any person who makes application for a site certification pursuant to the provisions of this chapter.

(3) "Application" means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this chapter, unless the context otherwise requires.

(4) "Associated facilities" means storage, transmission, handling, or other related and supporting facilities connecting an energy plant with the existing energy supply, processing, or distribution system, including, but not limited to, communications, controls, mobilizing or maintenance equipment, instrumentation, and other types of ancillary transmission equipment, off-line storage or venting required for efficient operation or safety of the transmission system and overhead, and surface or subsurface lines of physical access for the inspection, maintenance, and safe operations of the transmission facility and new transmission lines constructed to operate at nominal voltages of at least 115,000 volts to connect a thermal power plant or alternative energy facilities to the northwest power grid. However, common carrier railroads or motor vehicles shall not be included.

(5) "Biofuel" has the same meaning as defined in RCW 43.325.010.

(6) "Certification" means a binding agreement between an applicant and the state which shall embody compliance to the siting standards and guidelines, in effect as of the date of certification, which have been adopted pursuant to RCW 80.50.040 as now or hereafter amended as conditions to be met prior to or concurrent with the construction or operation of any energy facility.

(7) "Construction" means on-site improvements, excluding exploratory work, which cost in excess of two hundred fifty thousand dollars.

(8) "Council" means the energy facility site evaluation council created by RCW 80.50.030.

(9) "Counsel for the environment" means an assistant attorney general or a special assistant attorney general who shall represent the public ~~((in accordance with RCW 80.50.080)).~~

(10) "Electrical transmission facilities" means electrical power lines and related equipment.

(11) "Energy facility" means an energy plant or transmission facilities: PROVIDED, That the following are excluded from the provisions of this chapter:

(a) Facilities for the extraction, conversion, transmission or storage of water, other than water specifically consumed or discharged by energy production or conversion for energy purposes; and

(b) Facilities operated by and for the armed services for military purposes or by other federal authority for the national defense.

(12) "Energy plant" means the following facilities together with their associated facilities:

(a) Any nuclear power facility where the primary purpose is to produce and sell electricity;

(b) Any nonnuclear stationary thermal power plant ~~((with generating capacity of three hundred fifty thousand kilowatts or more, measured using maximum continuous electric generating capacity, less minimum auxiliary load, at average ambient temperature and pressure,))~~ and floating thermal power plants ~~((of one hundred thousand kilowatts or more))~~ suspended on the surface of water by means of a barge, vessel, or other floating platform;

(c) Facilities which will have the capacity to ~~((receive))~~ import or export liquefied natural gas ~~((in the equivalent of more than one hundred million standard cubic feet of natural gas per day, which))~~ that has been or will be transported over land or marine waters;

(d) Facilities which will have the capacity to receive more than an average of fifty thousand barrels per day of crude or refined petroleum or liquefied petroleum gas which has been or will be transported over marine waters, except that the provisions of this chapter shall not apply to storage facilities unless occasioned by such new facility construction;

(e) Any underground reservoir for receipt and storage of natural gas as defined in RCW 80.40.010 ~~((capable of delivering an average~~

~~of more than one hundred million standard cubic feet of natural gas per day)); ((and))~~

(f) Facilities capable of processing more than twenty-five thousand barrels per day of petroleum or biofuel into refined products except where such biofuel production is undertaken at existing industrial facilities; and

~~((g) Any alternative energy resource.~~

(13) "Independent consultants" means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies.

(14) "Land use plan" means a comprehensive plan or land use element thereof adopted by a unit of local government pursuant to chapter 35.63, 35A.63, 36.70, or 36.70A RCW, or as otherwise designated by chapter 325, Laws of 2007.

(15) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

(16) "Preapplicant" means a person considering applying for a site certificate agreement for any transmission facility.

(17) "Preapplication process" means the process which is initiated by written correspondence from the preapplicant to the council, and includes the process adopted by the council for consulting with the preapplicant and with cities, towns, and counties prior to accepting applications for all transmission facilities.

(18) "Secretary" means the secretary of the United States department of energy.

(19) "Site" means any proposed or approved location of an energy facility, alternative energy resource, or electrical transmission facility.

(20) "Thermal power plant" means, for the purpose of certification, any electrical generating facility ~~((using))~~ combusting any gaseous, liquid, or solid fuel ((for distribution of electricity by electric utilities)) or using heat to create steam for the generation of electricity.

(21) "Transmission pipeline facility" means any of the following together with their associated facilities:

(a) Crude or refined petroleum or liquid petroleum product transmission pipeline of the following dimensions: A pipeline larger than six inches minimum inside diameter between valves for the transmission of these products with a total length of at least fifteen miles;

(b) Natural gas, synthetic fuel gas, or liquefied petroleum gas transmission pipeline ~~((of the following dimensions: A pipeline larger than fourteen inches minimum inside diameter between valves, for the transmission of these products,))~~ with a total length of at least fifteen miles that operates in excess of twenty percent of the specified minimum yield strength and the pipeline is used for the purpose of delivering gas to a distribution facility, except an interstate natural gas pipeline regulated by the United States federal power commission; and

~~((c) A transmission pipeline facility may include a pipeline carrying federally listed hazardous waste to the energy facility.~~

(22) "Zoning ordinance" means an ordinance of a unit of local government regulating the use of land and adopted pursuant to chapter 35.63, 35A.63, 36.70, or 36.70A RCW or Article XI of the state Constitution, or as otherwise designated by chapter 325, Laws of 2007.

(23) "Electric utility" means an electric utility, as the term "electric utility" is defined in RCW 19.29A.010.

(24) "Proven energy technology" means any energy technology used in an energy facility offered for sale in the United States and preapproved by the council.

Sec. 3. RCW 80.50.030 and 2010 c 271 s 601 and 2010 c 152 s 2 are each reenacted and amended to read as follows:

(1) There is created and established the energy facility site evaluation council.

(2)(a) The chair of the council shall be appointed by the governor with the advice and consent of the senate, shall have a vote on matters before the council, shall serve for a term coextensive with the term of the governor, and is removable for cause. The chair may designate a member of the council to serve as acting chair in the event of the chair's absence. The salary of the chair shall be determined under RCW 43.03.040. The chair is a "state employee" for the purposes of chapter 42.52 RCW. As applicable, when attending meetings of the council, members may receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060, and are eligible for compensation under RCW 43.03.250.

(b) The chair or a designee shall execute all official site application documents(~~(, contracts,))~~ and other materials on behalf of the council. The chair shall manage the scheduling of all public meetings necessary for site certification of an energy facility and preside over meetings of the council. The Washington utilities and transportation commission shall provide all administrative and staff support for the council. The commission has supervisory authority over the staff of the council and shall employ such personnel as are necessary to implement this chapter. Not more than three such employees may be exempt from chapter 41.06 RCW. The utilities and transportation commission shall serve as the fiscal agent for the council, ensuring compliance with state law, and shall execute contracts in consultation with the council. The council shall otherwise retain its independence in exercising its powers, functions, and duties (~~and its supervisory control over nonadministrative staff support~~) relating to site applications. Membership, powers, functions, and duties of the Washington state utilities and transportation commission and the council shall otherwise remain as provided by law.

(3)(a) The council shall consist of (~~the directors, administrators, or their designees, of the following departments, agencies, commissions, and committees or their statutory successors:~~

- ~~— (i) Department of ecology;~~
- ~~— (ii) Department of fish and wildlife;~~
- ~~— (iii) Department of commerce;~~
- ~~— (iv) Utilities and transportation commission; and~~
- ~~— (v) Department of natural resources.~~

~~(b) The directors, administrators, or their designees, of the following departments, agencies, and commissions, or their statutory successors, may participate as councilmembers at their own discretion provided they elect to participate no later than sixty days after an application is filed:~~

- ~~— (i) Department of agriculture;~~
- ~~— (ii) Department of health;~~
- ~~— (iii) Military department; and~~
- ~~— (iv) Department of transportation.~~

~~(c) Council membership is discretionary for agencies that choose to participate under (b) of this subsection only for applications that are filed with the council on or after May 8, 2001. For applications filed before May 8, 2001, council membership is mandatory for those agencies listed in (b) of this subsection);~~

(i) Two members of the growth management hearings board, preferably with experience or training in energy facilities or environmental impact analyses under the state environmental policy act;

(ii) The director, administrator, or their designee, of the department of fish and wildlife; and

(iii) The director, administrator, or their designee, of the department of ecology.

(b) If the proposed energy facility is proposed to be sited on or across shorelines of the state, as defined in RCW 90.58.030, or forest

land, as defined in RCW 76.09.020, the chair shall invite, depending on the impacts, a member from the shorelines hearings board for proposals that involve shorelines of the state and a designee from the department of natural resources for proposals that involve forest land to participate as a council member. If a member of the shorelines hearings board or a designee from the department of natural resources is invited and participates in the site certification of a proposed energy facility, that council member or designee shall serve on the council in place of one of the two growth management hearings board members.

(4) The appropriate county legislative authority of every county wherein an application for a proposed site is filed shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site.

(5) The city legislative authority of every city within whose corporate limits an energy facility is proposed to be located shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the city which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site.

(6) For any port district wherein an application for a proposed port facility is filed subject to this chapter, the port district shall appoint a member or designee as a nonvoting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the port district which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site. The provisions of this subsection shall not apply if the port district is the applicant, either singly or in partnership or association with any other person.

(7) If the proposed energy facility is a nuclear power plant, the department of health shall appoint a designee from the department as a voting member of the council. The appointed designee shall sit with the council only at such times as the council considers the proposed site for a nuclear power plant, and the designee shall serve until there has been a final acceptance or rejection of the proposed site.

Sec. 4. RCW 80.50.040 and 2001 c 214 s 6 are each amended to read as follows:

The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations, pursuant to chapter 34.05 RCW, to carry out the provisions of this chapter, and the policies and practices of the council in connection therewith;

(2) To develop and apply environmental and ecological guidelines and standards in relation to the type, design, location, construction, and operational conditions of certification of energy facilities subject to this chapter;

(3) To establish rules of practice for the conduct of public hearings (~~pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.05 RCW);~~

(4) To prescribe the form, content, and necessary supporting documentation for site certification;

(5) To receive applications for energy facility locations and to investigate the sufficiency thereof;

(6) To (~~make and~~) enter into contracts, when applicable, for independent studies of sites proposed by the applicant, subject to the provisions of RCW 39.26.120;

(7) To conduct hearings on the proposed location of the energy facilities;

(8) (~~To prepare written reports to the governor which shall include: (a) A statement indicating whether the application is in compliance with the council's guidelines, (b) criteria specific to the~~

~~site and transmission line routing, (c) a council recommendation as to the disposition of the application, and (d) a draft certification agreement when the council recommends approval of the application;)) To approve or deny an application for site certification of a proposed energy facility;~~

(9) To prescribe the means for monitoring of the effects arising from the construction and the operation of energy facilities to assure continued compliance with terms of certification and/or permits issued by the council pursuant to chapter 90.48 RCW or subsection (12) of this section: PROVIDED, That any on-site inspection required by the council shall be performed by other state agencies pursuant to interagency agreement: PROVIDED FURTHER, That the council may retain authority for determining compliance relative to monitoring;

(10) To integrate its site evaluation activity with activities of federal agencies having jurisdiction in such matters to avoid unnecessary duplication;

(11) To present state concerns and interests to other states, regional organizations, and the federal government on the location, construction, and operation of any energy facility which may affect the environment, health, or safety of the citizens of the state of Washington;

(12) To issue permits in compliance with applicable provisions of the federally approved state implementation plan adopted in accordance with the Federal Clean Air Act, as now existing or hereafter amended, for the new construction, reconstruction, or enlargement or operation of energy facilities: PROVIDED, That such permits shall become effective only if the ~~((governor))~~ council approves an application for certification and executes a certification agreement pursuant to this chapter: AND PROVIDED FURTHER, That all such permits be conditioned upon compliance with all provisions of the federally approved state implementation plan which apply to energy facilities covered within the provisions of this chapter; ~~((and))~~

(13) To serve as an interagency coordinating body for energy-related issues;

(14) To develop standards for an expedited siting process for the state of Washington, local governments, and other political subdivisions of the state in relation to the type, design, location, construction, operational conditions, and decommissioning of energy facilities subject to this chapter; and

(15) To enter into interlocal agreements with towns, cities, and counties for the purpose of issuing site certifications for energy facilities within the geographic jurisdiction of the local government.

NEW SECTION. Sec. 5. A new section is added to chapter 80.50 RCW to read as follows:

(1) Beginning December 1, 2014, the council must use:

(a) Council standards as provided under Title 463 WAC for the siting, construction, operation, and decommissioning of energy facilities; or

(b) For issues not addressed in the standards in (a) and (d) of this subsection, Oregon Administrative Rules, chapter 345, in effect as of January 1, 2013, except for the following:

- (i) Oregon Administrative Rule 345-023-0005;
- (ii) Oregon Administrative Rule 345-023-0020;
- (iii) Oregon Administrative Rule 345-023-0030;
- (iv) Oregon Administrative Rule 345-023-0040;
- (v) Oregon Administrative Rule 345-024-0500;
- (vi) Oregon Administrative Rule 345-022-0080; and
- (vii) Oregon Administrative Rule 345-022-0030.

(c) When Oregon Administrative Rules reference an Oregon state agency or other Oregon governmental entity, the council must identify the most equivalent Washington state agency or governmental entity and substitute the Washington agency or entity in place of the Oregon state agency or Oregon governmental entity.

(d) To issue a site certificate, the council, after consultation with

appropriate state agencies, must find that:

(i) For plant species that the Washington state natural heritage program has listed as threatened or endangered under chapter 79.70 RCW, the design, construction, and operation of the proposed facility, taking into account mitigation:

(A) Are consistent with the protection and conservation program, if any, that the natural heritage program has adopted under chapter 79.70 RCW; or

(B) If the natural heritage program has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(ii) For wildlife species that the Washington department of fish and wildlife has listed as threatened or endangered under RCW 77.12.020, the design, construction, and operation of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

(2) The council may issue a site certificate for an energy facility that does not meet one or more of the standards adopted under subsection (1) of this section if the council determines that the overall public benefits of the energy facility outweigh the impact on the resources protected by the standards the facility does not meet.

(3)(a) By December 1, 2014, cities and counties must use the minimum standards in subsection (1) of this section when permitting energy facilities.

(i) Any local government or political subdivision that is not the council, with minimum energy facility siting standards adopted prior to the effective date of this section, is exempt from the provisions of this section for as long as the existing minimum standards remain in effect. The minimum standards adopted by the local government or a political subdivision that is not the council before this section takes effect may be amended in a manner consistent with this section when permitting energy facilities applied for under this chapter.

(ii) Any local government or political subdivision that is not the council, when determining the timeline for the environmental review of the proposed energy facility, may adjust the timeline depending on the proposed energy facility's compliance with the standards in this section. If a proposed energy facility meets the energy facility siting standards, the environmental review of the proposed energy facility must be completed within six months.

(iii) Within one week of submitting an application to either a local government or political subdivision that is not the council, an applicant must provide notice of the application to adjacent landowners who own property located within one mile of the proposed site of the energy facility. The notice must be provided by mailing the notice to the latest recorded real property owners, as shown by the records of the county assessor.

(iv) A county, city, or town is authorized to approve an energy facility only if its land use ordinances are in compliance with the growth management act and any order issued by the growth management hearings board.

(b) The council and any local government in the state may enter into, and are encouraged to enter into, an interlocal agreement as provided under chapter 39.34 RCW for the purpose of authorizing the council to issue site certifications for energy facilities within the geographic jurisdiction of the local government. Any such interlocal agreements may include recognition of jurisdiction or site-specific characteristics necessary to ensure compatibility for energy facilities permitted under this chapter.

(4)(a) An energy technology company may seek preapproval of its energy technology by submitting to the council an energy technology preapproval application to the council. The council shall impose a charge to cover necessary costs to process the preapproval application.

(b) For each preapproval application submitted by an applicant under (a) of this subsection, the council shall develop through rule

making the standards an energy technology must meet to be a preapproved energy technology. The applicant is responsible for the cost associated with the rule making and the council must collect a fee from the applicant to recover the cost of the rule making.

(c) The council shall maintain a list of energy technologies to be granted expedited environmental review or processing under this chapter and the specific standards adopted under this subsection.

(5) Any person may petition the council to request the adoption, amendment, or repeal of any council rule as allowed in RCW 34.05.330. Any person petitioning the council requesting the adoption, amendment, or repeal of any council rule is responsible for reimbursing the council for cost associated with adopting, amending, or repealing a rule.

Sec. 6. RCW 80.50.045 and 2006 c 196 s 3 are each amended to read as follows:

(1)(a) The council shall consult with other state agencies, utilities, local municipal governments, public interest groups, tribes, and other interested persons to convey their views to the secretary and the federal energy regulatory commission regarding appropriate limits on federal regulatory authority in the siting of electrical transmission corridors in the state of Washington.

~~((2))~~ (b) The council is designated as the state authority for purposes of siting electrical transmission facilities under the national energy policy act of 2005 and for purposes of other such rules or regulations adopted by the secretary. The council's authority regarding electrical transmission facilities is limited to those electrical transmission facilities that are the subject of section 1221 of the national energy policy act and this chapter.

~~((3))~~ (c) For the construction and modification of electrical transmission facilities that are the subject of section 1221 of the national energy policy act, the council may: ~~((a))~~ (i) Approve the siting of the facilities; and ~~((b))~~ (ii) consider the interstate benefits expected to be achieved by the proposed construction or modification of the facilities in the state.

~~((4))~~ (d) When developing recommendations as to the disposition of an application for the construction or modification of electrical transmission facilities under this chapter, the fuel source of the electricity carried by the transmission facilities shall not be considered.

(2) The council shall monitor the activities of the federal energy regulatory commission and may receive notifications for energy projects located in Washington that are under the regulatory oversight of the federal energy regulatory commission. These notifications must include, but are not limited to, project filings, delegated orders, notices, and the federal energy regulatory commission decisions.

Sec. 7. RCW 80.50.060 and 2007 c 325 s 2 are each amended to read as follows:

(1)(a) ~~Except as provided under (b) and (c) of this subsection, the provisions of this chapter apply to the construction of energy facilities which includes the new construction of energy facilities ((and the reconstruction or enlargement of existing energy facilities where the net increase in physical capacity or dimensions resulting from such reconstruction or enlargement meets or exceeds those capacities or dimensions set forth in RCW 80.50.020 (7) and (15)). No construction of such energy facilities may be undertaken, except as otherwise provided in this chapter, after July 15, 1977, without first obtaining certification in the manner provided in this chapter.~~

~~(2) The provisions of this chapter apply to the construction, reconstruction, or enlargement of a new or existing energy facility that exclusively uses alternative energy resources and chooses to receive certification under this chapter, regardless of the generating capacity of the project)) if the applicant chooses to receive certification under this chapter.~~

~~((3))~~ (b) Any proposed nuclear power facility in Washington, where the primary purpose is to produce and sell electricity, must apply to the council for site certification.

(c) Any proposed transmission pipeline facility in Washington must apply to the council for site certification.

~~(2)(a)~~ The provisions of this chapter apply to the construction, reconstruction, or modification of electrical transmission facilities when:

(i) The facilities are located in a national interest electric transmission corridor as specified in RCW 80.50.045;

(ii) An applicant chooses to receive certification under this chapter, and the facilities are: (A) Of a nominal voltage of at least one hundred fifteen thousand volts and are located in a completely new corridor, except for the terminus of the new facility or interconnection of the new facility with the existing grid, and the corridor is not otherwise used for electrical transmission facilities; and (B) located in more than one jurisdiction that has promulgated land use plans or zoning ordinances; or

(iii) An applicant chooses to receive certification under this chapter, and the facilities are: (A) Of a nominal voltage in excess of one hundred fifteen thousand volts; and (B) located outside an electrical transmission corridor identified in (a)(i) and (ii) of this subsection ~~((3))~~ (2).

(b) For the purposes of this subsection, "modify" means a significant change to an electrical transmission facility and does not include the following: (i) Minor improvements such as the replacement of existing electrical transmission line facilities or supporting structures with equivalent facilities or structures; (ii) the relocation of existing electrical transmission line facilities; (iii) the conversion of existing overhead lines to underground; or (iv) the placing of new or additional conductors, supporting structures, insulators, or their accessories on or replacement of supporting structures already built.

~~((4))~~ (3) The provisions of this chapter shall not apply to normal maintenance and repairs which do not increase the capacity or dimensions ~~((beyond those set forth in RCW 80.50.020 (7) and (15)))~~ of an energy facility.

(4) The provisions of this chapter do not apply to an energy facility that previously has been approved or denied by a local government.

(5) Applications for certification of energy facilities made prior to July 15, 1977, shall continue to be governed by the applicable provisions of law in effect on the day immediately preceding July 15, 1977, with the exceptions of RCW 80.50.190 and 80.50.071 which shall apply to such prior applications and to site certifications prospectively from July 15, 1977.

(6) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

NEW SECTION. Sec. 8. A new section is added to chapter 80.50 RCW to read as follows:

(1) Each applicant for a site certificate shall submit to the council a preliminary application for a site certificate. The preliminary application must provide information about the proposed site and the characteristics of the energy facility sufficient for the preparation of the council's notice of application requirements. The preliminary application must specify whether the proposed energy facility will comply with local land use ordinances in the jurisdiction or jurisdictions in which it is proposed.

(2)(a) The chair of the council shall provide notice to the public within three working days of receiving a preliminary application. Within one week of submitting a preliminary application to the council, an applicant must provide notice of the application to adjacent landowners by mailing the notice to the latest recorded real property owners, as shown by the records of the county assessor, who own property located within one mile of the proposed site of the energy facility. The public notice must provide a description of the proposed site and facility in sufficient detail to inform the public of the location and proposed use of the site.

(b) After the chair of the council provides public notice, a city, county, or regional planning authority may not change land use plans or zoning ordinances so as to affect the proposed site.

(3) Within three working days after the chair of the council provides public notice, an applicant for a site certification shall distribute the preliminary application to any agency that has regulatory or advisory responsibility with respect to the facility and any city or county affected by the application.

(4) No more than thirty-five days after receiving a preliminary application, the chair of the council shall issue a notice of application requirements establishing the statutes, administrative rules, council standards, local ordinances, application requirements, and study requirements for the site certificate application. The chair of the council may consider whether the proposed facility is in compliance with city, county, or regional land use plans or zoning ordinances and may specify additional requirements in the notice of application based on a review of plans and ordinances where the proposed facility is to be located.

(5) Following issuance of the notice of application requirements, an applicant must submit an application for site certification consistent with the notice of application.

(6) The chair of the council shall determine within fifteen days of submission of the application whether an application meets the council's requirements.

NEW SECTION. Sec. 9. A new section is added to chapter 80.50 RCW to read as follows:

(1)(a) Following requirements set forth under chapter 43.21C RCW, the chair must oversee an environmental review of the proposed energy facility.

(b) After the chair of the council determines whether an application meets council requirements as provided under section 8 of this act, the chair shall within three working days initiate a scoping process to determine the range of proposed actions, alternatives, and impacts to be examined in the environmental impact statement.

(c) The chair of the council shall notify any agency that has regulatory or advisory responsibility with respect to the facility and any city or county affected by the application of the scoping process.

(d) Within thirty days of initiating the scoping process, the chair of the council shall conduct a public hearing and submit scoping recommendations to the council in order for the council to establish a timeline for the environmental review of the proposed energy facility.

(e) Within fourteen days of receiving the timeline recommendations from the chair of the council, the council must determine whether the environmental review process as required under chapter 43.21C RCW for the proposed energy facility must be completed within six months, twelve months, or longer. In determining the timeline, the council may adjust the timeline depending on the proposed energy facility's compliance with the standards under section 5 of this act. If a proposed energy facility meets the energy facility siting standards under section 5 of this act, the environmental review of the proposed energy facility must be completed within six months. The environment review for proposed energy facilities that do not meet the standards in section 5 of this act must be completed within twelve months, unless the council determines that due to the complexity of the proposed energy facility, the environmental review should be longer.

(f) If the council establishes an environmental review process for more than six months, the attorney general shall appoint an assistant attorney general as a counsel for the environment. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment. Costs incurred by the counsel for the environment in the performance of these duties must be charged to the office of the attorney general, and may not be a charge against the appropriation to the energy facility site evaluation council. The counsel for the environment must be accorded all the rights, privileges, and responsibilities of an attorney representing a party in a

formal action. This section may not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this chapter.

(g) Within the timeline established by the council, the chair of the council shall publish a draft environmental impact statement, solicit comments on the draft environmental impact statement, hold a public hearing on the draft environmental impact statement, consider comments received on the draft environmental impact statement, and submit to the council a recommended final environmental impact statement. In submitting the recommended final environmental impact statement to the council, the chair shall specify whether there are any disputed items based on public input provided during the development of the recommended final environmental impact statement.

(i) If there are disputed items in the recommended final environmental impact statement, the council shall hold a public hearing within fifteen days on the draft environmental impact statement under this subsection (1)(g). At the hearing, the chair shall provide a report to the council regarding the recommended environmental impact statement and regarding the disputed items in the recommended environmental impact statement. The issues that may be considered at the public hearing under this subsection are limited to those issues raised during the preliminary application process and during the environmental review process that lead to the development of the recommended environmental impact statement. The chair shall specify to the council the basis for decisions made relating to the disputed items contained in the recommended final environmental impact statement. Based on the input of the chair, the applicant, and the public at the public hearing, the council may elect to address the disputed items from the recommended environmental impact statement in the final environmental impact statement. The council shall issue the final environmental impact statement within fifteen days of the public hearing required under this subsection.

(ii) If there are no disputed items in the recommended final environmental impact statement, the chair shall submit to the council the recommended final environmental impact statement within fifteen days of the public hearing under this subsection (1)(g) and the council shall adopt the recommended final environmental impact statement as the final environmental impact statement.

(2) The council may contract with independent consultants to review information from the public hearing and to prepare the draft and final environmental impact assessments.

NEW SECTION. Sec. 10. A new section is added to chapter 80.50 RCW to read as follows:

(1) Within fifteen days of issuing the final environmental impact statement, the chair of the council shall prepare and issue an initial order and draft site certification based on the final environmental impact statement.

(2) Within fifteen days of receiving an initial order and draft site certification, the council must make a final decision on the application. The council must either approve the application and execute the draft certification agreement or reject the application for site certification. If the council fails to make a final decision, the initial order submitted by the chair becomes the final order on the fifteenth day following receipt of the initial order.

Sec. 11. RCW 80.50.071 and 2011 c 261 s 1 are each amended to read as follows:

(1) The council shall receive all preliminary applications and applications for energy facility site certification under this chapter. Each applicant shall pay such reasonable costs as are actually and necessarily incurred by the council in processing a preliminary application or an application.

(a) Each applicant shall, at the time of application submission, deposit fifty thousand dollars, or such greater amount as may be specified by the council after consultation with the applicant. Costs that may be charged against the deposit include, but are not limited to,

independent consultants' costs, councilmember's wages, employee benefits, costs of a hearing examiner, costs of a court reporter, staff salaries, wages and employee benefits, goods and services, travel expenses, and miscellaneous direct expenses as arise directly from processing an application.

(b) The council may commission its own independent consultant study to measure the consequences of the proposed energy facility on the environment or any matter that it deems essential to an adequate appraisal of the site. The council shall provide an estimate of the cost of the study to the applicant and consider applicant comments.

(c) The council shall submit to each applicant a statement of such expenditures made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The applicant shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: PROVIDED, That such applicant may, at the request of the council, increase the amount of funds on deposit to cover anticipated expenses during peak periods of application processing. Any funds remaining unexpended at the conclusion of application processing shall be refunded to the applicant, or at the applicant's option, credited against required deposits of certificate holders.

(2) Each certificate holder shall pay such reasonable costs as are actually and necessarily incurred by the council for inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction, operation, and site restoration of the facility.

(a) Each certificate holder, within thirty days of execution of the site certification agreement, shall have on deposit fifty thousand dollars, or such greater amount as may be specified by the council after consultation with the certificate holder. Costs that may be charged against the deposit include, but are not limited to, those specified in subsection (1)(a) of this section as arise from inspection and determination of compliance by the certificate holder with the terms of the certification.

(b) The council shall submit to each certificate holder a statement of such expenditures actually made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The certificate holder shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: PROVIDED, That if the actual expenditures for inspection and determination of compliance in the preceding calendar quarter have exceeded the amount of funds on deposit, such excess costs shall be paid by the certificate holder.

(3) If an applicant or certificate holder fails to provide the initial deposit, or if subsequently required payments are not received within thirty days following receipt of the statement from the council, the council may (a) in the case of the applicant, suspend processing of the application until payment is received; or (b) in the case of a certificate holder, suspend the certification.

(4) All payments required of the applicant or certificate holder under this section are to be made to the state treasurer who shall make payments as instructed by the council from the funds submitted. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant or certificate holder.

(5)(a) Upon receipt of an application for an energy facility site certification proposing an energy plant (~~(or alternative energy resource)~~) that is connected to electrical transmission facilities of a nominal voltage of at least one hundred fifteen thousand volts, the council shall notify in writing the United States department of defense. The notification shall include, but not be limited to, the following:

- (i) A description of the proposed energy plant or alternative energy resource;
- (ii) The location of the site;

(iii) The placement of the energy plant or alternative energy resource on the site;

(iv) The date and time by which comments must be received by the council; and

(v) Contact information of the council and the applicant.

(b) The purpose of the written notification is to provide an opportunity for the United States department of defense to comment upon the application, and to identify potential issues relating to the placement and operations of the energy plant or alternative energy resource, before a site certification application is approved. The time period set forth by the council for receipt of such comments shall not extend the time period for the council's processing of the application.

(c) In order to assist local governments required to notify the United States department of defense under RCW 35.63.270, 35A.63.290, and 36.01.320, the council shall post on its web site the appropriate information for contacting the United States department of defense.

Sec. 12. RCW 80.50.075 and 2006 c 205 s 2 are each amended to read as follows:

(1) Any person filing an application for certification of an energy facility (~~(or an alternative energy resource facility)~~) pursuant to this chapter may apply to the council for an expedited processing of such an application. The application for expedited processing shall be submitted to the council in such form and manner and accompanied by such information as may be prescribed by council rule. The council may grant an applicant expedited processing of an application for certification upon finding that the environmental impact of the proposed energy facility is not significant or will be mitigated to a nonsignificant level under RCW 43.21C.031 (~~(and the project is found under RCW 80.50.090(2) to be consistent and in)~~). Review must consider compliance with city, county, or regional land use plans or zoning ordinances.

(2) Upon granting an applicant expedited processing of an application for certification, the council shall not be required to:

(a) Commission an independent study to further measure the consequences of the proposed energy facility (~~(or alternative energy resource facility)~~) on the environment, notwithstanding the other provisions of RCW 80.50.071; nor

(b) Hold an adjudicative proceeding under chapter 34.05 RCW, the administrative procedure act, on the application.

(3) The council shall adopt rules governing the expedited processing of an application for certification pursuant to this section.

Sec. 13. RCW 80.50.085 and 2001 c 214 s 5 are each amended to read as follows:

(1) After the council has received a preliminary site application, council staff shall assist applicants in identifying issues presented by the preliminary application and the application.

(2) Council staff shall review all information submitted and recommend resolutions to issues in dispute that would allow site approval.

(3) Council staff may make recommendations to the council on conditions that would allow site approval.

Sec. 14. RCW 80.50.100 and 2011 c 180 s 109 are each amended to read as follows:

~~((1)(a) The council shall report to the governor its recommendations as to the approval or rejection of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant.~~

~~(b))~~ In the case of an application filed prior to December 31, 2025, for certification of an energy facility proposed for construction, modification, or expansion for the purpose of providing generating facilities that meet the requirements of RCW 80.80.040 and are located in a county with a coal-fired electric (~~(generating (generation))~~) generation facility subject to RCW 80.80.040(3)(c), the council shall expedite the processing of the application pursuant to

RCW 80.50.075 and shall ~~((report its recommendations to the governor))~~ issue a site certification or reject the site certification application within one hundred eighty days of receipt by the council of such an application, or a later time as is mutually agreed by the council and the applicant.

~~((2) If the council recommends approval of an application for certification, it shall also submit a draft certification agreement with the report. The council shall include conditions in the draft certification agreement to implement the provisions of this chapter, including, but not limited to, conditions to protect state or local governmental or community interests affected by the construction or operation of the energy facility, and conditions designed to recognize the purpose of laws or ordinances, or rules or regulations promulgated thereunder, that are preempted or superseded pursuant to RCW 80.50.110 as now or hereafter amended.~~

~~—(3)(a) Within sixty days of receipt of the council's report the governor shall take one of the following actions:~~

~~—(i) Approve the application and execute the draft certification agreement; or~~

~~—(ii) Reject the application; or~~

~~—(iii) Direct the council to reconsider certain aspects of the draft certification agreement.~~

~~—(b) The council shall reconsider such aspects of the draft certification agreement by reviewing the existing record of the application or, as necessary, by reopening the adjudicative proceeding for the purposes of receiving additional evidence. Such reconsideration shall be conducted expeditiously. The council shall resubmit the draft certification to the governor incorporating any amendments deemed necessary upon reconsideration. Within sixty days of receipt of such draft certification agreement, the governor shall either approve the application and execute the certification agreement or reject the application. The certification agreement shall be binding upon execution by the governor and the applicant.~~

~~—(4) The rejection of an application for certification by the governor shall be final as to that application but shall not preclude submission of a subsequent application for the same site on the basis of changed conditions or new information.)~~

Sec. 15. RCW 80.50.105 and 1991 c 200 s 1112 are each amended to read as follows:

~~((In making its recommendations to the governor under this chapter regarding))~~ For an application that includes transmission pipeline facilities for petroleum products, the council shall give appropriate weight to city or county facility siting standards adopted for the protection of sole source aquifers.

Sec. 16. RCW 80.50.110 and 1975-'76 2nd ex.s. c 108 s 37 are each amended to read as follows:

(1) If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, or any rule or regulation promulgated thereunder, this chapter shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

(2) The state hereby preempts the regulation and certification of the location, construction, and operational conditions of certification of the energy facilities included under RCW 80.50.060 as now or hereafter amended.

(3) For an energy facility interconnecting to an electric utility's distribution system, the application of standards and terms of a site certification by the council under this chapter only applies to the part of the facility within the geographic boundaries of the proposed facility and not to the electrical interconnection of a facility to the electric utility's distribution system.

Sec. 17. RCW 80.50.120 and 1977 ex.s. c 371 s 10 are each amended to read as follows:

Except as provided in RCW 80.50.110:

(1) Subject to the conditions set forth therein any certification shall bind the state and each of its departments, agencies, divisions, bureaus, commissions, boards, and political subdivisions, whether a member of the council or not, as to the approval of the site and the construction and operation of the proposed energy facility.

(2) The certification shall authorize the person named therein to construct and operate the proposed energy facility subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission, board, or political subdivision of this state, whether a member of the council or not.

NEW SECTION. Sec. 18. A new section is added to chapter 80.50 RCW to read as follows:

A city and county that has approved an energy facility through a local permitting process shall submit to the council within thirty days of the issuance of a permit a copy of the permit and any conditions of approval.

NEW SECTION. Sec. 19. A new section is added to chapter 43.21C RCW to read as follows:

For the purposes of this chapter, the energy facility site evaluation council may choose to establish timelines related to the siting of energy facilities under chapter 80.50 RCW that are shorter than those required by this chapter. A town, city, or county may choose to establish timelines related to the siting of energy facilities that are shorter than those required by this chapter if a proposed energy facility meets the siting standards under section 5 of this act.

NEW SECTION. Sec. 20. The following acts or parts of acts are each repealed:

(1) RCW 80.50.080 (Counsel for the environment) and 1977 ex.s. c 371 s 6 & 1970 ex.s. c 45 s 8;

(2) RCW 80.50.090 (Public hearings) and 2006 c 205 s 3, 2006 c 196 s 6, 2001 c 214 s 7, 1989 c 175 s 173, & 1970 ex.s. c 45 s 9; and

(3) RCW 80.50.320 (Governor to evaluate council efficiency, make recommendations) and 2001 c 214 s 8."

Correct the title.

Representative Morris moved the adoption of amendment (275) to amendment (257).

On page 11, beginning on line 34 of the striking amendment, strike all of subsection (2)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Morris and Short spoke in favor of the adoption of the amendment to the amendment.

Amendment (275) was adopted to amendment (257).

Representative Morris spoke in favor of the adoption of the amendment as amended.

Amendment (257) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morris spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1374.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1374, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1374, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1552, by Representatives Goodman, Klippert, Freeman, Kirby, Morrell, Seaquist, Sullivan, Appleton, Ryu, Hunt, Stanford, Kochmar, Maxwell, Takko, Bergquist, Warnick, Manweller, Green and Fey

Reducing scrap metal theft.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1552 was substituted for House Bill No. 1552 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1552 was read the second time.

With the consent of the house, amendments (28) and (221) were withdrawn.

Representative Klippert moved the adoption of amendment (57).

On page 6, beginning on line 21, after "Sec. 6." insert the following:

"RCW 19.290.030 and 2008 c 233 s 3 are each amended to read as follows:

(1) No scrap metal business may enter into a transaction to purchase or receive private metal property or nonferrous metal property from any person who cannot produce at least one piece of current government-issued picture identification, including a valid driver's license or identification card issued by any state.

(2) No scrap metal business may purchase or receive private metal property or commercial metal property unless the seller: (a) Has a commercial account with the scrap metal business; (b) can prove ownership of the property by producing written documentation

that the seller is the owner of the property; or (c) can produce written documentation that the seller is an employee or agent authorized to sell the property on behalf of a commercial enterprise.

(3) No scrap metal business may enter into a transaction to purchase or receive metallic wire that was burned in whole or in part to remove insulation unless the seller can produce written proof to the scrap metal business that the wire was lawfully burned.

(4)(a) No transaction involving private metal property or nonferrous metal property (~~valued at greater than thirty dollars~~) may be made in cash or with any person who does not provide a street address under the requirements of RCW 19.290.020 except as described in subsections (b) or (c) of this subsection. (~~For transactions valued at greater than thirty dollars, the~~)The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the scrap metal business to a street address provided under RCW 19.290.020, no earlier than ((ten)) three days after the transaction was made. A transaction occurs on the date provided in the record required under RCW 19.290.020.

(b) A transaction involving nonferrous metal property in the form of aluminum cans, bottles, or other small aluminum beverage or food containers valued at thirty dollars or less may be made in cash.

(c) A scrap metal business licensed under this chapter that digitally captures: (i) a copy of one piece of current government-issued picture identification, including a current driver's license or identification card issued by any state and (ii) either a picture or video of either the material subject to the transaction in the form received or the material subject to the transaction within the vehicle which the material was transported to the scrap metal business, may pay up to a maximum of thirty dollars in cash. The balance of the value of the transaction may be made by nontransferable check at the time the transaction is made. A scrap metal business's usage of video surveillance shall be sufficient to comply with subsection (c)(ii) of this subsection as long as the video captures the material subject to the transaction. A digital image or picture taken under this subsection must be available for two years from the date of transaction, while a video recording must be available for thirty days.

(5) No scrap metal business may purchase or receive beer kegs from anyone except a manufacturer of beer kegs or licensed brewery.

Sec. 7."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Klippert and Goodman spoke in favor of the adoption of the amendment.

Amendment (57) was adopted.

Representative Goodman moved the adoption of amendment (220).

On page 7, after line 9, insert the following:

"Sec. 7. RCW 19.290.050 and 2008 c 233 s 5 are each amended to read as follows:

(1) Upon written request by any commissioned law enforcement officer of the state or any of its political subdivisions, every scrap metal business shall furnish a full, true, and correct transcript of the records from the purchase or receipt of private metal property, nonferrous metal property, and commercial metal property involving a specific individual, vehicle, or item of private metal property, nonferrous metal property, or commercial metal property. Any written request shall become an addition to the permanent records required under RCW 19.290.020 or 19.290.040. This information may be transmitted within a specified time of not less than two business days to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar

device, or by delivery of computer disk subject to the requirements of, and approval by, the chief of police or the county's chief law enforcement officer.

(2) If the scrap metal business has good cause to believe that any private metal property, nonferrous metal property, or commercial metal property in his or her possession has been previously lost or stolen, the scrap metal business shall promptly report that fact to the applicable commissioned law enforcement officer of the state, the chief of police, or the county's chief law enforcement officer, together with the name of the owner, if known, and the date when and the name of the person from whom it was received.

(3) Compliance with this section shall not give rise to or form the basis of private civil liability on the part of a scrap metal business or scrap metal recycler.

Sec. 8. RCW 19.290.060 and 2008 c 233 s 6 are each amended to read as follows:

(1) Following notification(~~(either verbally or)~~) in writing(~~(s)~~) from a commissioned law enforcement officer of the state or any of its political subdivisions that an item of private metal property, nonferrous metal property, or commercial metal property has been reported as stolen, a scrap metal business shall hold that property intact and safe from alteration, damage, or commingling, and shall place an identifying tag or other suitable identification upon the property. The scrap metal business shall hold the property for a period of time as directed by the applicable law enforcement agency up to a maximum of ten business days.

(2) A commissioned law enforcement officer of the state or any of its political subdivisions shall not place on hold any item of private metal property, nonferrous metal property, or commercial metal property unless that law enforcement agency reasonably suspects that the property is a lost or stolen item. Any hold that is placed on the property must be removed within ten business days after the property on hold is determined not to be stolen or lost and the property must be returned to the owner or released.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 8, line 21, after "statement" insert "or"

On page 8, beginning on line 22, after "identification," strike all material through "metal" on line 23 and insert "with the intent to deceive a scrap metal business"

On page 8, after line 24, insert the following:

Sec. 8. RCW 19.290.090 and 2008 c 233 s 8 are each amended to read as follows:

The provisions of this chapter do not apply to transactions involving metal from the components of vehicles acquired by vehicle wreckers, hulk haulers, or scrap processors licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws or transactions conducted by the following:

(1) Motor vehicle dealers licensed under chapter 46.70 RCW;

(2) ~~(Metal from the components of vehicles acquired by vehicle wreckers or hulk haulers licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws;~~

~~(3))~~ Persons in the business of operating an automotive repair facility as defined under RCW 46.71.011; and

~~((4))~~ (3) Persons in the business of buying or selling empty food and beverage containers, including metal food and beverage containers.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 17, beginning on line 5, strike all of section 22

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 39, after line 17, insert the following:

NEW SECTION. Sec. 34. Sections 8 through 19 of this act take effect January 1, 2014.

NEW SECTION. Sec. 35. The director of the department of licensing may take the necessary steps to ensure that sections 8 through 19 of this act are implemented on January 1, 2014."

Correct the title.

Representative Goodman spoke in favor of the adoption of the amendment.

Amendment (220) was adopted.

Representative Goodman moved the adoption of amendment (270).

On page 13, beginning on line 25, after "**Sec. 20.**" strike all material through "faith" on page 15, line 31 and insert "A new section is added to chapter 36.28A RCW to read as follows:

(1) When funded, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in the support of special enforcement emphasis targeting metal theft. Grant applications shall be reviewed and awarded through peer review panels. Grant applicants are encouraged to utilize multijurisdictional efforts.

(2) Each grant applicant shall:

(a) Show a significant metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(b) Verify that grant awards are sufficient to cover increased investigation, prosecution, and jail costs;

(c) Design an enforcement program that best suits the specific metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(d) Demonstrate community coordination focusing on prevention, intervention, and suppression; and

(e) Collect data on performance.

(3) The cost of administering the grants shall not exceed sixty thousand dollars, or three percent of appropriated funding, whichever is greater"

On page 15, beginning on line 32, strike all of section 21

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 39, beginning on line 8, strike all of section 32

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the amendment.

Amendment (270) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Klippert, Johnson and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1552.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1552, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1884, by Representatives Sells, Hope, Dunshee, Rodne, Riccelli and Ryu

Addressing the rate of compensation for occupational diseases.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1884 was substituted for House Bill No. 1884 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1884 was read the second time.

Representative Manweller moved the adoption of amendment (225).

On page 1, after line 14, insert the following:

"(3) The county legislative authority must give notice of any regular meeting held outside of the county seat. Notice must be given at least twenty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(a) Posted on the county's web site;

(b) Published in a newspaper of general circulation in the county; and

(c) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail address."

Representative Manweller spoke in favor of the adoption of the amendment.

Representative Sells spoke against the adoption of the amendment.

Amendment (225) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1884.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1884, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, Pike, Schmick, Scott, Shea and Short.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1884, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1158, by Representatives Kirby, Green, O'Ban, Sawyer, Ryu and Morrell

Concerning the annexation of property owned by the state for military purposes.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1158 was substituted for House Bill No. 1158 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1158 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1158.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1158, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SECOND SUBSTITUTE HOUSE BILL NO. 1158, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1159, by Representatives Lytton, Buys, Morris and Ryu

Increasing the number of superior court judges in Whatcom county.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Buys spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1159.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1159, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, DeBolt, Hawkins, MacEwen, Pike, Scott, Shea and Taylor.

Excused: Representative Condotta.

HOUSE BILL NO. 1159, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1269, by Representatives Smith, Takko and Upthegrove

Allowing legal entities to cast votes in diking district elections.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Smith and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1269.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1269, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1416, by Representatives Warnick, Manweller, Takko, Fagan and Schmick

Regarding the financing of irrigation district improvements. Revised for 2nd Substitute: Concerning the financing of irrigation district improvements.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1416 was substituted for House Bill No. 1416 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1416 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Warnick and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1416.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1416, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SECOND SUBSTITUTE HOUSE BILL NO. 1416, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1486, by Representatives Fitzgibbon, Stanford, Bergquist, Roberts, Van De Wege, Ryu and Santos

Concerning voter-approved benefit charges for regional fire protection service authorities.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representatives Taylor and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1486.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1486, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby,

Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

HOUSE BILL NO. 1486, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1654, by Representatives Riccelli, Ormsby, Fitzgibbon, Tarleton, Van De Wege and Ryu

Establishing a regional fire protection service authority within the boundaries of a single city.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1654 was substituted for House Bill No. 1654 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1654 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Riccelli spoke in favor of the passage of the bill.

Representatives Taylor and Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1654.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1654, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Holy, Hudgins, Hunt, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Hope, Hunter, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1654, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1797, by Representatives Haler and Hunt

Concerning tax collection by the county treasurer.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haler and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1797.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1797, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1797, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1822, by Representative Stanford

Concerning debt collection practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1822 was substituted for House Bill No. 1822 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1822 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1822.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1822, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1822, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1466, by Representatives Haigh, Warnick, Dunshee, Fey, Kristiansen and Reykdal

Revising alternative public works contracting procedures.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1466 was substituted for House Bill No. 1466 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1466 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Haigh and Warnick spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representatives Carlyle and Hurst was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1466.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Carlyle, Condotta and Hurst.

SUBSTITUTE HOUSE BILL NO. 1466, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1090, by Representatives Shea, Reykdal, Crouse, Holy, Springer and Dahlquist

Increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1090 was substituted for House Bill No. 1090 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1090 was read the second time.

Representative Takko moved the adoption of amendment (276).

On page 6, line 35, after "docks" strike "constructed" and insert "that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced, and are located"

On page 6, beginning on line 38, after "dollars for" strike "docks constructed in a county, city, or town that has not updated its master program consistent with the master program guidelines in chapter 173-26 WAC as adopted in 2003" and insert "all other docks constructed in fresh waters"

Representatives Takko and Shea spoke in favor of the adoption of the amendment.

Amendment (276) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1090.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1090, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Carlyle, Condotta and Hurst.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1007, by Representatives Kagi, Clibborn, Stanford, Ryu, Moscoso, Hudgins, Reykdal, Fitzgibbon, Appleton, Maxwell, Green and Fey

Concerning the covering of loads on public highways.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1007 was substituted for House Bill No. 1007 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1007 was read the second time.

With the consent of the house, amendments (193), (266), (198), (202) and (196) were withdrawn.

Representative Harris moved the adoption of amendment (194).

On page 1, line 16, after "(3)" strike "(a) From August 1, 2013, through June 30, 2015:"

On page 2, beginning on line 2, after "bed" strike all material through "used" on line 4 and insert ". A person that fails to secure a load pursuant to this subsection is guilty of an infraction as specified in subsection (7)(c) of this section, guilty of failure to secure a load in the first degree, which is a gross misdemeanor, if the load causes substantial bodily harm to another as specified in subsection (7)(a)(i) and (ii) of this section, or guilty of failure to secure a load in the second degree, which is a misdemeanor, if the load causes damage to the property of another as specified in subsection (7)(b)(i) and (ii) of this section."

On page 2, beginning on line 5, strike all material through line 23

Representatives Harris and Orcutt spoke in favor of the adoption of the amendment.

Representative Liias spoke against the adoption of the amendment.

Amendment (194) was not adopted.

Representative Orcutt moved the adoption of amendment (191).

On page 1, line 17, after "highway" insert "and traveling at speeds of more than thirty-five miles per hour"

On page 2, line 6, after "highway" insert "and traveling at speeds of more than thirty-five miles per hour"

Representative Orcutt and Orcutt (again) spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (191) was not adopted.

Representative Orcutt moved the adoption of amendment (190).

On page 2, beginning on line 1, after "spillage" strike all material through "used" on line 4 and insert ". (~~Covering of such loads is not required if six inches of freeboard is maintained within the bed~~) A cover is not required under this subsection (3)(a) as long as the load does not exceed the freeboard of the bed"

On page 2, line 9, after "spillage." insert "A cover is not required under this subsection (3)(b) as long as the load does not exceed the freeboard of the bed."

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (190) was not adopted.

Representative Kretz moved the adoption of amendment (197).

On page 1, line 16, after "vehicle" insert ". except side dump trucks."

On page 2, line 6, after "weight" insert ". except side dump trucks."

Representatives Kretz and Orcutt spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (197) was not adopted.

Representative Scott moved the adoption of amendment (195).

On page 2, beginning on line 10, after "(c)" strike all material through "(d)" on line 21

Representatives Scott, Wilcox and Orcutt spoke in favor of the adoption of the amendment.

Representative Liias spoke against the adoption of the amendment.

Amendment (195) was not adopted.

Representative Short moved the adoption of amendment (264).

On page 2, after line 23, insert the following:

"For the purposes of this subsection (3), "susceptible to being dropped, spilled, leaked, or otherwise escaping" means that the load, or particles, portions, or pieces of the load, is of such a low density that the load, or particles, portions, or pieces of the load, can be influenced by wind, other atmospheric and weather conditions, or road conditions."

Representatives Short and Clibborn spoke in favor of the adoption of the amendment.

Amendment (264) was adopted.

Representative Klippert moved the adoption of amendment (192).

On page 2, after line 23, insert the following:

"(e) For purposes of this subsection (3), "cover" means a tarp, other informal covering device, or a manufactured cover to fit a vehicle, which is securely fastened to the vehicle to cover the load that the vehicle is hauling."

Representatives Klippert and Clibborn spoke in favor of the adoption of the amendment.

Amendment (192) was adopted.

Representative Schmick moved the adoption of amendment (271).

On page 2, after line 23, insert the following:

"(e) (a) and (b) of this subsection do not apply to vehicles traveling on gravel roads."

Representatives Schmick and Clibborn spoke in favor of the adoption of the amendment.

Amendment (271) was adopted.

Representative Schmick moved the adoption of amendment (278).

On page 2, after line 23, insert the following:

"(e) Subsections (3)(a) and (b) of this section do not apply to farm vehicles carrying farm commodities."

Representatives Schmick and Clibborn spoke in favor of the adoption of the amendment.

Amendment (278) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Kagi spoke in favor of the passage of the bill.

Representatives Orcutt, Klippert, Scott, Shea, Kretz, Kochmar, Holy and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1007.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1007, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Morrell, Nealey, O'Ban, Orcutt, Overstreet, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Carlyle, Condotta and Hurst.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1007, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1096
- HOUSE BILL NO. 1114
- HOUSE BILL NO. 1338
- HOUSE BILL NO. 1381
- HOUSE BILL NO. 1484
- ENGROSSED HOUSE BILL NO. 1554
- HOUSE BILL NO. 1588
- HOUSE BILL NO. 1612
- HOUSE BILL NO. 1715
- HOUSE BILL NO. 1737
- HOUSE BILL NO. 1800
- HOUSE BILL NO. 1839
- HOUSE BILL NO. 1840
- ENGROSSED HOUSE BILL NO. 1887

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 11, 2013, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY SEVENTH DAY

House Chamber, Olympia, Monday, March 11, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Liat Carlyle and Ben Friedman. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Eileen Staley, Word of Faith, Kennewick, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

SSB 5045 by Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Honeyford, Kohl-Welles and Frockt)

AN ACT Relating to allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises; and adding a new section to chapter 66.20 RCW.

Referred to Committee on Government Accountability & Oversight.

SSB 5054 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Smith, Schoesler, Benton, Pearson, Ericksen and Hewitt)

AN ACT Relating to establishing a process for the acquisition of habitat and recreation lands by the state; amending RCW 77.12.037, 77.12.220, 79.70.030, 79.71.040, and 79A.05.095; reenacting and amending RCW 79A.05.030; adding a new section to chapter 77.12 RCW; adding a new section to chapter 43.30 RCW; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5135 by Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Kline and Padden)

AN ACT Relating to judicial proceedings and forms; and amending RCW 2.36.095 and 11.96A.090.

Referred to Committee on Judiciary.

SSB 5165 by Senate Committee on Law & Justice (originally sponsored by Senators Hargrove and Carrell)

AN ACT Relating to increasing the authority of superior court commissioners to hear and determine certain matters; and amending RCW 71.05.137, 71.34.315, and 2.24.010.

Referred to Committee on Judiciary.

SSB 5187 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Smith, Becker, Roach, Schoesler and Honeyford)

AN ACT Relating to protecting domestic animals against gray wolf attacks; amending RCW 77.36.030, 77.15.120, 77.15.130, 77.15.410, and 77.15.430; creating a new section; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SSB 5213 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Tom, Bailey, Honeyford and Frockt)

AN ACT Relating to prescription review for medicaid managed care enrollees; and reenacting and amending RCW 74.09.522.

Referred to Committee on Health Care & Wellness.

SSB 5256 by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Baumgartner)

AN ACT Relating to reports and records of autopsies and postmortems; amending RCW 68.50.105; and providing an effective date.

Referred to Committee on Judiciary.

SSB 5282 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Keiser, Sheldon, Becker, Tom, Parlette, Rivers, Braun, Bailey, Padden, Roach, Litzow, Honeyford and Shin)

AN ACT Relating to creating a statewide database of mental health commitment information; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Judiciary.

SSB 5287 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to eliminating accounts and funds; amending RCW 41.06.280, 43.19.025, 64.44.060, 70.116.134, 41.05.140, 82.45.180, and 70.122.130; reenacting and amending RCW 43.84.092, 43.84.092, 43.79A.040, 70.47.100, and 82.44.180; creating new sections; repealing

RCW 43.19.730, 43.70.325, 43.338.030, 46.68.210, 46.68.330, and 70.122.140; repealing 2006 c 372 s 715 (uncodified); providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5289 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Hargrove, Hatfield, Ranker, Hobbs, Sheldon and Schoesler)

AN ACT Relating to the discover pass; amending RCW 79A.80.020, 79A.80.030, and 79A.80.080; and adding a new section to chapter 79A.80 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5297 by Senators Braun, Ericksen and Carrell

AN ACT Relating to coal transition power; amending RCW 19.285.040; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

SB 5337 by Senators Pearson, Fraser, Hargrove, Nelson, Smith, Fain, Kline, Hobbs, Shin, Tom and Parlette

AN ACT Relating to expiration dates affecting the department of natural resources' timber sale program; amending 2009 c 418 s 7 (uncodified); amending 2010 c 126 ss 15 and 16 (uncodified); providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture & Natural Resources.

SB 5476 by Senators Hewitt, Keiser, Conway and Holmquist Newbry

AN ACT Relating to the employment status of independent contractors in the news business; amending RCW 50.04.240 and 51.12.020; and reenacting and amending RCW 49.46.010.

Referred to Committee on Labor & Workforce Development.

2SSB 5540 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Schlicher, Becker, Bailey, Dammeier, Keiser, Rolfes and Frockt)

AN ACT Relating to expanding opportunities to purchase health care coverage from out-of-state carriers; amending RCW 48.05.070 and 48.21.047; adding new sections to chapter 48.21 RCW; and adding a new section to chapter 43.71 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5565 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Keiser, Harper, Nelson, Kohl-Welles, McAuliffe and Kline)

AN ACT Relating to background checks; amending RCW 74.13.020 and 13.34.065; reenacting and amending RCW 74.13.020; adding new sections to chapter 74.13 RCW;

creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

ESSB 5577 by Senate Committee on Human Services & Corrections (originally sponsored by Senator Carrell)

AN ACT Relating to protecting public employees who act ethically and legally; amending RCW 42.52.050, 42.52.120, 42.52.360, 42.52.410, 42.52.420, and 42.52.460; reenacting and amending RCW 42.52.010; adding new sections to chapter 42.52 RCW; adding a new section to chapter 42.40 RCW; adding a new section to chapter 42.56 RCW; creating a new section; repealing RCW 42.52.500; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

SSB 5591 by Senate Committee on Transportation (originally sponsored by Senators Eide, King and Shin)

AN ACT Relating to confidential license plates, drivers' licenses, identicards, and vessel registrations; amending RCW 46.01.130 and 46.08.066; and reenacting and amending RCW 42.56.230.

Referred to Committee on Transportation.

SB 5641 by Senators Bailey, Carrell and Pearson

AN ACT Relating to the governor's signature on significant legislative rules; and amending RCW 34.05.360.

Referred to Committee on Government Accountability & Oversight.

SSB 5691 by Senate Committee on Ways & Means (originally sponsored by Senators Hewitt, Conway and Rolfes)

AN ACT Relating to veterans' homes; amending RCW 72.36.020, 72.36.030, 72.36.035, 72.36.055, 72.36.070, 72.36.075, and 43.60A.075; and adding a new section to chapter 72.36 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5715 by Senators Hill, Carrell and Hargrove

AN ACT Relating to addressing the evasion of taxes by the use of certain electronic means; amending RCW 82.32.215 and 82.32.290; adding new sections to chapter 82.32 RCW; and prescribing penalties.

Referred to Committee on Finance.

SB 5747 by Senator Roach

AN ACT Relating to election of public hospital district boards of commissioners; amending RCW 70.44.040 and 70.44.054; and adding a new section to chapter 70.44 RCW.

Referred to Committee on Government Operations & Elections.

SSB 5754 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, McAuliffe, Kohl-Welles, Conway and Kline)

AN ACT Relating to integrated career learning opportunities and employment training for at-risk youth; adding a new section to chapter 28C.18 RCW; and creating new sections.

Referred to Committee on Labor & Workforce Development.

SSB 5761 by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)

AN ACT Relating to outdoor advertising sign fees, labels, and prohibitions; amending RCW 47.42.120 and 47.42.130; and repealing RCW 47.42.048.

Referred to Committee on Transportation.

SB 5775 by Senators Benton, Hobbs, Brown, Ericksen, Conway and Rivers

AN ACT Relating to allowing for a veteran designation on drivers' licenses and identicards; amending RCW 46.20.161 and 46.20.117; and providing an effective date.

Referred to Committee on Transportation.

SSB 5804 by Senate Committee on Ways & Means (originally sponsored by Senators Baumgartner and Hill)

AN ACT Relating to federal receipts reporting requirements; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Appropriations.

SJM 8006 by Senators Chase, McAuliffe, Nelson, Kohl-Welles, Conway and Parlette

Promoting the use of the Eddie Eagle GunSafe Program in preschools, early learning programs, and schools.

Referred to Committee on Judiciary.

SCR 8402 by Senators Fain and Frockt

Amending the cutoff resolution.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of SENATE CONCURRENT RESOLUTION NO. 8402, which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1108, by Representatives Goodman, Jinkins, Wylie, Pedersen, Green, Roberts, Pettigrew, Maxwell, Orwall, Appleton, Ryu, Morrell and Bergquist

Modifying the definition of rape in the third degree and indecent liberties.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1108.

MOTION

On motion of Representative Harris, Representative Rodne was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1108, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Scott.

Excused: Representative Rodne.

HOUSE BILL NO. 1108, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1613, by Representatives Hudgins, Parker, Maxwell, Hayes, Moscoso, Ryu and Stanford

Establishing the criminal justice training commission firing range maintenance account.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1613 was substituted for House Bill No. 1613 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1613 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Parker, Angel, Hayes, Wilcox, Schmick, Klippert, Holy, Takko, Overstreet and Buys spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1613.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1613, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Kristiansen and Taylor.

SUBSTITUTE HOUSE BILL NO. 1613, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1531, by Representatives Hayes, Goodman, Klippert, Hope, Ryu, Holy and Moscoso

Modifying criminal history record information compliance audit provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1531.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1531, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1531, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1399, by Representatives Stanford, Tharinger, Moscoso, Takko, Appleton, Bergquist, Lias and Reykdal

Giving general law enforcement authority to natural resource investigators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1399 was substituted for House Bill No. 1399 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1399 was read the second time.

Representative Hayes moved the adoption of amendment (281).

On page 2, line 18, after "generally," insert "A general authority Washington peace officer includes a natural resource investigator employed by the department of natural resources who has obtained and continues to maintain certification by the commission."

On page 16, after line 32, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 43.12 RCW to read as follows:

In order to qualify as a general authority Washington peace officer as defined in RCW 10.93.020 an employee of the department of natural resources must be certified by the criminal justice training commission pursuant to RCW 43.101.095."

Correct the title

Representatives Hayes and Goodman spoke in favor of the adoption of the amendment.

Amendment (281) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Goodman and Takko spoke in favor of the passage of the bill.

Representatives Klippert, Alexander, Hayes, Alexander (again), Hunter, Hurst and Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1399.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1399, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Hansen, Hope, Hudgins, Hunt, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Uptegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Carlyle, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Habib, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hunter, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1399, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1522, by Representatives Green, Ryu and Morrell

Improving behavioral health services provided to adults in Washington state.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1522 was substituted for House Bill No. 1522 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1522 was read the second time.

Representative Green moved the adoption of amendment (201).

On page 2, line 18, after "service providers" insert ", including at least one chemical dependency provider"

Representatives Green and Schmick spoke in favor of the adoption of the amendment.

Amendment (201) was adopted.

Representative Green moved the adoption of amendment (230).

On page 10, after line 19, insert the following:

"**NEW SECTION. Sec. 5.** A new section is added to chapter 43.20A RCW to read as follows:

By November 30, 2013, the department and the health care authority must report to the governor and the relevant fiscal and policy committees of the legislature, consistent with RCW 43.01.036, a plan that establishes a tribal-centric behavioral health system incorporating both mental health and chemical dependency services. The plan must assure that child, adult, and older adult American Indians and Alaskan Natives eligible for medicaid have increased access to culturally appropriate mental health and chemical dependence services. The plan must:

(1) Include implementation dates, major milestones, and fiscal estimates as needed;

(2) Emphasize the use of culturally appropriate evidence-based and promising practices;

(3) Address equitable access to crisis services, outpatient care, voluntary and involuntary hospitalization, and behavioral health care coordination;

(4) Identify statutory changes necessary to implement the tribal-centric behavioral health system; and

(5) Be developed with the department's Indian policy advisory committee and the American Indian health commission, in consultation with Washington's federally recognized tribes."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Correct the title.

Representative Green spoke in favor of the adoption of the amendment.

Representative Schmick spoke against the adoption of the amendment.

Amendment (230) was adopted.

Representative Green moved the adoption of amendment (231).

On page 10, after line 19, insert the following:

"**Sec. 5.** RCW 18.19.210 and 2008 c 135 s 9 are each amended to read as follows:

(1)(a) An applicant for registration as an agency affiliated counselor who applies to the department within seven days of employment by an agency may work as an agency affiliated counselor for up to sixty days while the application is processed. The applicant must stop working on the sixtieth day of employment if the registration has not been granted for any reason.

(b) The applicant may not provide unsupervised counseling prior to completion of a criminal background check performed by either the employer or the secretary. For purposes of the subsection, "unsupervised" means the supervisor is not physically present at the location where the counseling occurs.

(2) Agency affiliated counselors shall notify the department if they are either no longer employed by the agency identified on their application or are now employed with another agency, or both. Agency affiliated counselors may not engage in the practice of counseling unless they are currently affiliated with an agency."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Green and Schmick spoke in favor of the adoption of the amendment.

Amendment (231) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Green and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1522.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1522, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Shea and Taylor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1522, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

POINT OF PERSONAL PRIVILEGE

Representative Hayes: "Mr. Speaker you may have heard or received news this morning that we lost three Naval Aviators this morning in a training accident when they crashed their EA6B over in Eastern Washington and I was hoping that you might consider a moment of silence and personal prayer to remember these public servants who died while serving and their families and friends, they may even have friends here. These sailors or airmen were from my district and Representative Smith's district from Naval Air Station Whidbey Island. I served at Naval Air Station Whidbey Island myself as did a couple of other members here so I ask for a moment of silence and personal prayer."

Mr Speaker (Representative Moeller) presiding: "Will the House please join me in a moment of silence, please stand."

SECOND READING

HOUSE BILL NO. 1777, by Representatives Green, Reykdal, Ryu, Morrell, Roberts, Fey, Pollet and McCoy

Accelerating changes to mental health involuntary commitment laws.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1777 was substituted for House Bill No. 1777 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1777 was read the second time.

With the consent of the house, amendment (294) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Green spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1777.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1777, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1777, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1627, by Representatives Morrell, Nealey, Zeiger, Jinkins and Ryu

Concerning competency to stand trial evaluations. Revised for 2nd Substitute: Regarding competency to stand trial evaluations.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1627 was substituted for House Bill No. 1627 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1627 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morrell and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1627.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Haler, Schmick, Scott, Short and Tharinger.

SECOND SUBSTITUTE HOUSE BILL NO. 1627, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1114, by Representatives Pedersen, Rodne, Morrell, Nealey, Green and Jinkins

Addressing criminal incompetency and civil commitment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1114 was substituted for House Bill No. 1114 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1114 was read the second time.

Representative Green moved the adoption of amendment (253).

On page 7, line 13, after "(c)" insert "(i)"

On page 7, line 17 after "public safety," insert the following:

"(ii)"

On page 7, line 28, after "behavior" insert ". The additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after release from the state hospital"

Representatives Green and Goodman spoke in favor of the adoption of the amendment.

Representative Rodne spoke against the adoption of the amendment.

Amendment (253) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1114.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1114, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Hawkins, Holy, Manweller, Overstreet, Pike, Scott, Shea, Taylor and Vick.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1383, by Representatives Goodman, Fey, Kirby, Orwall, O'Ban, Roberts, Jinkins, Hope, Angel, Smith, Dahlquist, Wilcox and Kristiansen

Modifying stalking and harassment protection order provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1383 was substituted for House Bill No. 1383 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1383 was read the second time.

Representative Goodman moved the adoption of amendment (199).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Stalking is a crime that affects 3.4 million people over the age of eighteen each year in the United States. Almost half of those victims experience at least one unwanted contact per week. Twenty-nine percent of stalking victims fear that the stalking will never stop. The prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among stalking victims than the general population. Three in four stalking victims are stalked by someone they know, and at least thirty percent of stalking victims are stalked by a current or former intimate partner. For many of those victims, the domestic violence protection order is a tool they can access to help them stay safer. For those who have not had an intimate relationship with the person stalking them, there are

few remedies for them under the law. Victims who do not report the crime still desire safety and protection from future interactions with the offender. Some cases in which the stalking is reported are not prosecuted. In these situations, the victim should be able to seek a civil remedy requiring that the offender stay away from the victim. It is the intent of the legislature that the stalking protection order created by this chapter be a remedy for victims who do not qualify for a domestic violence order of protection. Moreover, it is the intent of the legislature that courts specifically distinguish stalking conduct covered by the stalking protection order from common acts of harassment or nuisance covered by antiharassment orders. Law enforcement agencies need to be able to rely on orders that distinguish stalking conduct from common acts of harassment or nuisance. Victims of stalking conduct deserve the same protection and access to the court system as victims of domestic violence and sexual assault, and this protection can be accomplished without infringing on constitutionally protected speech or activity. The legislature finds that preventing the issuance of conflicting orders is in the interest of both petitioners and respondents.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Minor" means a person who is under eighteen years of age.
- (2) "Petitioner" means any named petitioner for the stalking protection order or any named victim of stalking conduct on whose behalf the petition is brought.
- (3) "Stalking conduct" means any of the following:
 - (a) Any act of stalking as defined under RCW 9A.46.110;
 - (b) Any act of cyberstalking as defined under RCW 9.61.260;
 - (c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, keeping under observation, or following of another that:
 - (i) Would cause a reasonable person to feel intimidated, frightened, or threatened and that actually causes such a feeling;
 - (ii) Serves no lawful purpose; and
 - (iii) The stalker knows or reasonably should know threatens, frightens, or intimidates the person, even if the stalker did not intend to intimidate, frighten, or threaten the person.
- (4) "Stalking no-contact order" means a temporary order or a final order granted under this chapter against a person charged with or arrested for stalking, which includes a remedy authorized under section 16 of this act.
- (5) "Stalking protection order" means an ex parte temporary order or a final order granted under this chapter, which includes a remedy authorized in section 10 of this act.

NEW SECTION. Sec. 3. There shall exist an action known as a petition for a stalking protection order.

- (1) A petition for relief shall allege the existence of stalking conduct and shall be accompanied by an affidavit made under oath stating the specific reasons that have caused the petitioner to become reasonably fearful that the respondent intends to injure the petitioner or another person, or the petitioner's property or the property of another. The petition shall disclose the existence of any other litigation or of any other restraining, protection, or no-contact orders between the parties.
- (2) A petition for relief shall be filed as a separate, stand-alone civil case and a petition for relief may be made regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties.
- (3) Forms and instructional brochures and the necessary number of certified copies shall be provided to the petitioner free of charge.
- (4) A person is not required to post a bond to obtain relief in any proceeding under this section.
- (5) If the petition states that disclosure of the petitioner's address would risk abuse of the petitioner or any member of the petitioner's family or household, that address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address

under this subsection, the petitioner shall designate an alternative address at which the respondent may serve notice of any motions.

NEW SECTION. Sec. 4. A petition for a stalking protection order may be filed by a person:

- (1) Who does not qualify for a protection order under chapter 26.50 RCW and who is a victim of stalking conduct; or
- (2) On behalf of any of the following persons who is a victim of stalking conduct and who does not qualify for a protection order under chapter 26.50 RCW:
 - (a) A minor child, where the petitioner is a parent, a legal custodian, or, where the respondent is not a parent, an adult with whom the child is currently residing; or
 - (b) A vulnerable adult as defined in RCW 74.34.020 and where the petitioner is an interested person as defined in RCW 74.34.020(10).

NEW SECTION. Sec. 5. (1) Any person may seek relief under this chapter by filing a petition with a court alleging that the person has been the victim of stalking conduct committed by the respondent.

(2) A minor sixteen years of age or older may seek relief under this chapter and is not required to seek relief through a guardian or next friend. This does not preclude a parent or legal custodian of a victim sixteen or seventeen years of age from seeking relief on behalf of the minor.

(3) The district courts shall have original jurisdiction and cognizance of any civil actions and proceedings brought under this chapter, except a district court shall transfer such actions and proceedings to the superior court when it is shown that (a) the petitioner, victim, or respondent to the petition is under eighteen years of age; (b) the action involves title or possession of real property; (c) a superior court has exercised or is exercising jurisdiction over a proceeding involving the parties; or (d) the action would have the effect of interfering with a respondent's care, control, or custody of the respondent's minor child.

(4) Municipal courts may exercise jurisdiction and cognizance of any civil actions and proceedings brought under this chapter by adoption of local court rule, except a municipal court shall transfer such actions and proceedings to the superior court when it is shown that (a) the petitioner, victim, or respondent to the petition is under eighteen years of age; (b) the action involves title or possession of real property; (c) a superior court has exercised or is exercising jurisdiction over a proceeding involving the parties; or (d) the action would have the effect of interfering with a respondent's care, control, or custody of the respondent's minor child.

(5) Superior courts shall have concurrent jurisdiction to receive transfer of stalking petitions in cases where a district or municipal court judge makes findings of fact and conclusions of law showing that meritorious reasons exist for the transfer. The jurisdiction of district and municipal courts is limited to enforcement of RCW 26.50.110(1), or the equivalent municipal ordinance, and the issuance and enforcement of temporary orders provided for in section 12 of this act if the superior court is exercising jurisdiction over a proceeding under this chapter involving the parties.

(6) No guardian or guardian ad litem need be appointed on behalf of a respondent to an action under this chapter if such respondent is sixteen years of age or older.

(7) If a guardian ad litem is appointed for the petitioner or respondent, the petitioner shall not be required to pay any fee associated with such appointment.

(8) An action under this chapter shall be filed in the county or the municipality where the petitioner resides, unless the petitioner has left the residence or household to avoid stalking conduct. In that case, the petitioner may bring an action in the county or municipality of the previous or the new residence or household.

NEW SECTION. Sec. 6. Upon receipt of the petition, the court shall order a hearing which shall be held not later than fourteen days from the date of the order. The court may schedule a hearing by

telephone, to reasonably accommodate a disability, or in exceptional circumstances to protect a petitioner from further stalking behavior. The court shall require assurances of the petitioner's identity before conducting a telephonic hearing. Except as provided in section 15 of this act, personal service shall be made upon the respondent not less than five court days prior to the hearing. If timely personal service cannot be made, the court shall set a new hearing date and shall require additional attempts at obtaining personal service or other service as permitted under section 15 of this act. The court may issue an ex parte temporary stalking order pending the hearing as provided in section 12 of this act.

NEW SECTION. Sec. 7. Before granting an order under this chapter, the court may consult the judicial information system, if available, to determine criminal history or the pendency of other proceedings involving the parties.

NEW SECTION. Sec. 8. No fees for filing or service of process may be charged by a public agency to petitioners seeking relief under this chapter.

NEW SECTION. Sec. 9. Victim advocates shall be allowed to accompany the victim and confer with the victim, unless otherwise directed by the court. Court administrators shall allow advocates to assist victims of stalking conduct in the preparation of petitions for stalking protection orders. Advocates are not engaged in the unauthorized practice of law when providing assistance of the types specified in this section.

NEW SECTION. Sec. 10. (1)(a) If the court finds by a preponderance of the evidence that the petitioner has been a victim of stalking conduct by the respondent, the court shall issue a stalking protection order.

(b) The petitioner shall not be denied a stalking protection order because the petitioner or the respondent is a minor or because the petitioner did not report the stalking conduct to law enforcement. The court, when determining whether or not to issue a stalking protection order, may not require proof of the respondent's intentions regarding the acts alleged by the petitioner. Modification and extension of prior stalking protection orders shall be in accordance with this chapter.

(2) The court may provide relief as follows:

(a) Restrain the respondent from having any contact, including nonphysical contact, with the petitioner directly, indirectly, or through third parties regardless of whether those third parties know of the order;

(b) Exclude the respondent from the petitioner's residence, workplace, or school, or from the day care, workplace, or school of the petitioner's minor children;

(c) Prohibit the respondent from knowingly coming within, or knowingly remaining within, a specified distance from a specified location;

(d) Prohibit the respondent from keeping the petitioner and/or the petitioner's minor children under surveillance, to include electronic surveillance;

(e) Order any other injunctive relief as necessary or appropriate for the protection of the petitioner, to include a mental health and/or chemical dependency evaluation; and

(f) Require the respondent to pay the administrative court costs and service fees, as established by the county or municipality incurring the expense and to reimburse the petitioner for costs incurred in bringing the action, including reasonable attorneys' fees.

(3) Unless otherwise stated in the order, when a person is petitioning on behalf of a minor child or vulnerable adult, the relief authorized in this section shall apply only for the protection of the victim, and not the petitioner.

(4) In cases where the petitioner and the respondent attend the same public or private elementary, middle, or high school, the court, when issuing a protection order and providing relief, shall consider, among the other facts of the case, the severity of the act, any continuing physical danger or emotional distress to the petitioner, and

the expense difficulty, and educational disruption that would be caused by a transfer of the respondent to another school. The court may order that the person restrained in the order not attend the public or approved private elementary, middle, or high school attended by the person protected by the order. In the event the court orders a transfer of the restrained person to another school, the parents or legal guardians of the person restrained in the order are responsible for transportation and other costs associated with the change of school by the person restrained in the order. The court shall send notice of the restriction on attending the same school as the person protected by the order to the public or approved private school the person restrained by the order will attend and to the school the person protected by the order attends.

NEW SECTION. Sec. 11. For the purposes of issuing a stalking protection order, deciding what relief should be included in the order, and enforcing the order, RCW 9A.08.020 shall govern whether the respondent is legally accountable for the conduct of another person.

NEW SECTION. Sec. 12. (1) Where it appears from the petition and any additional evidence that the respondent has engaged in stalking conduct and that irreparable injury could result if an order is not issued immediately without prior notice, the court may grant an ex parte temporary order for protection, pending a full hearing and grant such injunctive relief as it deems proper, including the relief as specified under section 10 (2)(a) through (d) and (4) of this act.

(2) Irreparable injury under this section includes, but is not limited to, situations in which the respondent has recently threatened the petitioner with bodily injury or has engaged in acts of stalking conduct against the petitioner.

(3) The court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day.

(4) An ex parte temporary stalking protection order shall be effective for a fixed period not to exceed fourteen days or twenty-four days if the court has permitted service by publication or mail. The ex parte order may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the temporary order or not later than twenty-four days if service by publication or by mail is permitted. Unless the court has permitted service by publication or mail, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

(5) Any order issued under this section shall contain the date and time of issuance and the expiration date and shall be entered into a statewide judicial information system by the clerk of the court within one judicial day after issuance.

(6) If the court declines to issue an ex parte temporary stalking protection order, the court shall state the particular reasons for the court's denial. The court's denial of a motion for an ex parte temporary order shall be filed with the court.

(7) A knowing violation of a court order issued under this section is punishable under RCW 26.50.110.

NEW SECTION. Sec. 13. (1) Except as otherwise provided in this section or section 16 of this act, a final stalking protection order shall be effective for a fixed period of time or be permanent.

(2) Any ex parte temporary or final stalking protection order may be renewed one or more times. The petitioner may apply for renewal of the order by filing a petition for renewal at any time within the three months before the order expires. If the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested renewal. The court shall grant the petition for renewal unless the respondent proves by a preponderance of the evidence that the respondent will not resume acts of stalking conduct against the petitioner or the petitioner's children or family or household members

when the order expires. The court may renew the stalking protection order for another fixed time period or may enter a permanent order as provided in this section. The court may award court costs, service fees, and reasonable attorneys' fees as provided in section 10 of this act.

(3) Any stalking protection order which would expire on a court holiday shall instead expire at the close of the next court business day.

(4) The practice of dismissing or suspending a criminal prosecution in exchange for the issuance of a stalking protection order undermines the purposes of this chapter. This section shall not be construed as encouraging that practice.

(5) If the court declines to issue an order for protection or declines to renew an order for protection, the court shall state in writing on the order the particular reasons for the court's denial.

NEW SECTION. Sec. 14. (1) Any stalking protection order shall describe each remedy granted by the court, in reasonable detail and not by reference to any other document, so that the respondent may clearly understand what he or she must do or refrain from doing.

(2) A stalking protection order shall further state the following:

(a) The name of the petitioner that the court finds was the victim of stalking by the respondent;

(b) The date and time the stalking protection order was issued, whether it is an ex parte temporary or final order, and the duration of the order;

(c) The date, time, and place for any scheduled hearing for renewal of that stalking protection order or for another order of greater duration or scope;

(d) For each remedy in an ex parte temporary stalking protection order, the reason for entering that remedy without prior notice to the respondent or greater notice than was actually given;

(e) For ex parte temporary stalking protection orders, that the respondent may petition the court, to modify or terminate the order if he or she did not receive actual prior notice of the hearing and if the respondent alleges that he or she had a meritorious defense to the order or that the order or its remedy is not authorized by this chapter.

(3) A stalking protection order shall include the following notice, printed in conspicuous type: "A knowing violation of this stalking protection order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

NEW SECTION. Sec. 15. (1) An order issued under this chapter shall be personally served upon the respondent, except as provided in subsection (6), (7), or (8) of this section. If the respondent is a minor, the respondent's parent or legal custodian shall also be personally served.

(2) The sheriff of the county or the peace officers of the municipality in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(3) If service by a sheriff or municipal peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.

(4) If the sheriff or municipal peace officer cannot complete service upon the respondent within ten days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.

(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.

(6) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(7) If the respondent was not personally served with the petition, notice of hearing, and ex parte order before the hearing, the court shall reset the hearing for twenty-four days from the date of entry of the order and may order service by publication instead of personal service under the following circumstances:

(a) The sheriff or municipal officer or private process server files an affidavit stating that the officer or private process server was unable to complete personal service upon the respondent. The affidavit must describe the number and types of attempts the officer or private process server made to complete service;

(b) The petitioner files an affidavit stating that the petitioner believes that the respondent is hiding from the server to avoid service. The petitioner's affidavit must state the reasons for the belief that the respondent is avoiding service;

(c) The server has deposited a copy of the petition, notice of hearing, and the ex parte order of protection in the post office, directed to the respondent at the respondent's last known address, unless the server states that the server does not know the respondent's address;

(d) The court finds reasonable grounds exist to believe that the respondent is concealing himself or herself to avoid service, and that further attempts to personally serve the respondent would be futile or unduly burdensome;

(e) The court shall reissue the temporary order of protection not to exceed another twenty-four days from the date of reissuing the ex parte protection order and order to provide service by publication; and

(f) The publication shall be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks. The newspaper selected must be one of the three most widely circulated papers in the county. The publication of summons shall not be made until the court orders service by publication under this section. Service of the summons shall be considered complete when the publication has been made for three consecutive weeks. The summons must be signed by the petitioner. The summons shall contain the date of the first publication, and shall require the respondent upon whom service by publication is desired, to appear and answer the petition on the date set for the hearing. The summons shall also contain a brief statement of the reason for the petition and a summary of the provisions under the ex parte order. The summons shall be essentially in the following form:

In the court of the state of Washington for the county of

, Petitioner

vs. No.

, Respondent

The state of Washington to (respondent):

You are hereby summoned to appear on the day of, 20, at a.m./p.m., and respond to the petition. If you fail to respond, an order of protection will be issued against you pursuant to the provisions of the stalking protection order act, chapter 7.-- RCW (the new chapter created in section 33 of this act), for a minimum of one year from the date you are required to appear. A temporary order of protection has been issued against you, restraining you from the following: (Insert a brief statement of the provisions of the ex parte order.) A copy of the petition, notice of hearing, and ex parte order has been filed with the clerk of this court.

Petitioner

(8) In circumstances justifying service by publication under subsection (7) of this section, if the serving party files an affidavit stating facts from which the court determines that service by mail is just as likely to give actual notice as service by publication and that the serving party is unable to afford the cost of service by publication, the court may order that service be made by mail. Such service shall be made by any person over eighteen years of age, who is competent to be a witness, other than a party, by mailing copies of the order and other process to the party to be served at his or her last known address or any other address determined by the court to be appropriate. Two copies shall be mailed, postage prepaid, one by ordinary first-class mail and the other by a form of mail requiring a signed receipt showing when and to whom it was delivered. The envelopes must bear the return address of the sender.

(a) Proof of service under this section shall be consistent with court rules for civil proceedings.

(b) Service under this section may be used in the same manner and shall have the same jurisdictional effect as service by publication for purposes of this chapter. Service shall be deemed complete upon the mailing of two copies as prescribed in this section.

NEW SECTION. Sec. 16. (1)(a) When any person charged with or arrested for stalking as defined in RCW 9A.46.110 or any other stalking related offense under RCW 9A.46.060 is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, and the victim does not qualify for a domestic violence protection order under chapter 26.50 RCW, the court authorizing release may issue, by telephone, a stalking no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800.

(c) The stalking no-contact order shall also be issued in writing as soon as possible.

(2)(a) At the time of arraignment or whenever a motion is brought to modify the conditions of the defendant's release, the court shall determine whether a stalking no-contact order shall be issued or extended. If a stalking no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring, including real-time global position satellite monitoring with victim notification. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring, including costs relating to real-time global position satellite monitoring with victim notification.

(b) A stalking no-contact order issued by the court in conjunction with criminal charges shall terminate if the defendant is acquitted or the charges are dismissed, unless the victim files an independent action for a stalking protection order. If the victim files an independent action for a civil stalking protection order, the order may be continued by the court until a full hearing is conducted pursuant to section 6 of this act.

(3)(a) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or

refrain from violating the order's provisions. Only the court can change the order."

(b) A certified copy of the order shall be provided to the victim at no charge.

(4) If a stalking no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(5) Whenever an order prohibiting contact is issued pursuant to subsection (2) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year unless a different expiration date is specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

(6)(a) When a defendant is found guilty of stalking as defined in RCW 9A.46.110 or any other stalking related offense under RCW 9A.46.060 and a condition of the sentence restricts the defendant's ability to have contact with the victim, and the victim does not qualify for a domestic violence protection order under chapter 26.50 RCW, the condition shall be recorded as a stalking no-contact order.

(b) The written order entered as a condition of sentencing shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A final stalking no-contact order entered in conjunction with a criminal prosecution shall remain in effect for a period of five years from the date of entry.

(d) A certified copy of the order shall be provided to the victim at no charge.

(7) A knowing violation of a court order issued under subsection (1), (2), or (6) of this section is punishable under RCW 26.50.110.

(8) Whenever a stalking no-contact order is issued, modified, or terminated under subsection (1), (2), or (6) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year unless a different expiration date is specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated under subsection (2) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 17. (1) In a proceeding in which a petition for a stalking protection order is sought under this chapter, a court of this state may exercise personal jurisdiction over a nonresident individual if:

(a) The individual is personally served with a petition within this state;

(b) The individual submits to the jurisdiction of this state by consent, entering a general appearance, or filing a responsive document having the effect of waiving any objection to consent to personal jurisdiction;

(c) The act or acts of the individual or the individual's agent giving rise to the petition or enforcement of a stalking protection order occurred within this state;

(d)(i) The act or acts of the individual or the individual's agent giving rise to the petition or enforcement of a stalking protection order occurred outside this state and are part of an ongoing pattern of stalking behavior that has an adverse effect on the petitioner or a member of the petitioner's family or household and the petitioner resides in this state; or

(ii) As a result of acts of stalking behavior, the petitioner or a member of the petitioner's family or household has sought safety or protection in this state and currently resides in this state; or

(e) There is any other basis consistent with RCW 4.28.185 or with the Constitution of this state and the Constitution of the United States.

(2) For jurisdiction to be exercised under subsection (1)(d)(i) or (ii) of this section, the individual must have communicated with the petitioner or a member of the petitioner's family, directly or indirectly, or made known a threat to the safety of the petitioner or member of the petitioner's family while the petitioner or family member resides in this state. For the purposes of subsection (1)(d)(i) or (ii) of this section, "communicated or made known" includes, but is not limited to, through the mail, telephonically, or a posting on an electronic communication site or medium. Communication on any electronic medium that is generally available to any individual residing in the state shall be sufficient to exercise jurisdiction under subsection (1)(d)(i) or (ii) of this section.

(3) For the purposes of this section, an act or acts that "occurred within this state" includes, but is not limited to, an oral or written statement made or published by a person outside of this state to any person in this state by means of the mail, interstate commerce, or foreign commerce. Oral or written statements sent by electronic mail or the internet are deemed to have "occurred within this state."

NEW SECTION. Sec. 18. (1) A copy of a stalking protection order or stalking no-contact order granted under this chapter shall be forwarded by the clerk of the court on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the order, the law enforcement agency shall immediately enter the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. The order shall remain in the computer for one year unless a different expiration date is specified on the order. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system. The law enforcement agency shall only expunge from the computer-based criminal intelligence information system orders that are expired, vacated, terminated, or superseded. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(2) The information entered into the computer-based criminal intelligence information system shall include notice to law enforcement whether the order was personally served, served by publication, or served by mail.

NEW SECTION. Sec. 19. (1) Upon application with notice to all parties and after a hearing, the court may modify the terms of an existing stalking protection order.

(2) A respondent's motion to modify or terminate an existing stalking protection order must include a declaration setting forth facts supporting the requested order for termination or modification. The nonmoving parties to the proceeding may file opposing declarations. The court shall deny the motion unless it finds that adequate cause for hearing the motion is established by the declarations. If the court finds that the respondent established adequate cause, the court shall set a date for hearing the respondent's motion.

(3) The court may not terminate or modify an existing stalking protection order unless the respondent proves by a preponderance of the evidence that there has been a substantial change in circumstances such that the respondent will not resume acts of stalking conduct against the petitioner or those persons protected by the protection order if the order is terminated or modified. The petitioner bears no burden of proving that he or she has a current reasonable fear of harm by the respondent.

(4) A court may require the respondent to pay the petitioner for costs incurred in responding to a motion to terminate or modify a stalking protection order, including reasonable attorneys' fees.

(5) In any situation where an order is terminated or modified before its expiration date, the clerk of the court shall forward on or before the next judicial day a true copy of the modified order or the termination order to the appropriate law enforcement agency specified in the modified or termination order. Upon receipt of the order, the law enforcement agency shall promptly enter it in the computer-based criminal intelligence information system, or if the order is terminated, remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 20. A new section is added to chapter 10.14 RCW to read as follows:

In each county, the superior court may appoint one or more attorneys to act as protection order commissioners pursuant to this chapter to exercise all powers and perform all duties of a court commissioner appointed pursuant to RCW 2.24.010 provided that such positions may not be created without prior consent of the county legislative authority. A person appointed as a protection order commissioner under this chapter may also be appointed to any other commissioner position authorized by law.

NEW SECTION. Sec. 21. A new section is added to chapter 10.14 RCW to read as follows:

(1) By January 1, 2014, the administrative office of the courts shall develop a single master petition pattern form for all antiharassment and stalking protection orders issued under chapter 7.- - RCW (the new chapter created in section 33 of this act) and this chapter. The master petition must prompt petitioners to disclose on the form whether the petitioner who is seeking an ex parte order has experienced stalking conduct as defined in section 2 of this act. An antiharassment order and stalking protection order issued under chapter 7.-- RCW (the new chapter created in section 33 of this act) and this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(2) The legislature respectfully requests that the Washington state supreme court gender and justice commission, in consultation with Washington coalition of sexual assault programs, Washington state coalition against domestic violence, Washington association of prosecuting attorneys, Washington association of criminal defense lawyers, and Washington association of sheriffs and police chiefs, consider other potential solutions to reduce confusion about which type of protection order a petitioner should seek and to provide any recommendations to the legislature by January 1, 2014.

NEW SECTION. Sec. 22. An ex parte temporary order issued under this chapter shall not be admissible as evidence in any subsequent civil action for damages arising from the conduct alleged in the petition or the order.

NEW SECTION. Sec. 23. Nothing in this chapter shall be construed as requiring criminal charges to be filed as a condition of a stalking protection order being issued.

NEW SECTION. Sec. 24. This act may be known and cited as the stalking protection order act.

Sec. 25. RCW 9.41.800 and 2002 c 302 s 704 are each amended to read as follows:

(1) Any court when entering an order authorized under chapter 7.- - RCW (the new chapter created in section 33 of this act), RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060,

26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 shall, upon a showing by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender any concealed pistol license issued under RCW 9.41.070;

(c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

(d) Prohibit the party from obtaining or possessing a concealed pistol license.

(2) Any court when entering an order authorized under chapter 7.- RCW (the new chapter created in section 33 of this act), RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a pistol under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender a concealed pistol license issued under RCW 9.41.070;

(c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

(d) Prohibit the party from obtaining or possessing a concealed pistol license.

(3) The court may order temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1), (2), and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1), (2), and (4) of this section may be for a period of time less than the duration of the order.

(6) The court may require the party to surrender any firearm or other dangerous weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of the proceeding, the chief of police of the municipality having jurisdiction, or to the restrained or enjoined party's counsel or to any person designated by the court.

Sec. 26. RCW 9.94A.535 and 2011 c 87 s 1 are each amended to read as follows:

The court may impose a sentence outside the standard sentence range for an offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence. Facts supporting aggravated sentences, other than the fact of a prior conviction, shall be determined pursuant to the provisions of RCW 9.94A.537.

Whenever a sentence outside the standard sentence range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard sentence range shall be a determinate sentence.

If the sentencing court finds that an exceptional sentence outside the standard sentence range should be imposed, the sentence is subject to review only as provided for in RCW 9.94A.585(4).

A departure from the standards in RCW 9.94A.589 (1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in this section, and may be appealed by the offender or the state as set forth in RCW 9.94A.585 (2) through (6).

(1) Mitigating Circumstances - Court to Consider

The court may impose an exceptional sentence below the standard range if it finds that mitigating circumstances are established by a preponderance of the evidence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his or her conduct, or to conform his or her conduct to the requirements of the law, was significantly impaired. Voluntary use of drugs or alcohol is excluded.

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.589 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(i) The defendant was making a good faith effort to obtain or provide medical assistance for someone who is experiencing a drug-related overdose.

(j) The current offense involved domestic violence, as defined in RCW 10.99.020, and the defendant suffered a continuing pattern of coercion, control, or abuse by the victim of the offense and the offense is a response to that coercion, control, or abuse.

(2) Aggravating Circumstances - Considered and Imposed by the Court

The trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances:

(a) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(b) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(c) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(d) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

(3) Aggravating Circumstances - Considered by a Jury -Imposed by the Court

Except for circumstances listed in subsection (2) of this section, the following circumstances are an exclusive list of factors that can

support a sentence above the standard range. Such facts should be determined by procedures specified in RCW 9.94A.537.

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance.

(c) The current offense was a violent offense, and the defendant knew that the victim of the current offense was pregnant.

(d) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time; or

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(e) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so;

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use;

(iii) The current offense involved the manufacture of controlled substances for use by other parties;

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(v) The current offense involved a high degree of sophistication or planning, occurred over a lengthy period of time, or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

(f) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.835.

(g) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time.

(h) The current offense involved domestic violence, as defined in RCW 10.99.020, or stalking, as defined in RCW 9A.46.110, and one or more of the following was present:

(i) The offense was part of an ongoing pattern of psychological, physical, or sexual abuse of a victim or multiple victims manifested by multiple incidents over a prolonged period of time;

(ii) The offense occurred within sight or sound of the victim's or the offender's minor children under the age of eighteen years; or

(iii) The offender's conduct during the commission of the current offense manifested deliberate cruelty or intimidation of the victim.

(i) The offense resulted in the pregnancy of a child victim of rape.

(j) The defendant knew that the victim of the current offense was a youth who was not residing with a legal custodian and the defendant established or promoted the relationship for the primary purpose of victimization.

(k) The offense was committed with the intent to obstruct or impair human or animal health care or agricultural or forestry research or commercial production.

(l) The current offense is trafficking in the first degree or trafficking in the second degree and any victim was a minor at the time of the offense.

(m) The offense involved a high degree of sophistication or planning.

(n) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(o) The defendant committed a current sex offense, has a history of sex offenses, and is not amenable to treatment.

(p) The offense involved an invasion of the victim's privacy.

(q) The defendant demonstrated or displayed an egregious lack of remorse.

(r) The offense involved a destructive and foreseeable impact on persons other than the victim.

(s) The defendant committed the offense to obtain or maintain his or her membership or to advance his or her position in the hierarchy of an organization, association, or identifiable group.

(t) The defendant committed the current offense shortly after being released from incarceration.

(u) The current offense is a burglary and the victim of the burglary was present in the building or residence when the crime was committed.

(v) The offense was committed against a law enforcement officer who was performing his or her official duties at the time of the offense, the offender knew that the victim was a law enforcement officer, and the victim's status as a law enforcement officer is not an element of the offense.

(w) The defendant committed the offense against a victim who was acting as a good samaritan.

(x) The defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system.

(y) The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2).

(z)(i)(A) The current offense is theft in the first degree, theft in the second degree, possession of stolen property in the first degree, or possession of stolen property in the second degree; (B) the stolen property involved is metal property; and (C) the property damage to the victim caused in the course of the theft of metal property is more than three times the value of the stolen metal property, or the theft of the metal property creates a public hazard.

(ii) For purposes of this subsection, "metal property" means commercial metal property, private metal property, or nonferrous metal property, as defined in RCW 19.290.010.

(aa) The defendant committed the offense with the intent to directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage to or for a criminal street gang as defined in RCW 9.94A.030, its reputation, influence, or membership.

(bb) The current offense involved paying to view, over the internet in violation of RCW 9.68A.075, depictions of a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(4) (a) through (g).

(cc) The offense was intentionally committed because the defendant perceived the victim to be homeless, as defined in RCW 9.94A.030.

Sec. 27. RCW 9A.46.040 and 2012 c 223 s 1 are each amended to read as follows:

(1) Because of the likelihood of repeated harassment directed at those who have been victims of harassment in the past, when any defendant charged with a crime involving harassment is released from custody before trial on bail or personal recognizance, the court authorizing the release may issue an order pursuant to this chapter and require that the defendant:

(a) Stay away from the home, school, business, or place of employment of the victim or victims of the alleged offense or other location, as shall be specifically named by the court in the order;

(b) Refrain from contacting, intimidating, threatening, or otherwise interfering with the victim or victims of the alleged offense and such other persons, including but not limited to members of the family or household of the victim, as shall be specifically named by the court in the order.

(2) Willful violation of a court order issued under this section or an equivalent local ordinance is a gross misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 9A.46 RCW. A certified copy of the order shall be provided to the victim by the clerk of the court.

(3) If the defendant is charged with the crime of stalking or any other stalking related offense under RCW 9A.46.060, and the court issues an order protecting the victim, the court shall issue a stalking no-contact order pursuant to chapter 7.-- RCW (the new chapter created in section 33 of this act).

NEW SECTION. Sec. 28. A new section is added to chapter 9A.46 RCW to read as follows:

(1) A defendant arrested for stalking as defined by RCW 9A.46.110 shall be required to appear in person before a magistrate within one judicial day after the arrest.

(2) At the time of appearance provided in subsection (1) of this section the court shall determine the necessity of imposing a stalking no-contact order under chapter 7.-- RCW (the new chapter created in section 33 of this act).

(3) Appearances required pursuant to this section are mandatory and cannot be waived.

(4) The stalking no-contact order shall be issued and entered with the appropriate law enforcement agency pursuant to the procedures outlined in chapter 7.-- RCW (the new chapter created in section 33 of this act).

Sec. 29. RCW 9A.46.110 and 2007 c 201 s 1 are each amended to read as follows:

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

(a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and

(b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker either:

(i) Intends to frighten, intimidate, or harass the person; or

(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any

other form of contact or communication, the sending of an electronic communication to the person.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another is guilty of a class ((C)) B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW ((9.94A.602)) 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

Sec. 30. RCW 10.14.070 and 2005 c 144 s 1 are each amended to read as follows:

Upon receipt of the petition alleging a prima facie case of harassment, other than a petition alleging a sex offense as defined in chapter 9A.44 RCW or a petition for a stalking protection order under chapter 7.-- RCW (the new chapter created in section 33 of this act), the court shall order a hearing which shall be held not later than fourteen days from the date of the order. If the petition alleges a sex offense as defined in chapter 9A.44 RCW, the court shall order a hearing which shall be held not later than fourteen days from the date of the order. Except as provided in RCW 10.14.085, personal service shall be made upon the respondent not less than five court days before the hearing. If timely personal service cannot be made, the court shall set a new hearing date and shall either require additional attempts at obtaining personal service or permit service by publication as provided by RCW 10.14.085. If the court permits service by publication, the court shall set the hearing date not later than twenty-

four days from the date of the order. The court may issue an ex parte order for protection pending the hearing as provided in RCW 10.14.080 and 10.14.085.

Sec. 31. RCW 26.50.110 and 2009 c 439 s 3 and 2009 c 288 s 3 are each reenacted and amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court may require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for

violating the provisions of an order issued under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

Sec. 32. RCW 10.31.100 and 2010 c 274 s 201 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (10) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.-- (the new chapter created in section 33 of this act), 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means

physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(6) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(7) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(8) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(9) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(10) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(11) Except as specifically provided in subsections (2), (3), (4), and (6) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(12) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (8) of this section if the police officer acts in good faith and without malice.

NEW SECTION. Sec. 33. Sections 1 through 19 and 22 through 24 of this act constitute a new chapter in Title 7 RCW."

Correct the title.

Representative Goodman spoke in favor of the adoption of the amendment.

Amendment (199) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Fey, Angel and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1383.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1383, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1774, by Representatives Freeman, Goodman, Haler, Roberts, Farrell, Kagi, Stanford, Stonier, Bergquist, Ryu, O'Ban, Morrell, Fey, Pollet and Santos

Measuring performance of the child welfare system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1774 was substituted for House Bill No. 1774 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1774 was read the second time.

Representative Kagi moved the adoption of amendment (229).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that the goals of the child welfare system are to protect the safety, permanence, and well-being of the children it serves. The legislature further recognizes the importance of maintaining publicly accessible data that tracks the performance of the child welfare system, leading to transparency and public understanding of the system.

(2) The legislature believes it is important to measure safety, permanence, and well-being such that the public and the legislature may understand how the child welfare system is performing. This information will also serve the legislature in determining priorities for investment of public dollars as well as need for substantive legislative changes to facilitate improvement.

(3) The reports to the legislature under section 2 of this act will be used to provide feedback to the department of social and health services. The agencies referenced in section 2 of this act will not disclose individually identifiable private information except as allowable under federal and state law.

NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW to read as follows:

(1) The University of Washington, through partners for our children, within the school of social work, and the department, in collaboration with other stakeholders, shall develop measurements in the areas of safety, permanency, and well-being, using existing and available data. Measurements must be calculated from data used in the routine work of the state agencies' data and information technology departments. Any new record linkage or data-matching activities required in fulfillment of this section may be performed by partners for our children pursuant to agreements developed under subsection (6) of this section.

(2) For the purposes of this section, "state agencies" means any agency or subagency providing data used in the integrated client database maintained by the research and data analysis division of the department. Any exchange of data must be in accordance with applicable federal and state law.

(3) All measurements must use a methodology accepted by the scientific community. All measurements must address any disproportionate racial and ethnic inequality. The initial measurements must be developed by December 1, 2013.

(4) The measurements may not require the state agencies to revise their data collection systems, and may not require the state agencies to provide individually identifiable information.

(5) The state agencies shall provide the University of Washington with all measurement data related to the measurements developed under this section at least quarterly beginning July 1, 2014. Partners for our children shall make any nonidentifiable data publicly available. Partners for our children shall report on the data to the legislature and the governor annually starting December 31, 2014.

(6) By January 1, 2014, the state agencies shall execute agreements with partners for our children to enable sharing of data pursuant to RCW 42.48.020 sufficient to comply with this section.

(7) The fact that partners for our children has chosen to use a specific measure, use a specific baseline, or compare any measure to a baseline is not admissible as evidence of negligence by the department in a civil action.

Sec. 3. RCW 74.13B.020 and 2012 c 205 s 3 are each amended to read as follows:

(1) No later than December 1, ~~((2013))~~ 2014, the department shall enter into performance-based contracts for the provision of family support and related services. The department may enter into performance-based contracts for additional services, other than case management.

(2) ~~((Beginning December 1, 2013, the department may not renew its current contracts with individuals or entities for the provision of the child welfare services included in performance-based~~

contracts under this section for services in geographic areas served by network administrators under such contracts, except as mutually agreed upon between the department and the network administrator to allow for the successful transition of services that meet the needs of children and families.

~~((3)))~~ The department shall conduct a procurement process to enter into performance-based contracts with one or more network administrators for family support and related services. As part of the procurement process, the department shall consult with department caseworkers, the exclusive bargaining representative for employees of the department, tribal representatives, parents who were formerly involved in the child welfare system, youth currently or previously in foster care, child welfare services researchers, and the Washington state institute for public policy to assist in identifying the categories of family support and related services that will be included in the procurement. The categories of family support and related services shall be defined no later than July 15, 2012. In identifying services, the department must review current data and research related to the effectiveness of family support and related services that mitigate child safety concerns and promote permanency, including reunification, and child well-being. Expenditures for family support and related services purchased under this section must remain within the levels appropriated in the operating budget.

~~((4)))~~ ~~(3)~~(a) Network administrators shall, directly or through subcontracts with service providers:

(i) Assist caseworkers in meeting their responsibility for implementation of case plans and individual service and safety plans; and

(ii) Provide the family support and related services within the categories of contracted services that are included in a child or family's case plan or individual service and safety plan within funds available under contract.

(b) While the department caseworker retains responsibility for case management, nothing in chapter 205, Laws of 2012 limits the ability of the department to continue to contract for the provision of case management services by child-placing agencies, behavioral rehabilitation services agencies, or other entities that provided case management under contract with the department prior to July 1, 2005.

~~((5)))~~ ~~(4)~~ In conducting the procurement, the department shall actively consult with other state agencies with relevant expertise, such as the health care authority, and with philanthropic entities with expertise in performance-based contracting for child welfare services. The director of the office of financial management must approve the request for proposal prior to its issuance.

~~((6)))~~ ~~(5)~~ The procurement process must be developed and implemented in a manner that complies with applicable provisions of intergovernmental agreements between the state of Washington and tribal governments and must provide an opportunity for tribal governments to contract for service delivery through network administrators.

~~((7)))~~ ~~(6)~~ The procurement and resulting contracts must include, but are not limited to, the following standards and requirements:

(a) The use of family engagement approaches to successfully motivate families to engage in services and training of the network's contracted providers to apply such approaches;

(b) The use of parents and youth who are successful veterans of the child welfare system to act as mentors through activities that include, but are not limited to, helping families navigate the system, facilitating parent engagement, and minimizing distrust of the child welfare system;

(c) The establishment of qualifications for service providers participating in provider networks, such as appropriate licensure or certification, education, and accreditation by professional accrediting entities;

(d) Adequate provider capacity to meet the anticipated service needs in the network administrator's contracted service area. The

network administrator must be able to demonstrate that its provider network is culturally competent and has adequate capacity to address disproportionality, including utilization of tribal and other ethnic providers capable of serving children and families of color or who need language-appropriate services;

(e) Fiscal solvency of network administrators and providers participating in the network;

(f) The use of evidence-based, research-based, and promising practices, where appropriate, including fidelity and quality assurance provisions;

(g) Network administrator quality assurance activities, including monitoring of the performance of providers in their provider network, with respect to meeting measurable service outcomes;

(h) Network administrator data reporting, including data on contracted provider performance and service outcomes; and

(i) Network administrator compliance with applicable provisions of intergovernmental agreements between the state of Washington and tribal governments and the federal and Washington state Indian child welfare act.

~~((8))~~ (7) As part of the procurement process under this section, the department shall issue the request for proposals no later than December 31, ~~((2012. The department shall notify the apparently successful bidders no later than June 30, 2013))~~ 2013, shall begin implementation of performance-based contracting no later than July 1, 2014, and shall fully implement performance-based contracting no later than July 1, 2015.

~~((9))~~ (8) Performance-based payment methodologies must be used in network administrator contracting. Performance measures should relate to successful engagement by a child or parent in services included in their case plan, and resulting improvement in identified problem behaviors and interactions. For the initial three-year period of implementation of performance-based contracting, the department may transfer financial risk for the provision of services to network administrators only to the limited extent necessary to implement a performance-based payment methodology, such as phased payment for services. However, the department may develop a shared savings methodology through which the network administrator will receive a defined share of any savings that result from improved performance. If the department receives a Title IV-E waiver, the shared savings methodology must be consistent with the terms of the waiver. If a shared savings methodology is adopted, the network administrator shall reinvest the savings in enhanced services to better meet the needs of the families and children they serve.

~~((10))~~ (9) The department must actively monitor network administrator compliance with the terms of contracts executed under this section.

~~((11))~~ (10) The use of performance-based contracts under this section must be done in a manner that does not adversely affect the state's ability to continue to obtain federal funding for child welfare-related functions currently performed by the state and with consideration of options to further maximize federal funding opportunities and increase flexibility in the use of such funds, including use for preventive and in-home child welfare services.

Sec. 4. RCW 74.13.360 and 2012 c 205 s 8 are each amended to read as follows:

(1) No later than December 30, ~~((2015))~~ 2016:

(a) In the demonstration sites selected under RCW 74.13.368(4)(a), child welfare services shall be provided by supervising agencies with whom the department has entered into performance-based contracts. Supervising agencies may enter into subcontracts with other licensed agencies; and

(b) Except as provided in subsection (3) of this section, and notwithstanding any law to the contrary, the department may not directly provide child welfare services to families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a).

(2) No later than December 30, ~~((2015))~~ 2016, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department is responsible for only the following:

(a) Monitoring the quality of services for which the department contracts under this chapter;

(b) Ensuring that the services are provided in accordance with federal law and the laws of this state, including the Indian child welfare act;

(c) Providing child protection functions and services, including intake and investigation of allegations of child abuse or neglect, emergency shelter care functions under RCW 13.34.050, and referrals to appropriate providers; and

(d) Issuing licenses pursuant to chapter 74.15 RCW.

(3) No later than December 30, ~~((2015))~~ 2016, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department may provide child welfare services only:

(a) For the limited purpose of establishing a control or comparison group as deemed necessary by the child welfare transformation design committee, with input from the Washington state institute for public policy, to implement the demonstration sites selected and defined pursuant to RCW 74.13.368(4)(a) in which the performance in achieving measurable outcomes will be compared and evaluated pursuant to RCW 74.13.370; or

(b) In an emergency or as a provider of last resort. The department shall adopt rules describing the circumstances under which the department may provide those services. For purposes of this section, "provider of last resort" means the department is unable to contract with a private agency to provide child welfare services in a particular geographic area or, after entering into a contract with a private agency, either the contractor or the department terminates the contract.

(4) For purposes of this chapter, on and after September 1, 2010, performance-based contracts shall be structured to hold the supervising agencies accountable for achieving the following goals in order of importance: Child safety; child permanency, including reunification; and child well-being.

(5) A federally recognized tribe located in this state may enter into a performance-based contract with the department to provide child welfare services to Indian children whether or not they reside on a reservation. Nothing in this section prohibits a federally recognized Indian tribe located in this state from providing child welfare services to its members or other Indian children pursuant to existing tribal law, regulation, or custom, or from directly entering into agreements for the provision of such services with the department, if the department continues to otherwise provide such services, or with federal agencies.

NEW SECTION. Sec. 5. RCW 74.13.368 (Performance-based contracts-- Child welfare transformation design committee) and 2012 c 205 s 10, 2010 c 291 s 2, & 2009 c 520 s 8 are each suspended as of the effective date of this section until December 1, 2015."

Correct the title.

Representatives Kagi and Walsh spoke in favor of the adoption of the amendment.

Amendment (229) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Freeman, Walsh and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1774.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1774, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1795, by Representatives Jinkins, Schmick, Morrell, Harris, Green, Hope, Pollet and Bergquist

Concerning the scope and costs of the diabetes epidemic in Washington.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Schmick and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1795.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1795, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith,

Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Crouse, Hargrove, Magendanz, Overstreet, Pike, Scott, Shea and Taylor.

HOUSE BILL NO. 1795, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1499, by Representatives Jinkins, Harris, Cody, Fitzgibbon, Ryu, Roberts, Fey and Pollet

Concerning the program of all-inclusive care for the elderly.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1499 was substituted for House Bill No. 1499 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1499 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1499.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1499, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1499, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1947, by Representatives Cody, Hunter, Jinkins and Harris

Concerning the operating expenses of the Washington health benefit exchange.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1947 was substituted for House Bill No. 1947 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1947 was read the second time.

Representative Cody moved the adoption of amendment (285).

On page 3, line 10, after "act." insert "If the exchange is charging an assessment, the exchange shall set forth the amount of the assessment per member per month on monthly billing statements."

On page 3, line 23, after "installments." insert "Upon determination of the amount of the assessment, the exchange shall notify carriers of the due dates of the quarterly installments."

On page 3, after line 25, insert the following:

"(4) The exchange shall reconcile assessment payments based on actual covered lives at the end of the calendar year of the assessment. At the end of the calendar year, the exchange shall compare the amount of the assessment for each carrier calculated in subsection (2) of this section to the amount of the assessment that would have been collected from each carrier based on each carrier's actual covered lives in qualified health plans and dental plans in the exchange during that calendar year. If a carrier's share of the assessment would have been smaller if it were based on actual covered lives, the exchange shall refund the carrier for the difference between the collected amount of the assessment and the amount of the assessment that would have been collected based on the carrier's actual covered lives.

(5) The assessment described in this section shall be considered a special purpose obligation or assessment in connection with coverage described in this section for the purpose of funding the operations of the exchange."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 5, line 6, after "plans" insert "and dental plans"

On page 5, line 23, after "received" insert "from business conducted outside of the health benefit exchange under chapter 43.71 RCW"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (285) was adopted.

Representative Cody moved the adoption of amendment (308).

On page 7, after line 5, insert the following:

"**NEW SECTION. Sec. 8.** Section 6 of this act applies both prospectively and retroactively."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (308) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1947.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1947, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Haler, Hargrove, Hawkins, Holy, Johnson, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick, Walsh, Warnick and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1727, by Representatives Morrell, Green, Walsh, Ryu, Appleton, Tharinger and Pollet

Raising licensure limits to allow assisted living facilities to serve a higher acuity resident population.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1727 was substituted for House Bill No. 1727 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1727 was read the second time.

Representative Morrell moved the adoption of amendment (76).

On page 3, line 22, after "programs." insert "The notice must be signed and dated by the resident, or his or her representative if the resident lacks capacity. The facility must retain a copy of the signed notice."

On page 3, line 24, after "resident may" strike "then contract for the provision of" and insert "elect to receive the"

On page 3, line 26, after "RCW 18.20.380" insert ", or from the assisted living facility if the facility is an authorized provider under the relevant benefit program"

On page 10, line 17, after "act" insert "which prevent unnecessary payments to assisted living facilities for nursing or rehabilitative therapy services that may be available through other coverage programs"

On page 10, line 19, after "violation" strike "of section 2(6) of this act" and insert "by an assisted living facility of section 2(6) of this act by failing to give notice to a resident and charging the resident for the provision of nursing or rehabilitative services"

Representatives Morrell and Schmick spoke in favor of the adoption of the amendment.

Amendment (76) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morrell spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1727.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1727, and the bill passed the House by the following vote: Yeas, 61; Nays, 37; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Hope, Hurst, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick, Walsh, Warnick and Wilcox.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1727, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1445, by Representatives Cody, Green, Jinkins and Morrell

Concerning complex rehabilitation technology products.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1445 was substituted for House Bill No. 1445 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1445 was read the second time.

Representative Alexander moved the adoption of amendment (301).

On page 1, at the beginning of line 15, strike "medically necessary,"

On page 1, beginning on line 17, after "program." strike all material through "take" on page 2, line 2 and insert "This separate recognition shall:

(a) Establish a budget and services category separate from other categories, such as durable medical equipment and supplies;

(b) Take"

On page 2, beginning on line 4, after "medical needs" strike all material through "needs" on line 13 and insert "; and

(c) Establish standards for the purchase of complex rehabilitation technology exclusively from qualified complex rehabilitation technology suppliers"

On page 2, beginning on line 27, after "capacities" strike all material through "capacities" on page 3, line 1

On page 3, line 2, after "requirements" insert "under authority rules"

On page 4, after line 14, insert the following:

"NEW SECTION. Sec. 3. This act takes effect January 1, 2014."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (301) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1445.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1445, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Hargrove, Kristiansen, Magendanz, Overstreet and Taylor.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1445, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1471, by Representatives Riccelli, Schmick, Cody, Clibborn, Ross, Short, Rodne, Green, Angel and Morrell

Updating and aligning with federal requirements hospital health care-associated infection rate reporting.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1471.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1471, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1515, by Representatives Cody, Jinkins, Green, Morrell and Ryu

Concerning medical assistants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1515 was substituted for House Bill No. 1515 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1515 was read the second time.

Representative Cody moved the adoption of amendment (208).

On page 6, line 12, after "surgeries" insert "utilizing no more than local anesthetic"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (208) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Carlyle was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1515.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1515, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1737, by Representatives Morrell, Manweller, Clibborn and Moeller

Concerning supervision of physician assistants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1737 was substituted for House Bill No. 1737 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1737 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morrell and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1737.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1737, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

SUBSTITUTE HOUSE BILL NO. 1737, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1679, by Representatives Cody, Jinkins and Ryu

Regarding the disclosure of health care information.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1679 was substituted for House Bill No. 1679 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1679 was read the second time.

Representative Cody moved the adoption of amendment (304).

On page 4, line 37, after "information." insert "For health care information maintained by a hospital as defined in RCW 70.41.020 or a health care facility or health care provider that participates with a hospital in an organized health care arrangement defined under federal law, "information and records related to mental health services" is limited to information and records of services provided by a mental health professional or information and records of services created by a hospital-operated community mental health program as defined in RCW 71.24.025(6)."

On page 5, line 22, after "71.05.020" strike "and" and insert "or"

On page 8, beginning on line 25, after "(a)" strike all material through "(i)" on line 27

On page 8, at the beginning of line 28, strike "~~((b))~~ (ii)" and insert "(b)"

On page 8, beginning on line 30, strike all material through "services" on line 31 and insert "(c) Incident to a use or disclosure that is otherwise permitted or required"

On page 8, at the beginning of line 32, strike "~~((d))~~ (iv)" and insert "(d)"

On page 8, at the beginning of line 35, strike "~~((e))~~ (v)" and insert "(e)"

On page 8, at the beginning of line 36, strike "~~((f))~~ (vi)" and insert "(f)"

On page 9, at the beginning of line 1, strike "~~((g))~~ (b)" and insert "(g)"

On page 9, at the beginning of line 3, strike "~~((h))~~ (c)" and insert "(h)"

On page 9, at the beginning of line 5, strike "~~(and~~ —~~))~~ (d)" and insert "~~(and)~~ (i)"

On page 9, at the beginning of line 9, strike "(e)" and insert "(j)"

On page 9, line 14, after "diseases" insert "which are addressed in section 6 of this act"

On page 11, line 33, after "diseases," insert "unless otherwise authorized in section 6 of this act,"

On page 13, line 5, after "(1)" strike "A" and insert "In addition to the disclosures authorized by RCW 70.02.050 and section 5 of this act, a"

On page 13, line 8, after "services" insert "which are addressed by sections 6 through 10 of this act"

On page 14, line 25, after "(2)" strike "A" and insert "In addition to the disclosures required by RCW 70.02.050 and section 5 of this act, a"

On page 14, line 27, after "services" insert "which are addressed by sections 6 through 10 of this act"

On page 16, line 4, after "(2)" strike "A" and insert "In addition to the disclosures required by RCW 70.02.050 and section 4 of this act, a"

On page 16, line 6, after "if" strike "the" and insert "":

(a) The"

On page 16, line 7, after "deaths" insert ""; or

(b) The disclosure is to a procurement organization or person to whom a body part passes for the purpose of examination necessary to assure the medical suitability of the body part"

On page 20, after line 15, insert the following:

"(7) A person, including a health care facility or health care provider, shall disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease and information and records related to sexually transmitted diseases to federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal certification or registration rules or laws; or when needed to protect the public health. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW."

On page 26, line 11, after "client" insert "":

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information

obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary"

On page 34, beginning on line 29, after "not" strike all material through "aggregated" on line 32 and insert ":

(1) Use or disclose health care information for marketing or fund-raising purposes, unless permitted by federal law; or

(2) Sell health care information to a third party, except in a form that is deidentified and aggregated"

Beginning on page 34, line 35, strike all material through "records," on page 36, line 35 and insert the following:

"(1)(a) Before service of a discovery request or compulsory process on a ((health care provider)) hospital as defined in RCW 70.41.020 for health care information, an attorney shall provide advance notice to the ((health care provider)) hospital and the patient or the patient's attorney involved through service of process or first-class mail, indicating the ((health care provider)) hospital from whom the information is sought, what health care information is sought, and the date by which a protective order must be obtained to prevent the ((health care provider)) hospital from complying. Such date shall give the patient and the ((health care provider)) hospital adequate time to seek a protective order, but in no event be less than fourteen days since the date of service or delivery to the patient and the ((health care provider)) hospital of the foregoing. Thereafter the request for discovery or compulsory process shall be served on the ((health care provider)) hospital.

((2)) (b) Without the written consent of the patient, the ((health care provider)) hospital may not disclose the health care information sought under ((subsection (4))) (a) of this ((section)) subsection if the requestor has not complied with the requirements of ((subsection (4))) (a) of this ((section)) subsection. In the absence of a protective order issued by a court of competent jurisdiction forbidding compliance, the ((health care provider)) hospital shall disclose the information in accordance with this chapter. In the case of compliance, the request for discovery or compulsory process shall be made a part of the patient record.

((3)) (c) Production of health care information under this section, in and of itself, does not constitute a waiver of any privilege, objection, or defense existing under other law or rule of evidence or procedure.

(2)(a) A discovery request or compulsory process for health care information from an entity other than a hospital must be made in accordance with the appropriate civil rules of superior court and include service of a copy of the subpoena on the patient whose records are being sought for disclosure.

(b) Upon receipt of such a request or process, the health care provider shall provide a copy to the patient at the patient's last known address, to the patient's attorney, if known, unless after reasonable inquiry the health care provider is unable to determine the last known address of the patient.

(c) On sending a copy of the request or process as provided in (b) of this subsection, the health care provider has no further obligation to assert a state or federal privilege pertaining to the records or to appear or respond to a motion to compel production of records, and shall produce the records if ordered by a court. If an objection is timely filed by the patient, the patient or the patient's attorney is responsible for asserting or waiving any state or federal privilege that pertains to the records."

On page 36, line 8, after "act" insert "that are not health care providers"

On page 36, line 14, after "70.02.050 (1)(a) and" strike "(2)(a) and" and after "(b)" insert "and (7)"

On page 58, line 25, after "36." strike "This" and insert "Except for section 5 of this act, this"

On page 58, after line 25, insert the following:

"NEW SECTION. Sec. 37. Section 5 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (304) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Schmick and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1679.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1679, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Hawkins, Hayes, Holy, Overstreet, Parker, Scott, Shea and Taylor.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1846, by Representatives Schmick, Cody and Ryu

Concerning stand-alone dental coverage.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1846 was substituted for House Bill No. 1846 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1846 was read the second time.

With the consent of the house, amendment (277) was withdrawn.

Representative Schmick moved the adoption of amendment (309).

On page 2, line 12, after "amended;" strike "and"

On page 2, line 18, after "exchange" insert "; and"

(d) Unless prohibited by federal law and guidance, must allow health carriers to also offer pediatric oral services within the health benefit plan in the nongrandfathered individual and small group markets outside of the exchange"

Representatives Schmick and Cody spoke in favor of the adoption of the amendment.

Amendment (309) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1846.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1846, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1182, by Representatives Harris, Cody, Vick, Nealey, Ryu and Jinkins

Including pharmacists in the legend drug act.

The bill was read the second time.

With the consent of the House, the proposed substitute bill was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1182.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1182, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

HOUSE BILL NO. 1182, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1534, by Representatives Riccelli, Harris, Ryu and Jinkins

Increasing the impaired dentist program license or renewal surcharge.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1534.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1534, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Carlyle.

HOUSE BILL NO. 1534, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1518, by Representatives Cody, Schmick, Ryu and Pollet

Providing certain disciplining authorities with additional authority over budget development, spending, and staffing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1518 was substituted for House Bill No. 1518 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1518 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1518.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1518, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger,

Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Harris, Kristiansen, Orcutt, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Carlyle.

SECOND SUBSTITUTE HOUSE BILL NO. 1518, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1519, by Representatives Cody, Green, Jinkins, Ryu and Pollet

Establishing accountability measures for service coordination organizations. Revised for 1st Substitute: Establishing accountability measures for service coordination organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1519 was substituted for House Bill No. 1519 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1519 was read the second time.

Representative Cody moved the adoption of amendment (273).

On page 1, beginning on line 9, after "(2)" strike all material through "behavioral" on line 15 and insert "'Department" means the department of social and health services.

(3) "Emerging best practice" or promising practice" means a program or practice that, based on statistical analyses or a well-established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in this section.

(4) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(5) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in this subsection but does not meet the full criteria for evidence-based.

(6) "Service coordination organization" or "service contracting entity" means the authority and department, or an entity that may contract with the state to provide, directly or through subcontracts, a comprehensive delivery system of medical, behavioral, long-term care"

On page 2, line 1, after "under" strike "chapter 74.50" and insert "chapters 74.50 and 70.96A"

On page 2, at the beginning of line 7, strike "coordination organizations" and insert "contracting entities"

On page 2, beginning on line 17, after "(a)" strike all material through "maximized" on line 23 and insert "Maximization of the use

of evidence-based practices will be given priority over the use of research-based and promising practices, and research-based practices will be given priority over the use of promising practices. The agencies will develop strategies to identify programs that are effective with ethnically diverse clients and to consult with tribal governments, experts within ethnically diverse communities and community organizations that serve diverse communities"

On page 2, line 35, after "services" insert ", including ethnically diverse communities"

On page 3, beginning on line 6, after "service" strike all material through "measures" on line 7 and insert "contracting entities to report data related to performance measures and outcomes, including phased implementation of public reporting of outcome and performance measures in a form that allows for comparison of performance measures and levels of improvement between geographic regions of Washington"

On page 3, line 10, after "service" strike "coordination organizations" and insert "contracting entities"

On page 3, line 15, after "service" strike "coordination organizations" and insert "contracting entities"

On page 3, beginning on line 19, after "each" strike "program's efforts to develop expected" and insert "area of"

On page 3, at the beginning of line 24, after "evidence-based" strike "practices related to the program" and insert ", research-based, and promising practices related to the outcomes"

On page 3, beginning on line 26, after "contract with" strike all material through "other" on line 27

On page 3, line 30, after "groups" strike all material through "practices"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (273) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1519.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1519, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko,

Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1800, by Representatives Cody, Morrell and Schmick

Concerning the compounding of medications for physician offices or ambulatory surgical centers or facilities to be used by a physician for ophthalmic purposes for nonspecific patients.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1800.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1800, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

HOUSE BILL NO. 1800, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1381, by Representatives Jinkins, Hunt, Wylie, Morrell, Cody, Green, Roberts, Clibborn, Ormsby, Reykdal and Ryu

Regarding administrative adjudicatory proceedings coming before the department of health.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1381 was substituted for House Bill No. 1381 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1381 was read the second time.

Representative Jinkins moved the adoption of amendment (39).

On page 6, line 17 of the substitute bill, after "the" strike "final" and insert "initial"

Representatives Jinkins and Condotta spoke in favor of the adoption of the amendment.

Amendment (39) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1381.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1381, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1381, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1527, by Representatives Appleton, Green and Johnson

Concerning residential habilitation center residents' transition to the community.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1527 was substituted for House Bill No. 1527 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1527 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1527.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1527, and the bill passed the House by the following vote: Yeas, 81; Nays, 14; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Dahlquist, Harris, Holy, Hurst, Kretz, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representatives Carlyle, Freeman and Hope.

SUBSTITUTE HOUSE BILL NO. 1527, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1753, by Representatives Jinkins, Hunt, Cody, Goodman, Freeman, Stanford, Fitzgibbon, Bergquist, Sawyer, Green, Ryu, Hope, Moscoso, Lias, Haler, Hudgins, Sullivan, Appleton and Pollet

Regulating interpreter services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1753 was substituted for House Bill No. 1753 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1753 was read the second time.

With the consent of the house, amendments (312), (176), (177) and (178) to the striking amendment (287) were withdrawn.

Representative Jinkins moved the adoption of amendment (287).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to procure spoken language interpreter services directly from language access providers through the use of scheduling and billing software or through contracts with scheduling and coordinating organizations, thereby reducing administrative costs while protecting consumers. The legislature further intends to institute quality controls by establishing an advisory group to advise state agencies on the qualifications, training, and education of spoken language interpreters for state certification. The legislature further intends to exclude interpreter services for sensory impaired persons from the provisions of this act.

NEW SECTION. Sec. 2. A new section is added to chapter 39.26 RCW to read as follows:

(1) The department of social and health services and the health care authority are each authorized to purchase interpreter services on behalf of limited-English speaking applicants and recipients of public assistance.

(2) The department of labor and industries is authorized to purchase interpreter services for medical and vocational providers authorized to provide services to limited-English speaking injured workers or crime victims.

(3) No later than September 1, 2015, the department of social and health services, the health care authority, and the department of labor and industries must each purchase spoken language interpreter services directly from language access providers through no more than three contracts with scheduling and coordinating organizations. Each of the departments must be able to provide spoken language interpreter services through telephonic and video remote technologies.

(4) By September 1, 2015, the department of enterprise services must purchase, for all other state agencies, spoken language interpreter services directly from language access providers through no more than three contracts with scheduling and coordinating delivery organizations. The department must be able to provide spoken language interpreter services through telephonic and video remote technologies. If the department determines it is more cost effective or efficient, it may jointly purchase these services with the department of social and health services, the health care authority, or the department of labor and industries as provided in subsection (3) of this section.

(5) If the department of social and health services, the health care authority, and the department of labor and industries determine that it is more cost effective or efficient, they may integrate procurement of spoken language interpreter services through a single centralized system. The department of social and health services, the health care authority, and the department of labor and industries may procure interpreters through the department of enterprise services if the demand for spoken language interpreters cannot be met through their respective contracts.

(6) All language access providers procured under this section must be certified or authorized by the state, or be nationally certified by the certification commission for healthcare interpreters. When a nationally certified, state-certified, or authorized language access provider is not available, a state agency is authorized to contract with a spoken language interpreter with other certifications or qualifications deemed to meet state standards. Nothing in this subsection shall preclude providing interpretive services through state employees or employees of medical or vocational providers.

(6) Nothing in this section is intended to address how state agencies procure interpreters for sensory-impaired persons.

(7) For purposes of this section, "state agency" means any state office or activity of the executive branch of state government, including state agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions, but excludes institutions of higher education as defined in RCW

28B.10.016, the school for the blind, and the center for childhood deafness and hearing loss.

(8) The department of social and health services, the health care authority, the department of labor and industries, and the department of enterprise services may not impose reimbursement rates or obligations established through collective bargaining under RCW 41.56.510 in contracts with entities that do not provide interpreter services through language access providers as defined in RCW 41.56.030 (10).

NEW SECTION. Sec. 3. A new section is added to chapter 39.26 RCW to read as follows:

(1) The department of social and health services shall establish the spoken language interpreter advisory group to advise the departments of social and health services, labor and industries, and enterprise services and the health care authority on the policies, rules, and regulations governing certification and authorization of spoken language interpreters. The secretary, in consultation with the directors, shall make appointments to the advisory group as follows:

(a) One designated representative each from the department of social and health services, the department of labor and industries, the department of enterprise services, or a designee department, and the health care authority;

(b) Three spoken language interpreters, one of whom must provide interpreter services through telephonic and video remote technologies, initial terms being two serving two years, and one serving three years;

(c) One physician licensed by the state under chapter 18.57 or 18.71 RCW, who shall serve an initial three-year term;

(d) One hospital language access administrator, who shall serve an initial two-year term;

(e) Two representatives from immigrant or refugee advocacy organizations, one serving an initial term of one year and the other an initial term of two years;

(f) One representative from a labor organization, serving an initial term of two years;

(g) One member from the public, serving an initial three-year term;

(h) One representative from an entity that provides interpreter services through telephonic and video remote technologies;

(i) One representative for interpreter agencies, serving an initial term of two years; and

(j) One representative from the department of social and health services language testing and certification program.

(2) After initial appointments, members under subsection (1)(b) through (i) of this section shall serve three-year terms and may be appointed to no more than two sequential terms.

(3) Members of the advisory group may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) The department of social and health services shall provide staff to the advisory group.

(5) The advisory group shall meet as needed or as requested by the director of the department of social and health services.

NEW SECTION. Sec. 4. A new section is added to chapter 39.26 RCW to read as follows:

The advisory group established under section 3 of this act shall have the following duties:

(1) Develop and recommend policies to enhance the quality of interpreters;

(2) Evaluate the certification standards used by the state, including the code of ethics, other states, and national certifications and make recommendations for improving state certifications and authorizations; and

(3) Other duties as requested.

Sec. 5. RCW 41.56.030 and 2011 1st sp.s. c 21 s 11 are each amended to read as follows:

As used in this chapter:

(1) "Adult family home provider" means a provider as defined in RCW 70.128.010 who receives payments from the medicaid and state-funded long-term care programs.

(2) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(3) "Child care subsidy" means a payment from the state through a child care subsidy program established pursuant to RCW 74.12.340 (~~or 74.08A.340~~), 45 C.F.R. Sec. 98.1 through 98.17, or any successor program.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Family child care provider" means a person who: (a) Provides regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours; (b) receives child care subsidies; and (c) is either licensed by the state under RCW 74.15.030 or is exempt from licensing under chapter 74.15 RCW.

(8) "Individual provider" means an individual provider as defined in RCW 74.39A.240(4) who, solely for the purposes of collective bargaining, is a public employee as provided in RCW 74.39A.270.

(9) "Institution of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(10)(a) "Language access provider" means any independent contractor who provides spoken language interpreter services (for department of social and health services appointments or medicaid enrollee appointments, or provided these services on or after January 1, 2009, and before June 10, 2010, whether paid by a broker, language access agency, or the department), whether paid by a language access agency, broker, or the respective department: (i) For department of social and health services appointments or medicaid enrollee appointments, or who provided these services on or after January 1, 2009, and before June 10, 2010; (ii) for department of labor and industries authorized medical and vocational providers, or who provided these services on or after January 1, 2012, and before the effective date of this section; or (iii) for state agencies, or who provided these services on or after January 1, 2012, and before the effective date of this section.

(b) "Language access provider" does not mean an owner, manager, or employee of a broker or a language access agency, an interpreter who provides services through telephonic or video remote technologies from outside the state of Washington, an interpreter under the medicaid administrative match program, or an interpreter appointed or required in a court proceeding pursuant to RCW 2.43.030 or when required by a federal consent decree or settlement agreement.

(c) "Department of social and health services appointments" does not include court proceedings.

(d) "Medicaid enrollee appointments" does not include medicaid

administrative match program appointments or any other service provided pursuant to that program.

(11) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to (i) the executive head or body of the applicable bargaining unit, or (ii) any person elected by popular vote, or (iii) any person appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (d) who is a court commissioner or a court magistrate of superior court, district court, or a department of a district court organized under chapter 3.46 RCW, or (e) who is a personal assistant to a district court judge, superior court judge, or court commissioner. For the purpose of (e) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(12) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter, or any subdivision of such public body. For the purposes of this section, the public employer of district court or superior court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court or superior court.

(13) "Uniformed personnel" means: (a) Law enforcement officers as defined in RCW 41.26.030 employed by the governing body of any city or town with a population of two thousand five hundred or more and law enforcement officers employed by the governing body of any county with a population of ten thousand or more; (b) correctional employees who are uniformed and nonuniformed, commissioned and noncommissioned security personnel employed in a jail as defined in RCW 70.48.020(9), by a county with a population of seventy thousand or more, and who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; (c) general authority Washington peace officers as defined in RCW 10.93.020 employed by a port district in a county with a population of one million or more; (d) security forces established under RCW 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030; (f) employees of a port district in a county with a population of one million or more whose duties include crash fire rescue or other firefighting duties; (g) employees of fire departments of public employers who dispatch exclusively either fire or emergency medical services, or both; or (h) employees in the several classes of advanced life support technicians, as defined in RCW 18.71.200, who are employed by a public employer.

Sec. 6. RCW 41.56.510 and 2010 c 296 s 2 are each amended to read as follows:

(1) In addition to the entities listed in RCW 41.56.020, this chapter applies to the governor with respect to language access providers. Solely for the purposes of collective bargaining and as expressly limited under subsections (2) and (3) of this section, the governor is the public employer of language access providers who, solely for the purposes of collective bargaining, are public employees. The governor or the governor's designee shall represent the public employer for bargaining purposes.

(2) There shall be collective bargaining, as defined in RCW 41.56.030, between the governor and language access providers, except as follows:

(a) ~~((A statewide unit of all language access providers is))~~ The language access provider units appropriate for purposes of collective bargaining under RCW 41.56.060 are:

(i) A statewide unit for language access providers who provide spoken language interpreter services for department of social and health services appointments, or medicaid enrollee appointments;

(ii) A statewide unit for language access providers who provide spoken language interpreter services for injured workers or crime victims receiving benefits from the department of labor and industries; and

(iii) A statewide unit for language access providers who provide spoken language interpreter services for any state agency, as defined in section 2 of this act, through the department of enterprise services, excluding language access providers included in (a)(i) and (ii) of this subsection;

(b) The exclusive bargaining representatives of language access providers in the units specified in (a) of this subsection shall be the representatives chosen in ~~((an))~~ elections conducted pursuant to RCW 41.56.070.

Bargaining authorization cards furnished as the showing of interest in support of any representation petition or motion for intervention filed under this section are exempt from disclosure under chapter 42.56 RCW. The public employment relations commission may not certify any bargaining unit under subsection (2)(a)(ii) and (iii) of this section before January 1, 2014;

(c) Notwithstanding the definition of "collective bargaining" in RCW 41.56.030(4), the scope of collective bargaining for language access providers under this section is limited solely to: (i) Economic compensation, such as the manner and rate of payments; (ii) professional development and training; (iii) labor-management committees; and (iv) grievance procedures. Retirement benefits are not subject to collective bargaining. By such obligation neither party may be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter;

(d) In addition to the entities listed in the mediation and interest arbitration provisions of RCW 41.56.430 through 41.56.470 and 41.56.480, the provisions apply to the governor or the governor's designee and the exclusive bargaining representative of language access providers, except that:

(i) In addition to the factors to be taken into consideration by an interest arbitration panel under RCW 41.56.465, the panel shall consider the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement;

(ii) The decision of the arbitration panel is not binding on the legislature and, if the legislature does not approve the request for funds necessary to implement the compensation and benefit provisions of the arbitrated collective bargaining agreement, the decision is not binding on the state;

(e) Language access providers do not have the right to strike;

(f) If a single employee organization is the exclusive bargaining representative for two or more bargaining units, the governor and the employee organization may agree to negotiate a single collective bargaining agreement for all of the bargaining units that the employee organization represents.

(3) Language access providers who are public employees solely for the purposes of collective bargaining under subsection (1) of this section are not, for that reason, employees of the state for any other purpose. This section applies only to the governance of the collective bargaining relationship between the employer and language access providers as provided in subsections (1) and (2) of this section.

(4) Each party with whom the department of social and health services, the department of labor and industries, and the department of enterprise services contracts for language access services and each of their subcontractors shall provide to the respective department an accurate list of language access providers, as defined in RCW 41.56.030, including their names, addresses, and other contact

information, annually by January 30th, except that initially the lists must be provided within thirty days of ~~((June 10, 2010))~~ the effective date of this section. The departments shall, upon request, provide a list of all language access providers, including their names, addresses, and other contact information, to a labor union seeking to represent language access providers.

(5) If a language access provider cannot be procured through a bargaining unit, a state agency is authorized to contract with any spoken language interpreter provider.

(6) This section does not create or modify:

(a) The ~~((department's))~~ obligation of any state agency to comply with ~~((the))~~ federal statutes and regulations; and

(b) The legislature's right to make programmatic modifications to the delivery of state services under chapter 74.04 or 39.26 RCW or Title 51 RCW. The governor may not enter into, extend, or renew any agreement under this chapter that does not expressly reserve the legislative rights described in this subsection.

~~((6))~~ (7) Upon meeting the requirements of subsection ~~((7))~~ (8) of this section, the governor must submit, as a part of the proposed biennial or supplemental operating budget submitted to the legislature under RCW 43.88.030, a request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section or for legislation necessary to implement the agreement.

~~((7))~~ (8) A request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section may not be submitted by the governor to the legislature unless the request has been:

(a) Submitted to the director of financial management by October 1st prior to the legislative session at which the requests are to be considered, except that, for initial negotiations under this section, the request may not be submitted before July 1, 2011; and

(b) Certified by the director of financial management as financially feasible for the state or reflective of a binding decision of an arbitration panel reached under subsection (2)(d) of this section.

~~((8))~~ (9) The legislature must approve or reject the submission of the request for funds as a whole. If the legislature rejects or fails to act on the submission, any collective bargaining agreement must be reopened for the sole purpose of renegotiating the funds necessary to implement the agreement.

~~((9))~~ (10) If, after the compensation and benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

~~((10))~~ (11) After the expiration date of any collective bargaining agreement entered into under this section, all of the terms and conditions specified in the agreement remain in effect until the effective date of a subsequent agreement, not to exceed one year from the expiration date stated in the agreement.

~~((11))~~ (12) In enacting this section, the legislature intends to provide state action immunity under federal and state antitrust laws for the joint activities of language access providers and their exclusive bargaining representative to the extent the activities are authorized by this chapter.

NEW SECTION. Sec. 7. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

Representative Haler moved the adoption of amendment (313) to amendment (287).

On page 1, line 5 of the striking amendment, after "procure" insert "in-person"

On page 1, line 7 of the striking amendment, after "organizations," insert "while advancing the availability of telephonic and video remote interpreting to state agencies,"

On page 2, line 4 of the striking amendment, after "must" strike "be able" and insert "also contract with additional entities in order"

On page 2, line 10 of the striking amendment, after "must" strike "be able" and insert "also contract with additional entities in order"

On page 2, line 19 of the striking amendment, after "procurement of" insert "in-person"

Representative Haler and Haler (again) spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

Amendment (313) to amendment (287) was not adopted.

Representative Haler moved the adoption of amendment (295) to amendment (287).

On page 2, line 15 of the striking amendment, after "section." insert "Nothing in this section shall prohibit a state agency from procuring interpretive services outside the contract if the agency can secure these services for at least five percent less than the contract price."

Representatives Haler and Shea spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

Amendment (295) to amendment (287) was not adopted.

Representative Haler moved the adoption of amendment (292) to amendment (287).

On page 2, line 27 of the striking amendment, after "interpreters" insert "or the national board for certification of medical interpreters"

Representatives Haler and Hunt spoke in favor of the adoption of the amendment to the amendment.

Amendment (292) to amendment (287) was adopted.

Representative Haler moved the adoption of amendment (306) to amendment (287).

On page 3, line 10 of the striking amendment, after "(8)" insert "Nothing in this section or in an agreement bargained pursuant to chapter 41.56 RCW shall prohibit a state agency from procuring interpretive services of any type outside the contract if the agency can secure these services for at least five percent less than the cost of the services actually available through the contract.

(9)"

Representatives Haler and Shea spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

Amendment (306) to amendment (287) was not adopted.

Representative Haler moved the adoption of amendment (291) to amendment (287).

On page 5, line 4 of the striking amendment, after "authorizations" strike all material through "requested" on line 5

Representatives Haler and Hunt spoke in favor of the adoption of the amendment to the amendment.

Amendment (291) to amendment (287) was adopted.

Representative Haler moved the adoption of amendment (293) to amendment (287).

On page 6, line 32 of the striking amendment, after "services" insert "in person or"

Representative Haler spoke in favor of the adoption of the amendment to the amendment.

Representative Hunt spoke against the adoption of the amendment to the amendment.

Amendment (293) to amendment (287) was not adopted.

Representative Jinkins spoke in favor of the adoption of the amendment as amended.

Amendment (287) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Hunt spoke in favor of the passage of the bill.

Representatives Buys, DeBolt and DeBolt (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1753.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1753, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1753, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1887, by Representatives Sawyer, Ryu, Green and Freeman

Increasing educational options under vocational rehabilitation plans. (REVISED FOR ENGROSSED: Ordering consideration of increased educational options under vocational rehabilitation plans.)

The bill was read the second time.

Representative Sawyer moved the adoption of amendment (38).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 51.32.099 and 2011 c 291 s 2 are each amended to read as follows:

(1)(a) The legislature intends to create improved vocational outcomes for Washington state injured workers and employers through legislative and regulatory change under a pilot program for the period of January 1, 2008, through June 30, 2013. This pilot vocational system is intended to allow opportunities for eligible workers to participate in meaningful retraining in high-demand occupations, improve successful return to work and achieve positive outcomes for workers, reduce the incidence of repeat vocational services, increase accountability and responsibility, and improve cost predictability. To facilitate the study and evaluation of the results of the proposed changes, the department shall establish the temporary funding of certain state fund vocational costs through the medical aid account to ensure the appropriate assessments to employers for the costs of their claims for vocational services in accordance with RCW 51.32.0991.

(b) An independent review and study of the effects of the pilot program shall be conducted to determine whether it has achieved the appropriate outcomes at reasonable cost to the system. The review shall include, at a minimum, a report on the department's performance with regard to the provision of vocational services, the skills acquired by workers who receive retraining services, the types of training programs approved, whether the workers are employed, at what jobs and wages after completion of the training program and at various times subsequent to their claim closure, the number and demographics of workers who choose the option provided in subsection (4)(b) of this section, and their employment and earnings status at various times subsequent to claim closure. The department may adopt rules, in collaboration with the subcommittee created under (c)(iii) of this subsection, to further define the scope and elements of the required study. Reports of the independent researcher are due on December 1, 2010, December 1, 2011, and December 1, 2012.

(c) In implementing the pilot program, the department shall:

(i) Establish a vocational initiative project that includes participation by the department as a partner with WorkSource, the established state system that administers the federal workforce

investment act of 1998. As a partner, the department shall place vocational professional full-time employees at pilot WorkSource locations; refer some workers for vocational services to these vocational professionals; and work with employers in work source pilot areas to market the benefits of on-the-job training programs and with community colleges to reserve slots in high employer demand programs of study as defined in RCW 28B.50.030. These on-the-job training programs and community college slots may be considered by both department and private sector vocational professionals for vocational plan development. The department will also assist stakeholders in developing additional vocational training programs in various industries, including but not limited to agriculture and construction. These programs will expand the choices available to injured workers in developing their vocational training plans with the assistance of vocational professionals.

(ii) Develop and maintain a register of state fund and self-insured workers who have been retrained or have selected any of the vocational options described in this section for at least the duration of the pilot program.

(iii) Create a vocational rehabilitation subcommittee made up of members appointed by the director for at least the duration of the pilot program. This subcommittee shall provide the business and labor partnership needed to maintain focus on the intent of the pilot program, as described in this section, and provide consistency and transparency to the development of rules and policies. The subcommittee shall report to the director at least annually and recommend to the director and the legislature any additional statutory changes needed, which may include extension of the pilot period. The subcommittee shall provide input and oversight with the department concerning the study required under (b) of this subsection. The subcommittee shall provide recommendations for additional changes or incentives for injured workers to return to work with their employer of injury. The subcommittee shall also consider options that, under limited circumstances, would allow injured workers to attend baccalaureate institutions under their vocational rehabilitation plans and, by December 31, 2013, the subcommittee shall provide recommendations to the director and the legislature on statutory changes needed to develop those options.

(iv) The department shall develop an annual report concerning Washington's workers' compensation vocational rehabilitation system to the legislature and to the subcommittee by December 1, 2009, and annually thereafter with the final report due by December 1, 2012. The annual report shall include the number of workers who have participated in more than one vocational training plan beginning with plans approved on January 1, 2008, and in which industries those workers were employed. The final report shall include the department's assessment and recommendations for further legislative action, in collaboration with the subcommittee.

(2)(a) For the purposes of this section, the day the worker commences vocational plan development means the date the department or self-insurer notifies the worker of his or her eligibility for plan development services or of an eligibility determination in response to a dispute of a vocational decision.

(b) When the supervisor or supervisor's designee has decided that vocational rehabilitation is both necessary and likely to make the worker employable at gainful employment, he or she shall be provided with services necessary to develop a vocational plan that, if completed, would render the worker employable. The vocational professional assigned to the claim shall, at the initial meeting with the worker, fully inform the worker of the return-to-work priorities set forth in RCW 51.32.095(2) and of his or her rights and responsibilities under the workers' compensation vocational system. The department shall provide tools to the vocational professional for communicating this and other information required by RCW 51.32.095 and this section to the worker.

(c) On the date the worker commences vocational plan development, the department shall also inform the employer in writing of the employer's right to make a valid return-to-work offer during the first fifteen days following the commencement of vocational plan development. However, at the sole discretion of the supervisor or the supervisor's designee, an employer may be granted an extension of time of up to ten additional days to make a valid return-to-work offer. The additional days may be allowed by the department with or without a request from the employer. The extension may only be granted if the employer made a return-to-work offer to the worker within fifteen days of the date the worker commenced vocational plan development that met some but not all of the requirements in this section. To be valid, the offer must be for bona fide employment with the employer of injury, consistent with the worker's documented physical and mental restrictions as provided by the worker's health care provider. When the employer makes a valid return-to-work offer, the vocational plan development services and temporary total disability compensation shall be terminated effective on the starting date for the job without regard to whether the worker accepts the return-to-work offer.

(d) Following the time period described in (c) of this subsection, the employer may still provide, and the worker may accept, any valid return-to-work offer. The worker's acceptance of such an offer shall result in the termination of vocational plan development or implementation services and temporary total disability compensation effective the day the employment begins.

(3)(a) All vocational plans must contain an accountability agreement signed by the worker detailing expectations regarding progress, attendance, and other factors influencing successful participation in the plan. Failure to abide by the agreed expectations shall result in suspension of vocational benefits pursuant to RCW 51.32.110.

(b) Any formal education included as part of the vocational plan must be for an accredited or licensed program or other program approved by the department. The department shall develop rules that provide criteria for the approval of nonaccredited or unlicensed programs.

(c) The vocational plan for an individual worker must be completed and submitted to the department within ninety days of the day the worker commences vocational plan development. The department may extend the ninety days for good cause. Criteria for good cause shall be provided in rule. The frequency and reasons for good cause extensions shall be reported to the subcommittee created under subsection (1)(c)(iii) of this section.

(d) Costs for the vocational plan may include books, tuition, fees, supplies, equipment, child or dependent care, training fees for on-the-job training, the cost of furnishing tools and other equipment necessary for self-employment or reemployment, and other necessary expenses in an amount not to exceed twelve thousand dollars. This amount shall be adjusted effective July 1 of each year for vocational plans or retraining benefits available under subsection (4)(b) of this section approved on or after this date but before June 30 of the next year based on the average percentage change in tuition for the next fall quarter for all Washington state community colleges.

(e) The duration of the vocational plan shall not exceed two years from the date the plan is implemented. The worker shall receive temporary total disability compensation under RCW 51.32.090 and the cost of transportation while he or she is actively and successfully participating in a vocational plan.

(f) If the worker is required to reside away from his or her customary residence, the reasonable cost of board and lodging shall also be paid.

(4) Vocational plan development services shall be completed within ninety days of commencing. Except as provided in RCW 51.32.095(3), during vocational plan development the worker shall, with the assistance of a vocational professional, participate in

vocational counseling and occupational exploration to include, but not be limited to, identifying possible job goals, training needs, resources, and expenses, consistent with the worker's physical and mental status. A vocational rehabilitation plan shall be developed by the worker and the vocational professional and submitted to the department or self-insurer. Following this submission, the worker shall elect one of the following options:

(a) Option 1: The department or self-insurer implements and the worker participates in the vocational plan developed by the vocational professional and approved by the worker and the department or self-insurer. For state fund claims, the department must review and approve the vocational plan before implementation may begin. If the department takes no action within fifteen days, the plan is deemed approved. The worker may, within fifteen days of the department's approval of the plan or of a determination that the plan is valid following a dispute, elect option 2. However, in the sole discretion of the supervisor or supervisor's designee, the department may approve an election for option 2 benefits that was submitted in writing within twenty-five days of the department's approval of the plan or of a determination that the plan is valid following a dispute if the worker provides a written explanation establishing that he or she was unable to submit his or her election of option 2 benefits within fifteen days. In no circumstance may the department approve of an election for option 2 benefits that was submitted more than twenty-five days after the department's approval of a retraining plan or of a determination that a plan is valid following a dispute.

(i) Following successful completion of the vocational plan, any subsequent assessment of whether vocational rehabilitation is both necessary and likely to enable the injured worker to become employable at gainful employment under RCW 51.32.095(1) shall include consideration of transferable skills obtained in the vocational plan.

(ii) If a vocational plan is successfully completed on a claim which is thereafter reopened as provided in RCW 51.32.160, the cost and duration available for any subsequent vocational plan is limited to that in subsection (3)(d) and (e) of this section, less that previously expended.

(b) Option 2: The worker declines further vocational services under the claim and receives an amount equal to six months of temporary total disability compensation under RCW 51.32.090. The award is payable in biweekly payments in accordance with the schedule of temporary total disability payments, until such award is paid in full. These payments shall not include interest on the unpaid balance. However, upon application by the worker, and at the discretion of the department, the compensation may be converted to a lump sum payment. The vocational costs defined in subsection (3)(d) of this section shall remain available to the worker, upon application to the department or self-insurer, for a period of five years. The vocational costs shall, if expended, be available for programs or courses at any accredited or licensed institution or program from a list of those approved by the department for tuition, books, fees, supplies, equipment, and tools, without department or self-insurer oversight. The department shall issue an order as provided in RCW 51.52.050 confirming the option 2 election, setting a payment schedule, and terminating temporary total disability benefits effective the date of the order confirming that election. The department shall thereafter close the claim. A worker who elects option 2 benefits shall not be entitled to further temporary total, or to permanent total, disability benefits except upon a showing of a worsening in the condition or conditions accepted under the claim such that claim closure is not appropriate, in which case the option 2 selection will be rescinded and the amount paid to the worker will be assessed as an overpayment. A claim that was closed based on the worker's election of option 2 benefits may be reopened as provided in RCW 51.32.160, but cannot be reopened for the sole purpose of allowing the worker to seek vocational assistance.

(i) If within five years from the date the option 2 order becomes final, the worker is subsequently injured or suffers an occupational disease or reopens the claim as provided in RCW 51.32.160, and vocational rehabilitation is found both necessary and likely to enable the injured worker to become employable at gainful employment under RCW 51.32.095(1), the duration of any vocational plan under subsection (3)(e) of this section shall not exceed eighteen months.

(ii) If the available vocational costs are utilized by the worker, any subsequent assessment of whether vocational rehabilitation is both necessary and likely to enable the injured worker to become employable at gainful employment under RCW 51.32.095(1) shall include consideration of the transferable skills obtained.

(iii) If the available vocational costs are utilized by the worker and the claim is thereafter reopened as provided in RCW 51.32.160, the cost available for any vocational plan is limited to that in subsection (3)(d) of this section less that previously expended.

(iv) Option 2 may only be elected once per worker.

(c) The director, in his or her sole discretion, may provide the worker vocational assistance not to exceed that in subsection (3) of this section, without regard to the worker's prior option selection or benefits expended, where vocational assistance would prevent permanent total disability under RCW 51.32.060.

(5)(a) As used in this section, "vocational plan interruption" means an occurrence which disrupts the plan to the extent the employability goal is no longer attainable. "Vocational plan interruption" does not include institutionally scheduled breaks in educational programs, occasional absence due to illness, or modifications to the plan which will allow it to be completed within the cost and time provisions of subsection (3)(d) and (e) of this section.

(b) When a vocational plan interruption is beyond the control of the worker, the department or self-insurer shall recommence plan development. If necessary to complete vocational services, the cost and duration of the plan may include credit for that expended prior to the interruption. A vocational plan interruption is considered outside the control of the worker when it is due to the closure of the accredited institution, when it is due to a death in the worker's immediate family, or when documented changes in the worker's accepted medical conditions prevent further participation in the vocational plan.

(c) When a vocational plan interruption is the result of the worker's actions, the worker's entitlement to benefits shall be suspended in accordance with RCW 51.32.110. If plan development or implementation is recommenced, the cost and duration of the plan shall not include credit for that expended prior to the interruption. A vocational plan interruption is considered a result of the worker's actions when it is due to the failure to meet attendance expectations set by the training or educational institution, failure to achieve passing grades or acceptable performance review, unaccepted or postinjury conditions that prevent further participation in the vocational plan, or the worker's failure to abide by the accountability agreement per subsection (3)(a) of this section."

Correct the title.

Representatives Sawyer and Manweller spoke in favor of the adoption of the amendment.

Amendment (38) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sawyer and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1887.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1887, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Scott.

Excused: Representative Carlyle.

ENGROSSED HOUSE BILL NO. 1887, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

HOUSE BILL NO. 1773, by Representatives Morrell, Rodne, Cody, Green, Ryu, Liias, Farrell and Santos

Concerning the practice of midwifery.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1773 was substituted for House Bill No. 1773 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1773 was read the second time.

Representative Morrell moved the adoption of amendment (242).

On page 1, beginning on line 4, strike all of section 1

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Morrell and Schmick spoke in favor of the adoption of the amendment.

Amendment (242) was adopted.

Representative Morrell moved the adoption of amendment (37).

On page 2, line 12, after "years;" strike "and"

On page 2, line 13, after "(b)" insert "Proof of participation in a Washington state coordinated quality improvement program as detailed in rule;

(c) Proof of participation in data submission on perinatal outcomes to a national or state research organization, as detailed in rule; and

(d)"

On page 2, line 16, after "requirements" insert "and the department's process for verification of the third-party data submission"

Representatives Morrell and Schmick spoke in favor of the adoption of the amendment.

Amendment (37) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Morrell spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1773.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1773, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1773, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1565, by Representatives Harris, Green, Jinkins, Cody, Ryu and Morrell

Funding the prescription monitoring program from the medicaid fraud penalty account.

The bill was read the second time.

With the consent of the house, amendment (237) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Harris and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1565.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1565, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Carlyle.

HOUSE BILL NO. 1565, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1000, by Representatives Moeller, Morrell, Wylie, McCoy, Ryu, Reykdal, Seaquist, Moscoso, Appleton, Green, Cody, Ormsby and Jinkins

Providing immunity for health care providers following directions contained in a form developed pursuant to RCW 43.70.480.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1000 was substituted for House Bill No. 1000 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1000 was read the second time.

With the consent of the house, amendment (153) to the striking amendment (71) was withdrawn.

Representative Moeller moved the adoption of amendment (71).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.70.480 and 2000 c 70 s 1 are each amended to read as follows:

(1) The department of health shall adopt guidelines and protocols for how emergency medical personnel shall respond when summoned to

the site of an injury or illness for the treatment of a person who has signed a written directive or durable power of attorney requesting that he or she not receive futile emergency medical treatment. The guidelines shall include development of a ((simple)) medical order form that shall be used statewide.

(2) Any provider as defined in subsection (3)(a) (i), (ii), or (iii) of this section or any facility, who participates in the provision of medical care or in the withholding or withdrawal of life- sustaining treatment, or any provider defined in subsection (3)(a) (iv) or (v) of this section, who participates in the provision of or the withholding or withdrawal of life-sustaining treatment, in accordance with the directions contained in the form developed under subsection (1) of this section is immune from legal liability, including civil, criminal, and professional conduct sanctions, as long as such participation has been conducted in good faith, within the scope of his or her credentials or employment, and is not found to be negligent under chapter 7.70 RCW.

(3) For purposes of this section:

(a) "Provider" includes:

(i) A physician licensed under chapter 18.71 RCW, an osteopathic physician licensed under chapter 18.57 RCW, a podiatric physician licensed under chapter 18.22 RCW, an advanced registered nurse practitioner licensed under chapter 18.79 RCW, a physician assistant licensed under chapter 18.71A RCW, and an osteopathic physician's assistant licensed under chapter 18.57A RCW;

(ii) Any credentialed health care provider acting under the direction of an individual identified in (a)(i) of this subsection;

(iii) Any credentialed provider listed under RCW 18.71.210;

(iv) Any credentialed provider regulated under chapter 18.130 RCW; and

(v) Any long-term care worker exempted from certification requirements under RCW 18.88B.041(1).

(b) "Facility" includes a hospital licensed under chapter 70.41 RCW, a nursing home licensed under chapter 18.51 RCW, a home care agency, a home health agency or hospice agency licensed under chapter 70.127 RCW, a community residential services business established under chapter 71A.10 RCW, an assisted living facility licensed under chapter 18.20 RCW, an adult family home licensed under chapter 70.128 RCW, an institution licensed under chapter 71.12 RCW, a state hospital designated under chapter 72.23 RCW, a clinic that is part of a community mental health service delivery system established under chapter 71.24 RCW, a long-term care facility as defined in RCW 43.190.020, any state veterans' home established under chapter 72.36 RCW, any entity identified in RCW 18.71.210, and any kidney disease treatment center.

(4) Nothing in this chapter may be interpreted to change the standard of care with respect to: (a) Health care provided in accordance with a directive under chapter 70.122 RCW; or (b) persons authorized to provide informed consent to health care on behalf of a patient who is not competent to consent under RCW 7.70.065."

Correct the title.

Representative Pedersen moved the adoption of amendment (238) to amendment (71).

On page 1, line 12 of the striking amendment, after "(2)" strike all material through "(3)(a)(i)" and insert "Except as otherwise provided in subsection (3), any provider as defined in subsection (4)(a)(i)"

On page 1, line 15 of the striking amendment, after "subsection" strike "(3)(a)(iv)" and insert "(4)(a)(iv)"

On page 1, line 24 of the striking amendment, after "(3)" insert "The immunity provided in subsection (2) shall not apply if the

provider or facility knows or would know based on an examination of records in its possession that either:

(a) The instructions contained in the form are inconsistent with an advance directive that has not been modified or revoked and that was executed by the patient pursuant to 70.122 RCW or a similar statute from another jurisdiction; or

(b) The patient has executed and has not revoked a durable power of attorney, including the authority to make medical decisions, pursuant to 11.94 RCW or a similar statute of another jurisdiction and the form was executed by someone other than the patient or the person holding the power of attorney.

(4)"

On page 2, at the beginning of line 23 of the striking amendment, strike "(4)" and insert "(5)"

Representatives Pedersen and Sawyer spoke in favor of the adoption of the amendment to the amendment.

Representatives Moeller, Rodne and Morrell spoke against the adoption of the amendment to the amendment.

Amendment (238) to amendment (71) was not adopted.

Representative Moeller spoke in favor of the adoption of amendment (71).

Amendment (71) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moeller, Rodne, Rodne (again), Klippert, Appleton, Overstreet and Moeller (again) spoke in favor of the passage of the bill.

Representatives Pedersen, Shea, Sawyer, O'Ban, Goodman and Shea (again) spoke against the passage of the bill.

MOTIONS

On motion of Representative Van De Wege, Representative Freeman was excused. On motion of Representative Harris, Representative Hope was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1000.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1000, and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Green, Haigh, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Klippert, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Pettigrew, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Uptegrove, Van De Wege, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Crouse, DeBolt, Goodman, Habib, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hunter, Kirby, Kochmar, Kretz, Kristiansen, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pedersen, Pike, Pollet, Sawyer, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

Excused: Representatives Carlyle, Freeman and Hope.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1000, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

HOUSE BILL NO. 1435, by Representatives Goodman and Nealey

Clarifying agency relationships in reconveyances of deeds of trust.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1435 was substituted for House Bill No. 1435 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1435 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1435.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1435, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Carlyle, Freeman and Hope.

SUBSTITUTE HOUSE BILL NO. 1435, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1828, by Representatives Springer, Wilcox, Takko, Chandler, Hunter, Condotta, Nealey, Fey and Tharinger

Addressing the fiscal conditions of local government.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1828 was substituted for House Bill No. 1828 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1828 was read the second time.

Representative Takko moved the adoption of amendment (299).

On page 2, line 12, after "consists of" strike "eleven" and insert "twelve"

On page 2, line 18, after "counties," insert "one member appointed by the chair of the commission from among three candidates provided by a statewide association representing county officials,"

Representatives Takko and Taylor spoke in favor of the adoption of the amendment.

Amendment (299) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer, Condotta and Smith spoke in favor of the passage of the bill.

Representatives Taylor, Angel and Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1828.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1828, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike,

Reykdal, Rodne, Ross, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh and Warnick.

Excused: Representatives Carlyle, Freeman and Hope.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1828, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1422, by Representatives Condotta and Hurst

Changing the criteria for the beer and wine tasting endorsement for grocery stores.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1422 was substituted for House Bill No. 1422 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1422 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1422.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1422, and the bill passed the House by the following vote: Yeas, 83; Nays, 12; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Ormsby, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Goodman, Green, Harris, Hudgins, Kagi, Klippert, Morrell, Orcutt, Orwall, Stanford and Van De Wege.

Excused: Representatives Carlyle, Freeman and Hope.

SUBSTITUTE HOUSE BILL NO. 1422, having received the necessary constitutional majority, was declared passed.

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 1527 passed the House.

RECONSIDERATION

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1527, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1527, on reconsideration, and the bill passed the House by the following vote: Yeas, 81; Nays, 14; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Dahlquist, Harris, Holy, Hurst, Kretz, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representatives Carlyle, Freeman and Hope.

SUBSTITUTE HOUSE BILL NO. 1527, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1004
HOUSE BILL NO. 1064
HOUSE BILL NO. 1263
HOUSE BILL NO. 1618
HOUSE BILL NO. 1683
HOUSE BILL NO. 1697
HOUSE BILL NO. 1745

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 12, 2013, the 58th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY EIGHTH DAY

House Chamber, Olympia, Tuesday, March 12, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julia Holder and Joshua Lattin. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Drew Hansen, 23rd district.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

March 8, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5324
ENGROSSED SUBSTITUTE SENATE BILL NO. 5663
ENGROSSED SENATE BILL NO. 5860

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 11, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389
ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
ENGROSSED SENATE BILL NO. 5616
ENGROSSED SUBSTITUTE SENATE BILL NO. 5744

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 11, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5010
SENATE BILL NO. 5025
SENATE BILL NO. 5030
SUBSTITUTE SENATE BILL NO. 5072
SENATE BILL NO. 5092
SENATE BILL NO. 5106
SENATE BILL NO. 5107
ENGROSSED SUBSTITUTE SENATE BILL NO. 5118
SENATE BILL NO. 5158
SUBSTITUTE SENATE BILL NO. 5160
ENGROSSED SENATE BILL NO. 5183
ENGROSSED SUBSTITUTE SENATE BILL NO. 5200
ENGROSSED SUBSTITUTE SENATE BILL NO. 5208
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5219
SENATE BILL NO. 5318
SUBSTITUTE SENATE BILL NO. 5352
SENATE BILL NO. 5355
SUBSTITUTE SENATE BILL NO. 5362
SUBSTITUTE SENATE BILL NO. 5400

SUBSTITUTE SENATE BILL NO. 5494

SENATE BILL NO. 5541

SUBSTITUTE SENATE BILL NO. 5568

SUBSTITUTE SENATE BILL NO. 5605

SENATE BILL NO. 5627

ENGROSSED SUBSTITUTE SENATE BILL NO. 5656

SUBSTITUTE SENATE BILL NO. 5679

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680

SUBSTITUTE SENATE BILL NO. 5686

SUBSTITUTE SENATE BILL NO. 5697

SUBSTITUTE SENATE BILL NO. 5702

ENGROSSED SENATE BILL NO. 5726

SUBSTITUTE SENATE BILL NO. 5755

SENATE BILL NO. 5784

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1612, by Representatives Hope, Pedersen, Hayes, Buys, Dahlquist, Hargrove, O'Ban, Holy, Goodman, Fagan, Smith, Magendanz, Orcutt, Klippert, Kretz, Warnick, Roberts, Moscoso, Ryu and Bergquist

Concerning information on firearm offenders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1612 was substituted for House Bill No. 1612 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1612 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hope and Pedersen spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representatives Freeman, Kirby and Upthegrove were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1612.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1612, and the bill passed the House by the following vote: Yeas, 85; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Kristiansen, MacEwen, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representatives Freeman, Kirby and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1612, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1352, by Representatives Holy, Hurst, Shea, Kristiansen, Parker, Warnick, Kochmar, Kretz, Manweller, Johnson, Rodne, Hayes, Schmick, Short, Klippert, Vick, Condotta, Overstreet and Bergquist

Addressing the statute of limitations for sexual abuse against a child.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1352 was substituted for House Bill No. 1352 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1352 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1352.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1352, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross,

Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Kirby and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1352, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Parker congratulated Representative Holy on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1601, by Representatives Goodman, Pettigrew, Moscoso, Habib, Pedersen, Jinkins, Roberts, Orwall, Appleton, Upthegrove, Pollet, Freeman and Ryu

Providing alternatives for penalties stemming from traffic infractions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1601 was substituted for House Bill No. 1601 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1601 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1601.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1601, and the bill passed the House by the following vote: Yeas, 73; Nays, 22; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Klippert, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Dahlquist, DeBolt, Hargrove, Harris, Hope, Johnson, Kretz, Kristiansen, Nealey, Overstreet, Pike, Ross, Scott, Shea, Short, Taylor, Vick, Warnick and Wilcox.

Excused: Representatives Freeman, Kirby and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1601, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1580, by Representatives Rodne, Goodman and Nealey

Allowing courts to assess additional costs to defendants if they are successful in setting aside a committed finding after failing to respond to an infraction or failing to appear for a hearing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1580 was substituted for House Bill No. 1580 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1580 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1580.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1580, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Kirby and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1580, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1715, by Representatives Klippert, Goodman and Moscoso

Allowing the department of corrections to exempt information contained in the internal database on security threat group data from dissemination under the public records act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Klippert and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1715.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1715, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Kirby and Upthegrove.

HOUSE BILL NO. 1715, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1836, by Representatives Holy, Goodman, Roberts, Hope, Hayes and Appleton

Concerning the introduction of contraband into or possession of contraband in a secure facility.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1836 was substituted for House Bill No. 1836 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1836 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Holy and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1836.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1836, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Freeman, Kirby and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1836, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1542, by Representatives Santos, Ryu, Moscoso, Kirby, Roberts, Appleton, Upthegrove, Stanford, Goodman, Bergquist, Pollet and Fitzgibbon

Concerning the provision of and reimbursement for certain court interpreter services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1542 was substituted for House Bill No. 1542 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1542 was read the second time.

Representative Smith moved the adoption of amendment (279).

On page 2, beginning on line 36, strike all material through "(4))" on page 3, line 15, and insert:

"(2) In all legal proceedings in which the non-English-speaking person is a party, or is subpoenaed or summoned by the appointing authority or is otherwise compelled by the appointing authority to appear, including criminal proceedings, grand jury proceedings, coroner's inquests, mental health commitment proceedings, and other legal proceedings initiated by agencies of government, the cost of providing the interpreter shall be borne by the governmental body initiating the legal proceedings.

(3)(a) Except as provided in (b) of this subsection, in other legal proceedings, the cost of providing the interpreter shall be borne by the non-English-speaking person unless such person is indigent according to adopted standards of the body. In such a case the cost shall be an administrative cost of the governmental body under the authority of which the legal proceeding is conducted.

(b) In any proceeding where a victim of domestic violence, sexual assault, or stalking is seeking a protection order under chapter 7.90, 10.14, or 26.50 RCW, the cost of providing an interpreter for the party seeking the order shall be an administrative cost of the governmental body under the authority of which the legal proceeding is conducted.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Smith and Rodne spoke in favor of the adoption of the amendment.

Representatives Pedersen and Hunter spoke against the adoption of the amendment.

Amendment (279) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Santos spoke in favor of the passage of the bill.

Representatives Rodne and O'Ban spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1542.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1542, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Freeman and Kirby.

SUBSTITUTE HOUSE BILL NO. 1542, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1840, by Representatives Goodman, Hope, Hunter, Pedersen, Bergquist, Habib, Fey, Ryu, Jinkins, Pollet and Tharinger

Concerning firearms laws for persons subject to no-contact orders, protection orders, and restraining orders.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1840 was substituted for House Bill No. 1840 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1840 was read the second time.

With the consent of the house, amendment (330) was withdrawn.

Representative Shea moved the adoption of amendment (288).

On page 2, line 21, after "person;" strike "or" and insert "and"

On page 6, line 16, after "person;" strike "or" and insert "and"

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (288) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1840.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1840, and the bill passed the House by the following vote: Yeas, 61; Nays, 37; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Uptegrove, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Hurst, Johnson, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Takko, Taylor, Van De Wege, Vick and Wilcox.

SUBSTITUTE HOUSE BILL NO. 1840, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1840.

Representative Magendanz, 5th District

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 13, 2013, the 59th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 13, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

Hunter G. Goodman, Secretary

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages The Frank H. Hancock Post 92 American Legion Color Guard from Stanwood. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The National Anthem was performed by SPC Thomas O'Ban, United States Army Reserve. The prayer was offered by Benjamin Kenneth Charles Jr., Crazy Faith Ministries of Olympia and member of the Lower Elwha Klallam Tribe, Port Angeles, Washington.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8402, by Senators Fain and Frockt

Amending the cutoff resolution.

The bill was read the second time.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

MESSAGES FROM THE SENATE

March 12, 2013

MR. SPEAKER:

The Senate has passed:

- SENATE BILL NO. 5083
- SUBSTITUTE SENATE BILL NO. 5123
- SENATE BILL NO. 5132
- SUBSTITUTE SENATE BILL NO. 5162
- SUBSTITUTE SENATE BILL NO. 5210
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215
- SENATE BILL NO. 5257
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5279
- SENATE BILL NO. 5359
- SENATE BILL NO. 5411
- SENATE BILL NO. 5425
- SUBSTITUTE SENATE BILL NO. 5444
- SUBSTITUTE SENATE BILL NO. 5452
- SUBSTITUTE SENATE BILL NO. 5471
- SENATE BILL NO. 5510
- SUBSTITUTE SENATE BILL NO. 5518
- SECOND SUBSTITUTE SENATE BILL NO. 5624
- SENATE BILL NO. 5674
- SENATE BILL NO. 5716
- SENATE BILL NO. 5751
- SUBSTITUTE SENATE BILL NO. 5766
- SUBSTITUTE SENATE BILL NO. 5767
- SENATE BILL NO. 5770

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 12, 2013

MR. SPEAKER:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5178
- ENGROSSED SENATE BILL NO. 5596
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5684
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5688
- ENGROSSED SENATE BILL NO. 5699

and the same are herewith transmitted.

Representatives Sullivan and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Concurrent Resolution No. 8402.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 8402, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris, Kristiansen, Overstreet, Shea and Taylor.

SENATE CONCURRENT RESOLUTION NO. 8402, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1554, by Representatives Stonier, Harris, Rodne, Goodman, Ryu, O'Ban, Van De Wege, Moscoso and Pollet

Allowing fire departments to develop a community assistance referral and education services program.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (347).

On page 1, line 11, after "calls" insert "(calls that are non-emergency or non-urgent)"

Representatives Klippert, Stonier and Shea spoke in favor of the adoption of the amendment.

Amendment (347) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Klippert, Goodman, Overstreet and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1554.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1554, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1554, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

SECOND READING

HOUSE BILL NO. 1004, by Representatives Moeller, Pedersen, Blake, Hunt, Clibborn, Green, Van De Wege, Fitzgibbon, Lytton, Appleton, Stanford and Pollet

Concerning payment of property taxes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1004 was substituted for House Bill No. 1004 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1004 was read the second time.

Representative Shea moved the adoption of amendment (249).

On page 2, line 28, after "(5)" strike "Delinquent" and insert "Except as provided in (c) of this subsection, delinquent"

On page 3, after line 3, insert the following:

"(c) If a taxpayer is successfully participating in a payment agreement under subsection (11)(b) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement."

On page 5, line 4, after "county" strike "legislative authority" and insert "treasurer"

Representatives Shea and Carlyle spoke in favor of the adoption of the amendment.

Amendment (249) was adopted.

Representative Dahlquist moved the adoption of amendment (280).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that it is difficult for many property owners to pay property taxes under the current system in which past due property tax payments must be paid in full, including penalties and interest. The legislature further finds that providing counties and property owners some flexibility in structuring past due property tax payments may result in a more stable source of revenues for local governments and provide some relief for property owners.

Sec. 2. RCW 84.56.020 and 2010 c 200 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and, except as provided in this section, ~~((shall be))~~ are delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax be paid on or before the thirtieth day of April, the remainder of such tax

is due and payable on or before the thirty-first day of October following and (~~shall be~~) are delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the thirty-first day of October following and is delinquent after that date.

(5) Delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the full year amount of tax unpaid from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the full year amount of tax unpaid is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the amount of tax delinquent on December 1st of the year in which the tax is due.

(6) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict on delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

(7) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at the request of any taxpayer affected by the emergency, may grant extensions of the due date of any taxes payable under this section as the treasurer deems proper.

(8)(a) In accordance with the requirements and conditions of this subsection (8), the county treasurer of a county with a population of eight hundred thousand or more must establish an installment payment program for taxpayers delinquent on taxes due and payable in any year prior to the calendar year in which an application to participate in the program is submitted. The county treasurer from any other county may also establish a similar installment program, but is not required to do so. In a county with a population of eight hundred thousand or more, the installment payment program must be implemented by calendar year 2014, but may be implemented earlier.

(b) A taxpayer must submit an application to the county treasurer in a form and manner required by the county treasurer. The application must specify the timing of payments and payment amounts. A county treasurer may establish a reasonable minimum payment threshold, a reasonable maximum time period in which a taxpayer must become current on delinquent taxes, penalties, and interest, and any other reasonable requirements for an installment payment program under this subsection.

(c) To initially qualify and to remain in the program, a taxpayer may not be delinquent on taxes due and payable in the calendar year in which the application is submitted nor become delinquent on any taxes due and payable in subsequent calendar years.

(d) The county treasurer may not assess interest and penalties on delinquent property taxes that are included within the installment payment program beginning on the first day of the month in which the taxpayer is first admitted into the program. Interest and penalties that have been assessed prior to this date remain due and payable as provided in the payment program. A taxpayer is disqualified immediately from the program if the taxpayer does not make payments in accordance with the program on more than two occasions. If a taxpayer is disqualified from the program for any reason, all penalties and interest that would have otherwise been

assessed become immediately due and payable.

(e) The department, collaborating with any county treasurer participating in the installment payment program under this subsection, must prepare a report to the legislature consistent with RCW 43.01.036. The report must summarize the effectiveness of the pilot program in increasing payments on past due taxes and include information on the number of applicants, the number of active participants, the number of participants who have paid off all past due taxes, and the total amount of revenue collected under the pilot program. The report may include any recommendations to the legislature to improve the effectiveness of the pilot program. The report is due on the first December 1st occurring after the pilot program has been operating for at least twenty-four months.

(9) For purposes of this chapter, "interest" means both interest and penalties.

~~((9))~~ (10) All collections of interest on delinquent taxes must be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and must be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

~~((10))~~ (11)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, penalties, interest, and charges by electronic bill presentment and payment. Electronic bill presentment and payment may be utilized as an option by the taxpayer, but the treasurer may not require the use of electronic bill presentment and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for past due payments or prepayments. All prepayments must be paid in full by the due date specified in (c) of this subsection.

(b) The treasurer must provide, by electronic means, a payment agreement that may include past due payment or prepayment collection charges. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic bill.

(c) All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the thirty-first day of October following and is delinquent after that date. All other assessments, fees, rates, and charges are delinquent after the due date.

(d) A county legislative authority may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfer payments on a monthly basis. Monthly payments must first be applied to penalties and interest.

(e) The treasurer must pay any collection costs, investment earnings, or both on prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((11))~~ (12) For purposes of this section, the following definitions apply:

(a) "Electronic bill presentment and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010."

Correct the title.

Representative Dahlquist spoke in favor of the adoption of the amendment.

Representative Carlyle spoke against the adoption of the amendment.

Amendment (280) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moeller, Nealey, Shea and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1004.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1004, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1004, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

SECOND READING

HOUSE BILL NO. 1620, by Representatives Stanford, Zeiger, Takko, Haler, Blake, Liias, Clibborn, Jinkins, Wilcox, Ryu, Ormsby, Sells, Appleton, Pedersen, Upthegrove, Magendanz, Pollet, Orcutt, Johnson, Angel, Condotta, Carlyle, Kristiansen, Moeller, Fitzgibbon, Moscoso, Morrell and Santos

Concerning passenger-carrying vehicles for railroad employees.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1620 was substituted for House Bill No. 1620 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1620 was read the second time.

Representative Stanford moved the adoption of amendment (319).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 81.61.010 and 1977 ex.s. c 2 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise(~~(, the term)~~):

(1) "Contract crew hauling vehicle," as used in this chapter, means every self-propelled vehicle, regardless of its seating capacity, owned, leased, operated, and maintained by a charter party carrier, as defined in RCW 81.70.020, contracting with a railroad company or its agents, contractors, subcontractors, or vendors, used primarily to provide railroad crew transportation.

(2) "Passenger-carrying vehicle," as used in this chapter, means those buses and trucks owned, operated, and maintained by a railroad company which transports railroad employees in other than the cab of such vehicle and designed primarily for operation on roads which may or may not be equipped with retractable flanged wheels for operation on railroad tracks.

NEW SECTION. Sec. 2. A new section is added to chapter 81.61 RCW to read as follows:

(1) The commission shall regulate charter party carriers providing railroad crew transportation and every contract crew hauling vehicle with respect to the safety of equipment, driver qualifications, insurance levels, and safety of operations.

(2) The commission shall adopt rules and require reports as necessary to carry out this chapter regarding contract crew hauling vehicles and establish federal motor vehicle safety standards for contract crew hauling vehicles as the minimum safety standards, including:

(a) Driver qualifications, including a driver's minimum age and skill, physical condition, and appropriate class of commercial driver's license;

(b) Equipment safety;

(c) Safety of operations;

(d) Passenger safety;

(e) Adequate insurance coverage that satisfies the following minimum amounts, which may be increased by rule adopted by the commission:

(i) Liability insurance of five million dollars;

(ii) Uninsured and underinsured motorist coverage of five million dollars; and

(iii) Property damage coverage of five hundred thousand dollars. If a person contracts with the charter party carrier on behalf of the railroad company to transport railroad employees, the insurance requirements may be satisfied by either that person or the charter party carrier, so long as the charter party carrier names that person as an additional insured or named insured;

(f) The suspension, revocation, or cancellation of the certificate issued by the commission and held by any charter party carrier owning, leasing, operating, and maintaining contract crew hauling vehicles as a result of serious or repeated violations of this chapter or rules adopted under this chapter; and

(g) The form and posting of adequate notices in a conspicuous location in all contract crew hauling vehicles to advise railroad employee passengers of their right to submit complaints to the commission regarding the safe operation or maintenance of vehicles.

(3) Charter party carriers owning, leasing, operating, and maintaining contract crew hauling vehicles must retain for a time period of at least three years all operational records relating to the contract crew hauling vehicles, including vehicle records involving accidents, maintenance and service records, drivers' records, records of passenger complaints, all employment actions, driver logs, and records of passengers transported.

(4) A person is immediately and automatically disqualified to work as a driver of a contract crew hauling vehicle under this chapter if the person's license is suspended or revoked two or more times within a three-year period. The disqualification must last for two years from the recent license suspension or revocation.

(5)(a) The commission may, in enforcing rules and orders relating to charter party carriers owning, leasing, operating, and maintaining contract crew hauling vehicles under this chapter, inspect any contract crew hauling vehicles. Upon request, the chief of the state patrol or the chief's designee may assist the commission in these inspections.

(b) The commission shall investigate safety complaints related to employee transportation under this section and take appropriate enforcement action as warranted.

(c) The commission may enforce this section under the authority in RCW 81.04.380 through 81.04.405, including assessing penalties as are warranted.

(d) Any interested person or group may request notice of, and participate in, any hearings or proceedings held under this section.

NEW SECTION. Sec. 3. A new section is added to chapter 81.61 RCW to read as follows:

The commission must study any incidents and accidents involving vehicles regulated under this chapter. A railroad company, and any charter party carrier that owns or leases, operates, or maintains contract crew hauling vehicles in the state, must, at the request of the commission, provide data on such incidents and accidents, including the location, time of day, visibility, any fault of the parties involved, whether the incident or accident caused any property damage or personal injuries, and how such an incident or accident could have been avoided. The commission must make this data available upon request and must provide a report to the legislature by December 31, 2013, and annually thereafter, summarizing the last year's findings and including recommendations for avoiding incidents and accidents in the future."

Correct the title.

Representative Stanford moved the adoption of amendment (329) to amendment (319).

On page 2, line 2, after "appropriate" strike "class of commercial driver's" and insert "type or class of"

On page 3, beginning on line 23 after "visibility," strike "any fault of the parties involved" and insert "a description of the event"

On page 3, line 24, after "involved," insert "and"

On page 3, beginning on line 25 after "injuries" strike ", and how such an incident or accident could have been avoided"

Representatives Stanford and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (329) to amendment (319) was adopted.

Representative Stanford spoke in favor of the adoption of the amendment as amended.

Amendment (319) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Orcutt and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1620.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1620, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1620, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1683, by Representatives Reykdal, Haler and Van De Wege

Authorizing recognition of institutions of postsecondary study in order to retain federal financial aid eligibility.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Haler, Angel and Reykdal (again) spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1683.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1683, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer,

Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Manweller, Overstreet, Pike, Schmick, Shea and Taylor.

HOUSE BILL NO. 1683, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1688, by Representatives Stonier, Pike, Santos, Hayes, Orwall, Bergquist, McCoy, Scott, Ryu, Pollet, Freeman, Farrell and Parker

Establishing a requirement and system for reporting incidents of student restraint and isolation in public schools. Revised for 1st Substitute: Establishing a requirement and system for reporting incidents of student restraint and isolation in public schools. (REVISED FOR ENGROSSED: Establishing a requirement and system for reporting incidents of student restraint and isolation in public schools for students who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973.)

The bill was read the second time.

There being no objection, Substitute House Bill No. 1688 was substituted for House Bill No. 1688 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1688 was read the second time.

With the consent of the house, amendment (245) was withdrawn.

Representative Parker moved the adoption of amendment (241).

On page 2, line 12, after "apply" insert "only"

On page 2, at the beginning of line 13, after "student" insert "who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973"

On page 2, line 14, after "of a" strike "duration" and insert "student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973 lasting"

On page 2, beginning on line 15, after "student" strike ". The provisions of this section apply to such" and insert "who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973. The provisions of this section apply only to"

On page 2, line 16, after "while" strike "the student" and insert "a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973"

Representatives Parker and Stonier spoke in favor of the adoption of the amendment.

Amendment (241) was adopted.

Representative Walsh moved the adoption of amendment (232).

On page 3, line 14, after "an" strike "individual education plan" and insert "individualized education program"

On page 3, line 17, after "isolation." insert "Parents and guardians of children who have individualized education programs or plans

developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the district policy on the use of isolation and restraint at the time that the program or plan is created."

Representatives Walsh, Stonier and Shea spoke in favor of the adoption of the amendment.

Amendment (232) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Johnson, Hawkins and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1688.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1688, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1960, by Representative Seaquist

Establishing benefit assessment charges for metropolitan park districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1960 was substituted for House Bill No. 1960 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1960 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist, Hargrove and Kochmar spoke in favor of the passage of the bill.

Representatives Schmick and Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1960.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1960, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morris, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1960, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1109, by Representatives Hansen, Haler, Magendanz, Shea, Klippert, Smith, Green, Ormsby, Morrell, Van De Wege, Ryu, Maxwell, Zeiger, Wilcox, Jinkins, Springer, Scott, Freeman, Bergquist, Hargrove and Parker

Requiring institutions of higher education that offer an early course registration period to provide early registration for eligible veterans and national guard members.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hansen, Haler and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1109.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler,

Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1109, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1132, by Representatives Hayes, Seaquist, Smith, Van De Wege, Kristiansen, Takko, Haler, Rodne, Sells, McCoy, Dunshee, Moscoso, Tharinger, Ryu, Zeiger, Green, Wilcox, Jinkins, Riccelli, Hurst, Morrell, Scott, Freeman, Dahlquist, Bergquist, Hargrove and Parker

Authorizing spouses of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. (REVISED FOR ENGROSSED: Authorizing certain family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates.)

The bill was read the second time.

Representative Hayes moved the adoption of amendment (227).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.18.245 and 2010 c 161 s 621 are each amended to read as follows:

(1) A registered owner who is ~~((the mother or father))~~ an eligible family member of a member of the United States armed forces who died while in service to his or her country, or as a result of his or her service, may apply to the department for special gold star license plates for use on a motor vehicle. The registered owner must:

(a) Be a resident of this state;

(b) Provide proof to the satisfaction of the department that the registered owner is an eligible family member, which includes:

(i) A widow;

(ii) A widower;

(iii) A biological parent;

(iv) An adoptive parent;

(v) A stepparent;

(vi) An adult in loco parentis or foster parent;

(vii) A biological child; or

(viii) An adopted child;

(c) Provide certification from the Washington state department of veterans affairs that the registered owner qualifies for the special license plate under this section;

~~((e))~~ (d) Be recorded as the registered owner of the motor vehicle on which the gold star license plates will be displayed; and

~~((f))~~ (e) Pay all fees and taxes required by law for registering the motor vehicle.

(2) Gold star license plates must be issued:

(a) Only for motor vehicles owned by qualifying applicants; and

(b) Without payment of any license plate fee.

(3) Gold star license plates must be replaced, free of charge, if the license plates become lost, stolen, damaged, defaced, or destroyed.

(4) Gold star license plates may be transferred from one motor vehicle to another motor vehicle owned by the (~~mother or father~~) eligible family member, as described in subsection (1) of this section, upon application to the department, county auditor or other agent, or subagent appointed by the director.

NEW SECTION. Sec. 2. This act takes effect August 1, 2013."

Correct the title.

Representatives Hayes and Clibborn spoke in favor of the adoption of the amendment.

Amendment (227) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes, Zeiger, Clibborn, Smith, Klippert, Shea and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1132.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1132, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1132, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1145, by Representatives Goodman, Klippert, Roberts, Orwall, Moscoso, Lias, Upthegrove, Ryu, Green, Morrell and Fey

Providing credit towards child support obligations for veterans benefits.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Klippert, Holy and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1145.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1145, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1145, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1412, by Representatives Bergquist, Zeiger, Maxwell, Reykdal, Kagi, Riccelli, Santos, Fitzgibbon, Tarleton, Lytton, Pollet, Farrell, Freeman, Ryu, Stonier, Stanford, Hunt, Van De Wege, Kochmar, Buys, Magendanz, Hayes, O'Ban, Fey, Morrell and Jinkins

Making community service a high school graduation requirement.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1412 was substituted for House Bill No. 1412 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1412 was read the second time.

With the consent of the house, amendment (331) was withdrawn.

Representative Magendanz moved the adoption of amendment (256).

On page 2, line 18, after "project." strike "Additional parameters" and insert "Parameters"

Representatives Magendanz and Santos spoke in favor of the adoption of the amendment.

Amendment (256) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist, Manweller, Zeiger, Haigh, Hawkins, Magendanz and Kagi spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1412.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1412, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, MacEwen, Overstreet, Schmick, Scott and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1253, by Representatives Blake, Orcutt, Takko, Dahlquist, Haigh, Hunt, Walsh, Lytton, Nealey, Morris, Hudgins, McCoy, Zeiger, Maxwell, Pettigrew, Bergquist, Van De Wege, Upthegrove and Freeman

Concerning the lodging tax.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1253 was substituted for House Bill No. 1253 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1253 was read the second time.

Representative Springer moved the adoption of amendment (289).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that in 2007 the legislature passed Substitute Senate Bill No. 5647, which expanded the allowable uses of lodging tax revenues for tourism promotion. The legislature further finds that the 2007 legislation was temporary but required the analysis of the economic impact of the expanded uses of lodging tax revenues. The legislature further finds that hoteliers are the cornerstone of the tourism industry and are the entities that generate lodging tax revenues that benefit the local jurisdictions throughout the state. The legislature further finds that lodging tax revenues stimulate economic activity when the use of

revenues is specific and targeted based on the differing needs of local jurisdictions.

(2) Because of the diverging needs of local jurisdictions, the legislature intends to continue to allow the expanded uses of lodging tax revenues to promote tourism and increase economic activity for local jurisdictions. The legislature further intends to subject the use of lodging tax revenues to a periodic review to ensure that the incremental economic benefit is measured and that the use of lodging tax revenues continues to increase tourism and generate revenue for local jurisdictions.

Sec. 2. RCW 67.28.1816 and 2008 c 28 s 1 are each amended to read as follows:

(1) Lodging tax revenues under this chapter may be used, directly by local jurisdictions or indirectly through a convention and visitors bureau or destination marketing organization, for the marketing and operations of special events and festivals designed to attract tourists and local travelers and to support the operations and capital expenditures of tourism-related facilities, designed to attract tourists and local travelers, owned or operated by public entities, or nonprofit organizations described under section 501(c)(3) and section 501(c)(6) of the internal revenue code of 1986, as amended.

(2) ((Local jurisdictions that use the lodging tax revenues under this section must submit an annual economic impact report to the department of community, trade, and economic development for expenditures made beginning January 1, 2008. These reports must include the expenditures by the local jurisdiction for tourism promotion purposes and what is used by a nonprofit organization exempt from taxation under 26 U.S.C. Sec. 501(c)(3) or 501(c)(6). This economic impact report, at a minimum, must include: (a) The total revenue received under this chapter for each year; (b) the list of festivals, special events, or nonprofit 501(c)(3) or 501(c)(6) organizations that received funds under this chapter; (c) the list of festivals, special events, or tourism facilities sponsored or owned by the local jurisdiction that received funds under this chapter; (d) the amount of revenue expended on each festival, special event, or tourism-related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction; (e) the estimated number of tourists, persons traveling over fifty miles to the destination, persons remaining at the destination overnight, and lodging stays generated per festival, special event, or tourism-related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction; and (f) any other measurements the local government finds that demonstrate the impact of the increased tourism attributable to the festival, special event, or tourism-related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction.

(3) The joint legislative audit and review committee must report to the legislature and the governor on the use and economic impact of lodging tax revenues by local jurisdictions since January 1, 2008, to support festivals, special events, and tourism-related facilities owned or sponsored by a nonprofit organization under section 501(c)(3) or 501(c)(6) of the internal revenue code of 1986, as amended, or a local jurisdiction, and the economic impact generated by these festivals, events, and facilities. This report shall be due September 1, 2012.

(4) Reporting under this section must begin with calendar year 2008.

(5) This section expires June 30, 2013.) (a) Except as provided in (b) of this subsection, applicants applying for use of revenues in this chapter must provide the legislative body of the municipality to which they are applying estimates of how any moneys received will result in increases in:

(i) The number of tourists and local travelers visiting the municipality including anticipated overnight stays; and

(ii) Tourism-related and local traveler-related economic activity benefiting the municipality.

(b) In a municipality with a population of five thousand or more,

applicants applying for use of revenues in this chapter must submit their applications and estimates described under (a) of this subsection to the local lodging tax advisory committee.

(c)(i) All recipients must submit a report to the legislative body of the municipality reporting pertinent data evaluating tourism and local visitor benefits resulting from the use of the funds as compared with the estimates contained in the application. The legislative body of the municipality receiving a report must: Make such report available to the public and furnish copies of the report to the joint legislative audit and review committee and members of the local lodging tax advisory committee by December 31st each year.

(ii) On a biennial basis, and in compliance with RCW 43.01.036, the joint legislative audit and review committee must submit a report to the economic development committees of the legislature that details the use and economic impact of lodging tax revenues by local jurisdictions based on the reports furnished to the joint legislative audit and review committee under (c)(i) of this subsection. Reporting under this subsection must begin in calendar year 2015.

(d) This section does not apply to the revenues of any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

Sec. 3. RCW 67.28.080 and 2007 c 497 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" includes, but is not limited to, siting, acquisition, design, construction, refurbishing, expansion, repair, and improvement, including paying or securing the payment of all or any portion of general obligation bonds, leases, revenue bonds, or other obligations issued or incurred for such purpose or purposes under this chapter.

(2) "Local traveler" means a person who travels less than fifty miles from their residence or business, or a person who travels by ferry, to attend a special event or festival.

(3) "Local traveler economic impacts" means economic activity resulting from local travelers which may include meals, admissions fees, souvenirs, tours, and gifts.

(4) "Municipality" means any county, city or town of the state of Washington.

~~((3))~~ (5) "Operation" includes, but is not limited to, operation, management, and marketing.

~~((4))~~ (6) "Person" means the federal government or any agency thereof, the state or any agency, subdivision, taxing district or municipal corporation thereof other than county, city or town, any private corporation, partnership, association, or individual.

~~((5))~~ (7) "Tourism" means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.

~~((6))~~ (8) "Tourism promotion" means activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists.

~~((7))~~ (9) "Tourism-related facility" means real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned by a nonprofit organization described under section 501(c)(3) of the federal internal revenue code of 1986, as amended; or (iii) owned by a nonprofit organization described under section 501(c)(6) of the federal internal revenue code of 1986, as amended, a business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce and (b) used to support tourism, performing arts, or to accommodate tourist activities.

~~((8))~~ (10) "Tourist" means a person who travels ((from a place of residence to a different town, city, county, state, or country, for purposes of business, pleasure, recreation, education, arts, heritage, or culture.

(9) Amendments made in section 1, chapter 497, Laws of 2007 expire June 30, 2013)) for business or pleasure on a trip: Away from their place of residence or business and stays overnight in paid accommodations; to a place fifty miles or more one way from their place of residence or their business for the day or stays overnight; or from another country or state outside of their place of residence or their business.

Sec. 4. RCW 67.28.1817 and 1998 c 35 s 3 are each amended to read as follows:

(1) ((Before proposing imposition of a new tax under this chapter, an increase in the rate of a tax imposed under this chapter, repeal of an exemption from a tax imposed under this chapter, or a change in the use of revenue received under this chapter, a municipality with a population of five thousand or more shall establish a lodging tax advisory committee under this section)) (a) A municipality with a population of five thousand or more must establish a lodging tax advisory committee under this section before either:

(i) Proposing imposition of a new tax under this chapter, an increase in the rate of a tax imposed under this chapter, or a repeal of an exemption from a tax imposed under this chapter; or

(ii) Approving an application for use of revenue received under this chapter.

(b)(i) A lodging tax advisory committee ((shall)) must consist of at least five members, appointed by the legislative body of the municipality, unless the municipality has a charter providing for a different appointment authority.

(ii) The committee membership ((shall)) must include:

~~((a))~~ (A) At least two members who are representatives of businesses required to collect tax under this chapter; and

~~((b))~~ (B) At least two members who are persons involved in activities authorized to be funded by revenue received under this chapter. Persons who are eligible for appointment under ~~((a))~~ (b)(ii)(A) of this subsection are not eligible for appointment under (b)(ii)(B) of this subsection. Persons who are eligible for appointment under ~~((a))~~ (b)(ii)(A) of this subsection are not eligible for appointment under ~~((a))~~ (b)(ii)(B) of this subsection.

(c) Organizations representing businesses required to collect tax under this chapter, organizations involved in activities authorized to be funded by revenue received under this chapter, and local agencies involved in tourism promotion may submit recommendations for membership on the committee. The number of members who are representatives of businesses required to collect tax under this chapter ((shall)) must equal the number of members who are involved in activities authorized to be funded by revenue received under this chapter. One member ((shall)) must be an elected official of the municipality who ((shall)) must serve as chair of the committee. An advisory committee for a county may include one nonvoting member who is an elected official of a city or town in the county. An advisory committee for a city or town may include one nonvoting member who is an elected official of the county in which the city or town is located. The appointing authority ((shall)) must review the membership of the advisory committee annually and make changes as appropriate.

(2)(a) Any municipality that: (i) Proposes imposition of a tax under this chapter, an increase in the rate of a tax imposed under this chapter, or a repeal of an exemption from a tax imposed under this chapter, or a change in the); or (ii) approves an application for use of revenue received under this chapter ((shall)), must submit ((the proposal)) all proposals and applications received pursuant to RCW 67.28.1816(2) to the lodging tax advisory committee for review ((and comment)). The submissions ((shall)) must occur at least forty-five days before final action on or passage of the proposal by the municipality.

(b)(i) The advisory committee ((shall)) must submit comments on ((the)) any proposal ((in a timely manner through generally applicable public comment procedures. The comments shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the fund created under RCW 67.28.1815. Failure of the advisory committee to submit comments before final action on or passage of the proposal shall not prevent the municipality from acting on the proposal. A municipality is not required to submit an amended proposal to an advisory committee under this section)) for imposition of a tax under this chapter, an increase in the rate of a tax imposed under this chapter, repeal of an exemption from a tax imposed under this chapter, or an approval of an application for use of revenue received under this chapter in a timely manner through generally applicable public comment procedures.

(ii) The lodging tax advisory committee must prioritize all applications for use of revenue in this chapter and submit the prioritized list and funding levels to the legislative body of the municipality for final determination.

(iii) The lodging tax advisory committee must consider the extent to which the proposed use of the funds will affect the long-term stability of the fund created under RCW 67.28.1815.

(iv) The legislative body of the municipality may only choose recipients from the prioritized list of applications and funding levels provided by the local lodging tax advisory committee. The legislative body of the municipality may only change the funding level after the lodging tax advisory committee has been given the opportunity to review the proposed change.

(v) Failure of the advisory committee to submit comments and a prioritized list before final action on a proposal or approval of applicants for use of the funds does not prevent the municipality from acting.

(c) The legislative body of the municipality is not required to submit an amended proposal to an advisory committee under this section.

(d) This section does not apply to any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."

Correct the title.

Representative Condotta moved the adoption of amendment (348) to amendment (289).

Beginning on page 1, line 29 of the amendment, after "operations" strike "and capital expenditures" and insert "~~(and capital expenditures))~~"

Representatives Condotta, Klippert and Hawkins spoke in favor of the adoption of the amendment to the striking amendment.

Representative Carlyle spoke against the adoption of the amendment to the striking amendment.

Amendment (348) to amendment (289) was not adopted.

Representative Condotta moved the adoption of amendment (336) to amendment (289).

On page 2, line 4 of the amendment, after "amended." insert "Lodging tax revenues used for capital expenditures under this

section may not supplant existing funding for capital expenditures for tourism- related facilities."

Representatives Condotta and Carlyle spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (336) to amendment (289) was adopted.

Representative Reykdal moved the adoption of amendment (341) to amendment (289).

On page 2, line 4 of the amendment, after "amended." insert "In counties with a population of one million five hundred thousand or less, lodging tax revenues may not be used for debt service on bonds issued on or after the effective date of this section."

Representatives Reykdal and Carlyle spoke in favor of the adoption of the amendment to the striking amendment.

Representative Nealey spoke against the adoption of the amendment to the striking amendment.

Amendment (341) to amendment (289) was adopted.

Representative Springer spoke in favor of the adoption of the striking amendment as amended.

Amendment (289) was adopted as amended.

By the adoption of amendment (289), amendments (335) and (300) were ruled out of order.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Orcutt spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Crouse was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1253.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1253, and the bill passed the House by the following vote: Yeas, 71; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Haigh, Hargrove, Holy, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Springer, Stanford, Stonier, Sullivan, Takko,

Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Habib, Haler, Hansen, Harris, Hawkins, Hayes, Hope, Hurst, Johnson, Klippert, Kristiansen, Ormsby, Overstreet, Parker, Pike, Riccelli, Ross, Scott, Shea, Smith, Taylor and Vick.

Excused: Representative Crouse.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1180, by Representatives Scott, Blake, Kristiansen and Santos

Addressing death benefits for volunteer firefighters and reserve officers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1180 was substituted for House Bill No. 1180 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1180 was read the second time.

With the consent of the house, amendment (240) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Scott, Takko, Overstreet and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1180.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1180, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

SUBSTITUTE HOUSE BILL NO. 1180, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Kristiansen congratulated Representative Scott on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1192, by Representatives Short, Blake, Takko, Taylor, Kretz, Crouse, Springer, Chandler, Ryu and Morrell

Regarding license fees under Title 77 RCW for veterans with disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1192 was substituted for House Bill No. 1192 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1192 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Short, Hudgins, Klippert, Shea and Kristiansen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1192.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1192, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

SUBSTITUTE HOUSE BILL NO. 1192, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1537, by Representatives O'Ban, Angel, Hayes, Green, Zeiger, Bergquist, Johnson, Ryu, Morrell and Shea

Addressing a veteran's preference for the purpose of public employment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1537 was substituted for House Bill No. 1537 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1537 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives O'Ban, Buys, Hunt, Green, Magendanz, Angel and Hunt (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1537.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1537, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

SUBSTITUTE HOUSE BILL NO. 1537, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Wilcox congratulated Representative O'Ban on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1858, by Representatives McCoy, Appleton, Morrell, Ryu and Ormsby

Providing for awarding academic credit for military training.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1858 was substituted for House Bill No. 1858 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1858 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCoy, MacEwen, Seaquist, Haler, Rodne, Magendanz and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1858.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1858, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

SUBSTITUTE HOUSE BILL NO. 1858, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1859, by Representatives McCoy, Appleton, Morrell, Ryu and Ormsby

Evaluating military training and experience toward meeting licensing requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative McCoy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1859.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1859, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

HOUSE BILL NO. 1859, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1883, by Representatives Fitzgibbon, Orcutt, Riccelli, Farrell and Liias

Simplifying and updating statutes related to fuel tax administration.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1883 was substituted for House Bill No. 1883 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1883 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1883.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1883, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Crouse.

SUBSTITUTE HOUSE BILL NO. 1883, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1909, by Representatives Hunt, O'Ban, Morrell, Hayes and Bergquist

Concerning veteran-owned businesses.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1909 was substituted for House Bill No. 1909 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1909 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt, O'Ban and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1909.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1909, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Crouse.

SECOND SUBSTITUTE HOUSE BILL NO. 1909, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1738, by Representatives Hayes, Sells, Seaquist, Dunshee and Ryu

Authorizing political subdivisions to purchase certain technology and services from the United States government.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1738.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1738, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dahlquist and Overstreet.

Excused: Representative Crouse.

HOUSE BILL NO. 1738, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1817, by Representatives Hudgins, Chandler, Pettigrew, Ross, Appleton, Moscoso, Santos, Goodman, McCoy, Hunt, Springer, Pollet, Freeman, Habib, Reykdal, Tarleton, Lias, Sawyer, Wylie, Sells, Fitzgibbon, Pedersen, Ryu, Riccelli, Farrell, Cody, Dunshee, Bergquist, Roberts, Maxwell and Fey

Adding eligibility criteria for higher education financial aid.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1817 was substituted for House Bill No. 1817 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1817 was read the second time.

With the consent of the house, amendments (82), (222) and (258) were withdrawn.

Representative Chandler moved the adoption of amendment (87).

On page 2, line 10, after "through" strike "(d)" and insert "~~((d))~~(e)"

Representative Chandler spoke in favor of the adoption of the amendment.

Amendment (87) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins, Chandler, Sawyer, Ryu, Smith, Ross and Hawkins spoke in favor of the passage of the bill.

Representatives Haler and Overstreet spoke against the passage of the bill.

COLLOQUY

Representative Ross: "Is it the intent of the bill to change existing law, which requires undocumented students to sign an affidavit stating they will seek U.S. citizenship?"

Representative Hudgins: "No. The bill before us will not change any requirements for undocumented students to sign an affidavit indicating their intent to seek U.S. citizenship. This bill simply allows these students to be eligible for the student state need grant program."

Representative Ross: "Is it the intent of the bill that the new set of students that will become eligible for the state need grant, be required to sign an affidavit to become a U.S. citizen?"

Representative Hudgins: "Yes, if this bill passes, any student meeting the definition of resident student under RCW 28B.15.012(2)(e) will still be required to provide an institution of higher education an affidavit indicating that they will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1817.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1817, and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Dahlquist, Haler, Hargrove, Holy, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Scott, Shea, Taylor and Vick.

Excused: Representative Crouse.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1997 by Representatives Hunter, Carlyle and Alexander

AN ACT Relating to the taxation of home service contracts; amending RCW 82.04.050, 82.08.010, 82.08.020, 82.12.020, 82.12.0255, 82.12.035, 82.32.020, and 82.32.730; reenacting and amending RCW 82.04.190 and 82.12.010; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1998 by Representatives Hudgins, Springer, Bergquist, Habib, Pettigrew, Cody, Pedersen, Hunter, Fey, Ryu, McCoy, Upthegrove, Dunshee, Hunt, Goodman, Seaquist, Morris, Hansen, Sells, Fitzgibbon, Freeman, Carlyle, Riccelli, Pollet, Appleton, Ormsby, Kagi, Jinkins, Farrell, Sawyer, Roberts, Stanford, Tarleton, Moeller, Green, Orwall, Maxwell, Clibborn, Reykdal, Liias and Wylie

AN ACT Relating to extending eligibility on a nonprioritized basis for the state need grant to individuals granted deferred action for childhood arrival status; amending RCW 28B.92.010; and creating a new section.

Referred to Committee on Higher Education.

HB 1999 by Representatives Clibborn, Liias, Warnick and Dunshee

AN ACT Relating to mitigation matching requirements for state transportation projects; and amending RCW 47.01.300.

Referred to Committee on Transportation.

HB 2000 by Representative Hurst

AN ACT Relating to facilitating the efforts of the liquor control board to ensure the timely implementation of a well-designed, commercially viable regulatory scheme for the development of a legal marketplace for marijuana as required by Initiative Measure No. 502; amending RCW 69.50.331, 69.50.342, 69.50.325, 69.50.357, and 69.50.369; adding a new section to chapter 69.50 RCW; and creating a new section.

Referred to Committee on Government Accountability & Oversight.

SSB 5010 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Sheldon and Carrell)

AN ACT Relating to community custody conditions for marijuana; and reenacting and amending RCW 9.94A.703.

Referred to Committee on Public Safety.

SB 5025 by Senators Roach, Conway and Shin

AN ACT Relating to a proclamation of a state of emergency; and amending RCW 43.06.210.

Referred to Committee on Public Safety.

SB 5030 by Senators Roach and Shin

AN ACT Relating to extending the Chinook scenic byway; amending RCW 47.39.020; and creating a new section.

Referred to Committee on Transportation.

SSB 5072 by Senate Committee on Ways & Means (originally sponsored by Senators Delvin, Hobbs, Baumgartner, Becker, Carrell, Roach, Schoesler, Holmquist Newbry, Hatfield, Hewitt, Shin, Keiser and Rolfes)

AN ACT Relating to a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5092 by Senators Benton, Shin, Braun, Roach and Honeyford

AN ACT Relating to providing an exemption from continuing competency requirements for registered nurses who seek advanced nursing degrees; and amending RCW 18.79.110.

Referred to Committee on Health Care & Wellness.

SB 5106 by Senator Delvin

AN ACT Relating to county budgets; and amending RCW 36.40.200.

Referred to Committee on Local Government.

SB 5107 by Senators Padden and Holmquist Newbry

AN ACT Relating to prevailing wages for workers employed in residential construction; and adding a new section to chapter 39.12 RCW.

Referred to Committee on Labor & Workforce Development.

ESSB 5118 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Benton, Darneille, Bailey, Roach and Honeyford)

AN ACT Relating to access to original birth certificates after adoption finalization; and amending RCW 26.33.345.

Referred to Committee on Judiciary.

SB 5158 by Senators Braun, Holmquist Newbry, Becker, Bailey, Roach, Sheldon, Dammeier, Schoesler and Honeyford

AN ACT Relating to minimum wage and overtime compensation complaints; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Labor & Workforce Development.

SSB 5160 by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Becker, Braun, Carrell, Sheldon, Schoesler, Honeyford and Roach)

AN ACT Relating to administrative reassignment to home; and adding new sections to chapter 41.04 RCW.

Referred to Committee on Government Operations & Elections.

ESB 5183 by Senators Padden and Kline

AN ACT Relating to financing statements to perfect security interests; amending RCW 62A.9A-502 and 62A.9A-503; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

ESSB 5200 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Shin)

AN ACT Relating to consolidating a new exempt withdrawal of groundwater into an existing public water system; and amending RCW 90.44.105.

Referred to Committee on Agriculture & Natural Resources.

ESSB 5208 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton, Hobbs, Nelson, Hatfield, Mullet and Shin)

AN ACT Relating to banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions; amending RCW 30.04.010, 30.04.070, 30.04.111, 30.04.215, 30.04.217, 30.04.240, 30.04.260, 30.04.280, 30.08.140, 30.08.140, 30.08.155, 30.38.010, 30.38.015, 30.46.020, 30.46.030, 30.46.040, 30.46.050, 30.46.060, 30.46.070, 30.46.080, 30.46.090, 32.04.030, 32.08.140, 32.08.140, 32.08.142, 32.08.153, 32.50.030, 33.12.012, 33.24.010, and 33.32.060; amending 2011 c 303 s 9 (uncodified); adding a new section to chapter 32.04 RCW; repealing RCW 30.08.095, 32.08.146, 32.08.155, and 32.08.1551; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Business & Financial Services.

E2SSB 5219 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Hatfield, Smith, Schoesler, Delvin and Hewitt)

AN ACT Relating to retaining water resources to assure the vitality of local economies; adding new sections to chapter 90.42 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

SB 5318 by Senators Bailey, Becker, Roach, Hobbs, Holmquist Newbry, Honeyford, Hill, Chase, Billig, Kline, Cleveland, Carrell and Shin

AN ACT Relating to removing the one-year waiting period for veterans or active members of the military for the purpose

of eligibility for resident tuition; and amending RCW 28B.15.012.

Referred to Committee on Higher Education.

ESSB 5324 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Fraser and Ericksen)

AN ACT Relating to mosquito abatement in storm water control retention ponds; and adding a new section to chapter 90.03 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5352 by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Conway and Hewitt)

AN ACT Relating to the real estate agency relationship; and amending RCW 18.86.010, 18.86.020, 18.86.030, 18.86.031, 18.86.040, 18.86.050, 18.86.060, 18.86.070, 18.86.080, 18.86.090, 18.86.100, 18.86.110, and 18.86.120.

Referred to Committee on Business & Financial Services.

SB 5355 by Senators Holmquist Newbry, Conway, Kohl-Welles and Keiser

AN ACT Relating to implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011; amending RCW 50.16.010, 50.20.070, and 50.29.021; creating a new section; and providing an effective date.

Referred to Committee on Labor & Workforce Development.

SSB 5362 by Senate Committee on Commerce & Labor (originally sponsored by Senators Conway, Holmquist Newbry, Keiser and Kohl-Welles)

AN ACT Relating to recommendations of the vocational rehabilitation subcommittee for workers' compensation; amending RCW 51.32.095 and 51.32.099; amending 2011 c 291 s 3 (uncodified); amending 2009 c 353 s 7 (uncodified); amending 2007 c 72 s 6 (uncodified); providing expiration dates; and declaring an emergency.

Referred to Committee on Labor & Workforce Development.

E2SSB 5389 by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Fain, Hargrove, Litzow, Murray, Tom, Kohl-Welles, Rolfes, Harper and Chase)

AN ACT Relating to sibling visitation or contact for children in foster care; amending RCW 13.34.136; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SSB 5400 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Ericksen and Hewitt)

AN ACT Relating to allowing utilities serving customers in Washington and in other states to use eligible renewable

resources in their other states to comply with chapter 19.285 RCW, the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

ESSB 5480 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Keiser, Kohl-Welles, Darneille, Nelson, McAuliffe and Kline)

AN ACT Relating to mental health involuntary commitment laws; amending RCW 71.05.040; amending 2011 2nd sp.s. c 6 ss 1 and 3 (uncodified); adding new sections to chapter 71.05 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

SSB 5494 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Fain, Holmquist Newbry, Mullet, Dammeier and McAuliffe)

AN ACT Relating to carbon monoxide alarms; amending RCW 19.27.530; and declaring an emergency.

Referred to Committee on Local Government.

SB 5541 by Senators Hobbs, Fain, Hatfield and Harper

AN ACT Relating to redemption of real property; and amending RCW 6.23.010.

Referred to Committee on Judiciary.

SSB 5568 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline and Nelson)

AN ACT Relating to the disclosure of certain information when screening tenants; amending RCW 59.18.580; and providing an effective date.

Referred to Committee on Judiciary.

SSB 5605 by Senate Committee on Health Care (originally sponsored by Senators Becker, Sheldon, Hatfield and Parlette)

AN ACT Relating to clarifying association health plans provisions; amending RCW 48.21.010, 48.44.070, and 48.46.060; and creating new sections.

Referred to Committee on Health Care & Wellness.

ESB 5616 by Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt and Shin

AN ACT Relating to the use of farm vehicles on public highways; amending RCW 46.16A.080 and 46.04.181; and reenacting and amending RCW 46.16A.420.

Referred to Committee on Transportation.

SB 5627 by Senators Eide, Parlette, Ranker, Shin and Litzow

AN ACT Relating to the taxation of commuter air carriers; amending RCW 84.12.200, 82.48.010, and 82.48.030; adding a new section to chapter 84.36 RCW; and providing an effective date.

Referred to Committee on Finance.

ESSB 5656 by Senate Committee on Trade & Economic Development (originally sponsored by Senators Braun, Carrell, Rivers, Sheldon, Hobbs and Fain)

AN ACT Relating to revising business licensing systems; and adding a new section to chapter 35.102 RCW.

Referred to Committee on Local Government.

ESSB 5663 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Pearson, Ranker, Tom, Rolfes, Hewitt, Sheldon, Hatfield, Bailey, Parlette, Kline and Roach)

AN ACT Relating to derelict and abandoned vessels in state waters; amending RCW 88.02.640, 79.100.100, 79A.65.020, 79.100.130, 43.19.1919, 28B.10.029, 88.02.380, 88.02.340, 88.02.550, 79.100.120, 79.100.040, 79.100.060, 88.26.020, and 43.21B.305; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 43.19 RCW; adding new sections to chapter 43.30 RCW; adding new sections to chapter 77.12 RCW; adding new sections to chapter 79A.05 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding new sections to chapter 36.32 RCW; adding new sections to chapter 53.08 RCW; adding new sections to chapter 43.21A RCW; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 79.100 RCW; creating new sections; prescribing penalties; providing effective dates; and providing expiration dates.

Referred to Committee on Agriculture & Natural Resources.

SSB 5679 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon and Tom)

AN ACT Relating to improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules; adding a new section to chapter 43.21A RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

E2SSB 5680 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Chase, King, Litzow, Dammeier, Rivers, Schlicher, Smith, Braun, Parlette, Hewitt and Tom)

AN ACT Relating to promoting economic development by providing information to businesses; amending RCW 19.02.050 and 19.02.030; and adding a new section to chapter 19.02 RCW.

Referred to Committee on Technology & Economic Development.

SSB 5686 by Senate Committee on Commerce & Labor (originally sponsored by Senator King)

AN ACT Relating to surveys used in prevailing wage determinations; amending RCW 39.04.350; adding new sections to chapter 39.12 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

SSB 5697 by Senate Committee on Trade & Economic Development (originally sponsored by Senators Braun, Carrell, Dammeier, Rivers and Sheldon)

AN ACT Relating to reducing the frequency of local sales and use tax changes; and amending RCW 82.14.055.

Referred to Committee on Finance.

SSB 5702 by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Pearson and Ranker)

AN ACT Relating to aquatic invasive species; amending RCW 77.15.160; reenacting and amending RCW 77.12.879; repealing RCW 77.60.130; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

ESB 5726 by Senators Braun, Tom, Bailey, Schoesler, Padden and Benton

AN ACT Relating to geographic limitations on local paid sick leave and paid safe leave programs; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Labor & Workforce Development.

ESSB 5744 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hargrove, Hatfield and Conway)

AN ACT Relating to reporting on the progress of the logger safety initiative; adding a new section to chapter 51.04 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

SSB 5755 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, McAuliffe, Kohl-Welles, Conway and Kline)

AN ACT Relating to establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships; amending RCW 28B.77.020 and 28A.290.010; adding a new chapter to Title 28A RCW; and recodifying RCW 28A.300.515, 28A.630.065, 28A.630.066, 28A.700.120, 28A.625.200, 28A.625.210, 28A.625.220, 28A.625.230, and 28A.625.240.

Referred to Committee on Education.

SB 5784 by Senators Holmquist Newbry, Hewitt, Harper, Eide, Hobbs, Keiser, Becker, Hasegawa, Shin, Kline, Braun, Fain and Conway

AN ACT Relating to the joint center for aerospace technology innovation; amending RCW 43.330.250; and repealing RCW 43.131.417 and 43.131.418.

Referred to Committee on Technology & Economic Development.

ESB 5860 by Senators Padden and Kline

AN ACT Relating to legal proceedings by the attorney general on behalf of superior court judges; amending RCW 43.10.030; and adding a new section to chapter 2.08 RCW.

Referred to Committee on Judiciary.

SSJM 8007 by Senate Committee on Trade & Economic Development (originally sponsored by Senators Shin, Conway, Harper, Nelson, Kline, Becker, Hobbs, King, Eide, McAuliffe, Bailey, Hasegawa, Honeyford, Chase and Kohl-Welles)

Requesting Congress pass legislation imposing a fee on United States bound cargo when it crosses the Canadian border. Revised for 1st Substitute: Requesting that congress pass legislation reforming the harbor maintenance tax.

Referred to Committee on Technology & Economic Development.

There being no objection, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

March 11, 2013

HB 1915 Prime Sponsor, Representative Uptegrove: Developing recommendations to achieve the state's greenhouse gas emissions limits. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

There being no objection, the bill listed on the day's committee reports under the fifth order of business was referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

With the consent of the House, the following bills listed on the day's floor calendar were referred to the Committee on Rules.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

HOUSE BILL NO. 1417
HOUSE JOINT MEMORIAL NO. 4000
HOUSE BILL NO. 1224
HOUSE BILL NO. 1288
HOUSE BILL NO. 1590
HOUSE BILL NO. 1695
HOUSE BILL NO. 1771
HOUSE BILL NO. 1611
HOUSE BILL NO. 1011
HOUSE BILL NO. 1024
HOUSE BILL NO. 1060
HOUSE BILL NO. 1087
HOUSE BILL NO. 1106
HOUSE BILL NO. 1188
HOUSE BILL NO. 1228
HOUSE BILL NO. 1313
HOUSE BILL NO. 1378
HOUSE BILL NO. 1427
HOUSE BILL NO. 1477
HOUSE BILL NO. 1488
HOUSE BILL NO. 1607
HOUSE BILL NO. 1632
HOUSE BILL NO. 1634
HOUSE BILL NO. 1767
HOUSE BILL NO. 1809
HOUSE BILL NO. 1177
HOUSE BILL NO. 1440
HOUSE BILL NO. 1704
HOUSE BILL NO. 1202
HOUSE BILL NO. 1349
HOUSE BILL NO. 1429
HOUSE BILL NO. 1539
HOUSE BILL NO. 1621
HOUSE BILL NO. 1692
HOUSE BILL NO. 1898
HOUSE BILL NO. 1953
HOUSE BILL NO. 1959
HOUSE BILL NO. 1023
HOUSE BILL NO. 1063
HOUSE BILL NO. 1233
HOUSE BILL NO. 1287
HOUSE BILL NO. 1421
HOUSE BILL NO. 1437
HOUSE BILL NO. 1490
HOUSE BILL NO. 1844
HOUSE BILL NO. 1897
HOUSE BILL NO. 1911
HOUSE BILL NO. 1096
HOUSE BILL NO. 1338
HOUSE BILL NO. 1484
HOUSE BILL NO. 1588
HOUSE BILL NO. 1839
HOUSE BILL NO. 1064
HOUSE BILL NO. 1263
HOUSE BILL NO. 1618
HOUSE BILL NO. 1697
HOUSE BILL NO. 1745

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 14, 2013, the 60th Day of the Regular Session.

SIXTY THIRD LEGISLATURE - REGULAR SESSION

SIXTIETH DAY

House Chamber, Olympia, Thursday, March 14, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

March 13, 2013

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5015
 SUBSTITUTE SENATE BILL NO. 5031
 SENATE BILL NO. 5059
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5193
 SUBSTITUTE SENATE BILL NO. 5195
 SUBSTITUTE SENATE BILL NO. 5202
 SUBSTITUTE SENATE BILL NO. 5211
 ENGROSSED SENATE BILL NO. 5236
 SUBSTITUTE SENATE BILL NO. 5239
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5290
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5338
 SUBSTITUTE SENATE BILL NO. 5381
 SUBSTITUTE SENATE BILL NO. 5396
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405
 SENATE BILL NO. 5417
 SUBSTITUTE SENATE BILL NO. 5456
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5458
 ENGROSSED SENATE BILL NO. 5484
 SUBSTITUTE SENATE BILL NO. 5517
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5551
 SECOND SUBSTITUTE SENATE BILL NO. 5595
 ENGROSSED SENATE BILL NO. 5603
 SENATE BILL NO. 5658
 ENGROSSED SENATE BILL NO. 5666
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5735
 SENATE BILL NO. 5797
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802
 SENATE BILL NO. 5806
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5811
 SENATE BILL NO. 5824
 SUBSTITUTE SENATE BILL NO. 5834
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5849
 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READINGHB 2001 by Representatives Liias, Orcutt and Fitzgibbon

AN ACT Relating to the fuel tax used to determine fuel tax distributions to certain accounts; amending RCW 46.10.530 and 79A.25.070; reenacting and amending RCW 46.09.520; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5083 by Senators Benton, Shin, Carrell, Kline and Hasegawa

AN ACT Relating to political yard signs in homeowners' associations; and amending RCW 64.38.034.

Referred to Committee on Judiciary.

SB 5132 by Senators Honeyford, Dammeier and Padden

AN ACT Relating to disclosure of estimated state debt service costs; amending RCW 43.88.031; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5162 by Senate Committee on Law & Justice (originally sponsored by Senators Roach, Carrell, Rivers, Benton, Sheldon, Dammeier, Holmquist Newbry, Padden, Fraser, Frockt and Chase)

AN ACT Relating to prohibiting a child custody award to a suspect in an active murder investigation; amending RCW 13.34.132, 26.09.191, 26.10.160, 13.34.136, 13.34.380, and 74.14B.010; adding new sections to chapter 13.34 RCW; adding a new section to chapter 26.09 RCW; and creating a new section.

Referred to Committee on Judiciary.

ESSB 5178 by Senate Committee on Law & Justice (originally sponsored by Senators Carrell, Rolfes, Roach, Becker, Padden, Pearson and Conway)

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5210 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Nelson and Hatfield)

AN ACT Relating to the department of financial institutions' regulation of mortgage brokers and clarifying the department's existing regulatory authority regarding residential mortgage loan modification services; and amending RCW 19.146.010, 19.146.020, 19.146.0201, 19.146.060, 19.146.220, and 19.146.240.

Referred to Committee on Business & Financial Services.

E2SSB 5215 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Holmquist Newbry, Ericksen, Dammeier, Honeyford and Schlicher)

AN ACT Relating to health care professionals contracting with public and private payors; adding a new section to chapter 18.130 RCW; and adding a new chapter to Title 48 RCW.

Referred to Committee on Health Care & Wellness.

SB 5257 by Senators Roach, Benton, Rivers, Conway and Fraser

AN ACT Relating to modifying time frames applicable to certain public disclosure commission requirements; amending RCW 42.17A.120 and 42.17A.265; reenacting and amending RCW 42.17A.110; and repealing RCW 42.17A.420.

Referred to Committee on Government Operations & Elections.

ESSB 5279 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Baumgartner, Smith, Becker, Schoesler, Sheldon, Rivers, Delvin, Tom, Braun, Padden, Bailey and Hill)

AN ACT Relating to use of public assistance benefits; and amending RCW 74.08.580.

Referred to Committee on Early Learning & Human Services.

SB 5359 by Senator Carrell

AN ACT Relating to mandatory reporting of child abuse or neglect by supervised persons; amending RCW 26.44.030; reenacting and amending RCW 26.44.030; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SB 5411 by Senators Rolfes, Holmquist Newbry, Hatfield, Honeyford and Conway

AN ACT Relating to requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election; and amending RCW 53.12.175.

Referred to Committee on Government Operations & Elections.

SB 5425 by Senators Benton and Roach

AN ACT Relating to the entering of monetary judgments against defendants under the residential and manufactured/mobile home landlord-tenant acts; and amending RCW 59.18.055.

Referred to Committee on Judiciary.

SSB 5444 by Senate Committee on Governmental Operations (originally sponsored by Senators Hasegawa, Nelson, Kohl-Welles, Hobbs, Chase, Keiser and Kline)

AN ACT Relating to administration of taxes regarding publicly owned property; and amending RCW 84.40.045, 84.40.175, and 82.29A.120.

Referred to Committee on Local Government.

SSB 5452 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Conway, Carrell, Darneille and Kohl-Welles)

AN ACT Relating to no-contact and protection orders for stalking and harassment; amending RCW 9A.1.800, 9.94A.535, 9A.46.040, 9A.46.110, 10.14.065, 10.14.070, and 10.31.100; reenacting and amending RCW 26.50.110; adding new sections to chapter 10.14 RCW; adding a new section to chapter 9A.46 RCW; adding a new chapter to Title 7 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SSB 5471 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Nelson, Mullet, Hobbs, Fain and Keiser)

AN ACT Relating to insurance; amending RCW 48.02.060, 48.02.120, 48.15.050, 48.16.030, 48.20.435, 48.21.157, 48.43.700, 48.43.705, 48.46.040, 48.140.040, 48.140.050, 48.155.010, 48.175.005, and 48.175.020; and repealing RCW 48.140.070.

Referred to Committee on Business & Financial Services.

SB 5510 by Senators Becker, Keiser, Kohl-Welles, McAuliffe and Conway

AN ACT Relating to abuse of vulnerable adults; and amending RCW 74.34.020, 74.34.035, and 74.34.067.

Referred to Committee on Judiciary.

SSB 5518 by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Darneille, Sheldon and Hatfield)

AN ACT Relating to making nonsubstantive changes to election laws; amending RCW 29A.04.008, 29A.04.013, 29A.04.079, 29A.04.086, 29A.04.097, 29A.04.169, 29A.04.216, 29A.04.321, 29A.04.330, 29A.04.410, 29A.04.420, 29A.08.020, 29A.08.220, 29A.08.230, 29A.08.260, 29A.08.330, 29A.08.340, 29A.08.350, 29A.08.820, 29A.12.005, 29A.12.080, 29A.12.120, 29A.12.150, 29A.20.021, 29A.20.111, 29A.20.121, 29A.20.161, 29A.20.191, 29A.24.020, 29A.24.031, 29A.24.101, 29A.24.320, 29A.28.041, 29A.28.050, 29A.28.061, 29A.32.100, 29A.32.210, 29A.36.010, 29A.36.060, 29A.36.101, 29A.36.121, 29A.36.131, 29A.36.161, 29A.36.201, 29A.40.010, 29A.52.112, 29A.52.210, 29A.52.321, 29A.52.355, 29A.56.040, 29A.56.210, 29A.56.320, 29A.56.360, 29A.56.490, 29A.60.010, 29A.60.060, 29A.60.110, 29A.60.160, 29A.60.165, 29A.60.240, 29A.60.250, 29A.64.021, 29A.64.030, 29A.64.050, 29A.64.061, 29A.64.090, 29A.68.011, 29A.68.020, 29A.72.080, 29A.72.130, 29A.72.250, 29A.72.290, 29A.76.020, 29A.76.030, 29A.80.020, 29A.84.210, 29A.84.261, 29A.84.510, 29A.84.520, 29A.84.711, 29A.88.020, 29A.88.040, 42.12.040, 42.12.070, 46.20.155, 29A.24.311, and 29A.36.040; reenacting and amending RCW 29A.36.170, 29A.40.070, 29A.40.091, and 35.17.020; reenacting RCW 29A.08.520; adding a new section to chapter 29A.08 RCW; adding new sections to chapter 29A.24 RCW; adding new

sections to chapter 29A.60 RCW; adding new sections to chapter 29A.56 RCW; adding a new section to chapter 29A.80 RCW; adding a new section to chapter 29A.16 RCW; recodifying RCW 29A.04.240, 29A.20.010, 29A.20.021, 29A.20.030, 29A.20.040, 29A.20.111, 29A.20.121, 29A.20.131, 29A.20.151, 29A.20.161, 29A.20.171, 29A.20.181, 29A.20.191, 29A.28.071, and 29A.76.030; repealing RCW 7.16.370, 29A.04.225, 29A.08.250, 29A.08.785, 29A.12.170, 29A.20.141, 29A.20.201, 29A.24.030, 29A.24.120, 29A.28.011, 29A.28.021, 29A.32.036, 29A.32.050, 29A.36.050, 29A.36.104, 29A.36.106, 29A.36.171, 29A.36.191, 29A.52.011, 29A.52.106, 29A.52.111, 29A.52.116, 29A.52.130, 29A.52.141, 29A.52.151, 29A.53.010, 29A.53.020, 29A.53.030, 29A.53.040, 29A.53.050, 29A.53.060, 29A.53.070, 29A.53.080, 29A.53.090, 29A.53.900, 29A.53.901, 29A.53.902, 29A.80.011, 44.04.015, and 49.28.120; and repealing 2009 c 369 s 27.

Referred to Committee on Government Operations & Elections.

ESB 5596 by Senator Carrell

AN ACT Relating to certain lake management activities on lands owned by the state of Washington; adding a new section to chapter 35A.21 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

2SSB 5624 by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Litzow, Shin, Kohl-Welles, Hasegawa, Rolfes, Hobbs, Becker, Frockt, Chase, Eide and Conway)

AN ACT Relating to aligning high-demand secondary STEM or career and technical education programs with applied baccalaureate programs; amending RCW 28A.300.515; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

SB 5674 by Senators Kohl-Welles, Smith, Hatfield, Conway, Schoesler, King, Hobbs, Murray, Keiser, Ranker, Harper, Hewitt and Rolfes

AN ACT Relating to wine and beer sampling at farmers markets; amending RCW 66.24.170 and 66.24.244; adding a new section to chapter 66.24 RCW; and repealing 2011 c 62 s 1 (uncodified).

Referred to Committee on Government Accountability & Oversight.

ESSB 5684 by Senate Committee on Commerce & Labor (originally sponsored by Senator King)

AN ACT Relating to the prevailing rate of wage paid on public works; and amending RCW 39.12.020.

Referred to Committee on Labor & Workforce Development.

E2SSB 5688 by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Carrell, Dammeier, Rivers, Sheldon and Hobbs)

AN ACT Relating to simplifying definitions and classifications concerning state and local tax systems; and creating a new section.

Referred to Committee on Finance.

ESB 5699 by Senators Ericksen and Kline

AN ACT Relating to electronic product recycling; amending RCW 70.95N.020, 70.95N.040, 70.95N.050, 70.95N.090, 70.95N.110, 70.95N.140, 70.95N.180, 70.95N.190, 70.95N.200, 70.95N.210, 70.95N.230, 70.95N.290, 70.95N.300, and 42.56.270; and providing an effective date.

Referred to Committee on Environment.

SB 5716 by Senators Baumgartner, Honeyford, Benton, Ericksen, Delvin, Padden, Holmquist Newbry, Braun, Smith, Brown, Bailey and Roach

AN ACT Relating to capital budget appropriation transparency; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Capital Budget.

SB 5751 by Senators Schoesler, Rivers, Smith, Braun, Baumgartner, Hasegawa, Parlette, Hewitt, Brown and Holmquist Newbry

AN ACT Relating to requiring an inventory of state fees; amending RCW 44.48.150; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Appropriations.

SSB 5766 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hobbs, Hatfield, Honeyford, Schoesler and Brown)

AN ACT Relating to improving relationships between agricultural producers and state regulatory staff; adding a new section to chapter 89.08 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5767 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Hobbs)

AN ACT Relating to inspection of dairy cattle; amending RCW 16.57.160 and 16.57.370; and repealing RCW 16.57.303.

Referred to Committee on Agriculture & Natural Resources.

SB 5770 by Senators Honeyford, Hatfield and Hobbs

AN ACT Relating to conservation district electronic deposit of employee pay and compensation; and amending RCW 41.04.240 and 89.08.215.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

March 12, 2013

SSB 5021 Prime Sponsor, Committee on Law & Justice: Changing the crime of riot to the crime of criminal mischief. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

March 12, 2013

SSB 5022 Prime Sponsor, Committee on Law & Justice: Changing retail theft with extenuating circumstances to retail theft with special circumstances. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.56.360 and 2006 c 277 s 3 are each amended to read as follows:

(1) A person commits retail theft with ~~((extenuating))~~ special circumstances if he or she commits theft of property from a mercantile establishment with one of the following ~~((extenuating))~~ special circumstances:

(a) To facilitate the theft, the person leaves the mercantile establishment through a designated emergency exit;

(b) The person was, at the time of the theft, in possession of an item, article, implement, or device designed to overcome security systems including, but not limited to, lined bags or tag removers; or

(c) The person committed theft at three or more separate and distinct mercantile establishments within a one hundred eighty-day period.

(2) A person is guilty of retail theft with ~~((extenuating))~~ special circumstances in the first degree if the theft involved constitutes theft in the first degree. Retail theft with ~~((extenuating))~~ special circumstances in the first degree is a class B felony.

(3) A person is guilty of retail theft with ~~((extenuating))~~ special circumstances in the second degree if the theft involved constitutes theft in the second degree. Retail theft with ~~((extenuating))~~ special circumstances in the second degree is a class C felony.

(4) A person is guilty of retail theft with ~~((extenuating))~~ special circumstances in the third degree if the theft involved constitutes theft in the third degree. Retail theft with ~~((extenuating))~~ special circumstances in the third degree is a class C felony.

(5) For the purposes of this section, "special circumstances" means the particular aggravating circumstances described in subsection (1)(a) through (c) of this section.

Sec. 2. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW 10.95.020)

XV Homicide by abuse (RCW 9A.32.055)

Malicious explosion 1 (RCW 70.74.280(1))

Murder 1 (RCW 9A.32.030)

XIV Murder 2 (RCW 9A.32.050)

Trafficking 1 (RCW 9A.40.100(1))

XIII Malicious explosion 2 (RCW 70.74.280(2))

Malicious placement of an explosive 1 (RCW

70.74.270(1))

XII Assault 1 (RCW 9A.36.011)

Assault of a Child 1 (RCW 9A.36.120)

Malicious placement of an imitation device 1

(RCW 70.74.272(1)(a))

Promoting Commercial Sexual Abuse of a

Minor (RCW 9.68A.101)

Rape 1 (RCW 9A.44.040)

Rape of a Child 1 (RCW 9A.44.073)

Trafficking 2 (RCW 9A.40.100(2))

XI Manslaughter 1 (RCW 9A.32.060)

Rape 2 (RCW 9A.44.050)

Rape of a Child 2 (RCW 9A.44.076)

Vehicle Homicide, by being under the

influence of intoxicating liquor or any drug (RCW 46.61.520)

X Child Molestation 1 (RCW 9A.44.083)

Criminal Mistreatment 1 (RCW 9A.42.020)

Indecent Liberties (with forcible compulsion)

(RCW 9A.44.100(1)(a))

Kidnapping 1 (RCW 9A.40.020)

Leading Organized Crime (RCW

9A.82.060(1)(a))

Malicious explosion 3 (RCW 70.74.280(3))

Sexually Violent Predator Escape (RCW

9A.76.115)

IX Abandonment of Dependent Person 1 (RCW

9A.42.060)

Assault of a Child 2 (RCW 9A.36.130)

Explosive devices prohibited (RCW

70.74.180)

Hit and Run--Death (RCW 46.52.020(4)(a))

Homicide by Watercraft, by being under the

influence of intoxicating liquor or any drug (RCW 79A.60.050)

Inciting Criminal Profiteering (RCW

9A.82.060(1)(b))

Malicious placement of an explosive 2 (RCW

70.74.270(2))

Robbery 1 (RCW 9A.56.200)

Sexual Exploitation (RCW 9.68A.040)

VIII Arson 1 (RCW 9A.48.020)

Commercial Sexual Abuse of a Minor (RCW

9.68A.100)

Homicide by Watercraft, by the operation of

any vessel in a reckless manner (RCW 79A.60.050)

Manslaughter 2 (RCW 9A.32.070)

Promoting Prostitution 1 (RCW 9A.88.070)

Theft of Ammonia (RCW 69.55.010)

Vehicle Homicide, by the operation of any

vehicle in a reckless manner (RCW 46.61.520)

VII Burglary 1 (RCW 9A.52.020)

Child Molestation 2 (RCW 9A.44.086)

Civil Disorder Training (RCW 9A.48.120)

Dealing in depictions of minor engaged in

sexually explicit conduct 1 (RCW 9.68A.050(1))

Drive-by Shooting (RCW 9A.36.045)

Homicide by Watercraft, by disregard for the

safety of others (RCW 79A.60.050)

Indecent Liberties (without forcible

compulsion) (RCW 9A.44.100(1) (b) and (c))

Introducing Contraband 1 (RCW 9A.76.140)
Malicious placement of an explosive 3 (RCW 70.74.270(3))
Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
Vehicle Homicide, by disregard for the safety of others (RCW 46.61.520)
VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Bribery (RCW 9A.68.010)
Incest 1 (RCW 9A.64.020(1))
Intimidating a Judge (RCW 9A.72.160)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
Rape of a Child 3 (RCW 9A.44.079)
Theft of a Firearm (RCW 9A.56.300)
Unlawful Storage of Ammonia (RCW 69.55.020)
V Abandonment of Dependent Person 2 (RCW 9A.42.070)
Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
Child Molestation 3 (RCW 9A.44.089)
Criminal Mistreatment 2 (RCW 9A.42.030)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
Driving While Under the Influence (RCW 46.61.502(6))
Extortion 1 (RCW 9A.56.120)
Extortionate Extension of Credit (RCW 9A.82.020)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Incest 2 (RCW 9A.64.020(2))
Kidnapping 2 (RCW 9A.40.030)
Perjury 1 (RCW 9A.72.020)
Persistent prison misbehavior (RCW 9.94.070)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
Possession of a Stolen Firearm (RCW 9A.56.310)
Rape 3 (RCW 9A.44.060)
Rendering Criminal Assistance 1 (RCW 9A.76.070)
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Sexually Violating Human Remains (RCW 9A.44.105)
Stalking (RCW 9A.46.110)
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
IV Arson 2 (RCW 9A.48.030)
Assault 2 (RCW 9A.36.021)
Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Assault by Watercraft (RCW 79A.60.060)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Cheating 1 (RCW 9.46.1961)
Commercial Bribery (RCW 9A.68.060)
Counterfeiting (RCW 9.16.035(4))
Endangerment with a Controlled Substance (RCW 9A.42.100)
Escape 1 (RCW 9A.76.110)
Hit and Run -Injury (RCW 46.52.020(4)(b))
Hit and Run with Vessel -Injury Accident (RCW 79A.60.200(3))
Identity Theft 1 (RCW 9.35.020(2))
Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
Influencing Outcome of Sporting Event (RCW 9A.82.070)
Malicious Harassment (RCW 9A.36.080)
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
Residential Burglary (RCW 9A.52.025)
Robbery 2 (RCW 9A.56.210)
Theft of Livestock 1 (RCW 9A.56.080)
Threats to Bomb (RCW 9.61.160)
Trafficking in Stolen Property 1 (RCW 9A.82.050)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Unlawful transaction of insurance business (RCW 48.15.023(3))
Unlicensed practice as an insurance professional (RCW 48.17.063(2))
Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
Vehicle Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Willful Failure to Return from Furlough (RCW 72.66.060)
III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Assault of a Child 3 (RCW 9A.36.140)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Burglary 2 (RCW 9A.52.030)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
Harassment (RCW 9A.46.020)
Intimidating a Public Servant (RCW 9A.76.180)
Introducing Contraband 2 (RCW 9A.76.150)
Malicious Injury to Railroad Property (RCW 81.60.070)
Mortgage Fraud (RCW 19.144.080)
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
Organized Retail Theft 1 (RCW 9A.56.350(2))
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Retail Theft with ((Extenuating)) Special Circumstances 1 (RCW 9A.56.360(2))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
Theft of Livestock 2 (RCW 9A.56.083)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Trafficking in Stolen Property 2 (RCW 9A.82.055)
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Unlawful Imprisonment (RCW 9A.40.040)
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Willful Failure to Return from Work Release (RCW 72.65.070)
II Commercial Fishing Without a License (RCW 77.15.500(3)(b))
Computer Trespass 1 (RCW 9A.52.110)
Counterfeiting (RCW 9.16.035(3))
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
Escape from Community Custody (RCW 72.09.310)
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.132)
Health Care False Claims (RCW 48.80.030)
Identity Theft 2 (RCW 9.35.020(3))
Improperly Obtaining Financial Information (RCW 9.35.010)
Malicious Mischief 1 (RCW 9A.48.070)
Organized Retail Theft 2 (RCW 9A.56.350(3))
Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)
Retail Theft with ((Extenuating)) Special Circumstances 2 (RCW 9A.56.360(3))
Theft 1 (RCW 9A.56.030) Theft of a Motor Vehicle (RCW 9A.56.065)
Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Trafficking in Insurance Claims (RCW 48.30A.015)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Unlawful Practice of Law (RCW 2.48.180)
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Voyeurism (RCW 9A.44.115)
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
False Verification for Welfare (RCW 74.08.055)
Forgery (RCW 9A.60.020) Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
Malicious Mischief 2 (RCW 9A.48.080)
Mineral Trespass (RCW 78.44.330)
Possession of Stolen Property 2 (RCW 9A.56.160)
Reckless Burning 1 (RCW 9A.48.040)
Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
Theft 2 (RCW 9A.56.040)
Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))
Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
Unlawful Possession of Payment Instruments (RCW 9A.56.320)
Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
Unlawful Production of Payment Instruments (RCW 9A.56.320)
Unlawful Release of Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)
Unlawful Use of Food Stamps (RCW 9.91.144)
Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
Vehicle Prowl 1 (RCW 9A.52.095)
Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))
NEW SECTION. Sec. 3. This act takes effect January 1, 2014."
 Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

March 12, 2013
ESB 5053 Prime Sponsor, Senator Harper: Modifying vehicle prowling provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.52.100 and 2011 c 336 s 376 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he or she enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Except as provided in subsection (3) of this section, vehicle prowling in the second degree is a gross misdemeanor.

(3) Vehicle prowling in the second degree is a class C felony upon a third or subsequent conviction of vehicle prowling in the second degree. A third or subsequent conviction means that a person has been previously convicted at least two separate occasions of the crime of vehicle prowling in the second degree.

(4) Multiple counts of vehicle prowling (a) charged in the same charging document do not count as separate offenses for the purposes of charging as a felony based on previous convictions for vehicle prowling in the second degree and (b) based on the same date of occurrence do not count as separate offenses for the purposes of charging as a felony based on previous convictions for vehicle prowling in the second degree.

Sec. 2. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XVI Aggravated Murder 1 (RCW 10.95.020)
XV Homicide by abuse (RCW 9A.32.055)
Malicious explosion 1 (RCW 70.74.280(1))
Murder 1 (RCW 9A.32.030)
XIV Murder 2 (RCW 9A.32.050)
Trafficking 1 (RCW 9A.40.100(1))
XIII Malicious explosion 2 (RCW 70.74.280(2))

Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII Assault 1 (RCW 9A.36.011)
Assault of a Child 1 (RCW 9A.36.120)
Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
Rape 1 (RCW 9A.44.040)
Rape of a Child 1 (RCW 9A.44.073)
Trafficking 2 (RCW 9A.40.100(2))
XI Manslaughter 1 (RCW 9A.32.060)
Rape 2 (RCW 9A.44.050)
Rape of a Child 2 (RCW 9A.44.076)
Vehicle Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
X Child Molestation 1 (RCW 9A.44.083)
Criminal Mistreatment 1 (RCW 9A.42.020)
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
Kidnapping 1 (RCW 9A.40.020)
Leading Organized Crime (RCW 9A.82.060(1)(a))
Malicious explosion 3 (RCW 70.74.280(3))
Sexually Violent Predator Escape (RCW 9A.76.115)
IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
Assault of a Child 2 (RCW 9A.36.130)
Explosive devices prohibited (RCW 70.74.180)
Hit and Run--Death (RCW 46.52.020(4)(a))
Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
Malicious placement of an explosive 2 (RCW 70.74.270(2))
Robbery 1 (RCW 9A.56.200)
Sexual Exploitation (RCW 9.68A.040)
VIII Arson 1 (RCW 9A.48.020)
Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
Manslaughter 2 (RCW 9A.32.070)
Promoting Prostitution 1 (RCW 9A.88.070)
Theft of Ammonia (RCW 69.55.010)
Vehicle Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
VII Burglary 1 (RCW 9A.52.020)
Child Molestation 2 (RCW 9A.44.086)
Civil Disorder Training (RCW 9A.48.120)
Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
Drive-by Shooting (RCW 9A.36.045)
Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
Introducing Contraband 1 (RCW 9A.76.140)
Malicious placement of an explosive 3 (RCW 70.74.270(3))
Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)

Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Bribery (RCW 9A.68.010)
Incest 1 (RCW 9A.64.020(1))
Intimidating a Judge (RCW 9A.72.160)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
Rape of a Child 3 (RCW 9A.44.079)
Theft of a Firearm (RCW 9A.56.300)
Unlawful Storage of Ammonia (RCW 69.55.020)
V Abandonment of Dependent Person 2 (RCW 9A.42.070)
Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
Child Molestation 3 (RCW 9A.44.089)
Criminal Mistreatment 2 (RCW 9A.42.030)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
Driving While Under the Influence (RCW 46.61.502(6))
Extortion 1 (RCW 9A.56.120)
Extortionate Extension of Credit (RCW 9A.82.020)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Incest 2 (RCW 9A.64.020(2))
Kidnapping 2 (RCW 9A.40.030)
Perjury 1 (RCW 9A.72.020)
Persistent prison misbehavior (RCW 9.94.070)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
Possession of a Stolen Firearm (RCW 9A.56.310)
Rape 3 (RCW 9A.44.060)
Rendering Criminal Assistance 1 (RCW 9A.76.070)
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Sexually Violating Human Remains (RCW 9A.44.105)
Stalking (RCW 9A.46.110)
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
IV Arson 2 (RCW 9A.48.030)

Assault 2 (RCW 9A.36.021)
Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
Assault by Watercraft (RCW 79A.60.060)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Cheating 1 (RCW 9.46.1961)
Commercial Bribery (RCW 9A.68.060)
Counterfeiting (RCW 9.16.035(4))
Endangerment with a Controlled Substance (RCW 9A.42.100)
Escape 1 (RCW 9A.76.110)
Hit and Run -Injury (RCW 46.52.020(4)(b))
Hit and Run with Vessel -Injury Accident (RCW 79A.60.200(3))
Identity Theft 1 (RCW 9.35.020(2))
Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
Influencing Outcome of Sporting Event (RCW 9A.82.070)
Malicious Harassment (RCW 9A.36.080)
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
Residential Burglary (RCW 9A.52.025)
Robbery 2 (RCW 9A.56.210)
Theft of Livestock 1 (RCW 9A.56.080)
Threats to Bomb (RCW 9.61.160)
Trafficking in Stolen Property 1 (RCW 9A.82.050)
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Unlawful transaction of insurance business (RCW 48.15.023(3))
Unlicensed practice as an insurance professional (RCW 48.17.063(2))
Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Willful Failure to Return from Furlough (RCW 72.66.060)
III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Assault of a Child 3 (RCW 9A.36.140)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Burglary 2 (RCW 9A.52.030)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Criminal Gang Intimidation (RCW 9A.46.120)
Custodial Assault (RCW 9A.36.100)
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
Harassment (RCW 9A.46.020)

<u>Intimidating a Public Servant (RCW 9A.76.180)</u>	<u>Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))</u>
<u>Introducing Contraband 2 (RCW 9A.76.150)</u>	<u>Theft with the Intent to Resell 2 (RCW 9A.56.340(3))</u>
<u>Malicious Injury to Railroad Property (RCW 81.60.070)</u>	<u>Trafficking in Insurance Claims (RCW 48.30A.015)</u>
<u>Mortgage Fraud (RCW 19.144.080)</u>	<u>Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))</u>
<u>Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)</u>	<u>Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))</u>
<u>Organized Retail Theft 1 (RCW 9A.56.350(2))</u>	<u>Unlawful Practice of Law (RCW 2.48.180)</u>
<u>Perjury 2 (RCW 9A.72.030)</u>	<u>Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))</u>
<u>Possession of Incendiary Device (RCW 9.40.120)</u>	<u>Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))</u>
<u>Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)</u>	<u>Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))</u>
<u>Promoting Prostitution 2 (RCW 9A.88.080)</u>	<u>Voyeurism (RCW 9A.44.115)</u>
<u>Retail Theft with ((Extenuating)) Special Circumstances 1 (RCW 9A.56.360(2))</u>	<u>I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)</u>
<u>Securities Act violation (RCW 21.20.400)</u>	<u>False Verification for Welfare (RCW 74.08.055)</u>
<u>Tampering with a Witness (RCW 9A.72.120)</u>	<u>Forgery (RCW 9A.60.020) Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)</u>
<u>Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))</u>	<u>Malicious Mischief 2 (RCW 9A.48.080)</u>
<u>Theft of Livestock 2 (RCW 9A.56.083)</u>	<u>Mineral Trespass (RCW 78.44.330)</u>
<u>Theft with the Intent to Resell 1 (RCW 9A.56.340(2))</u>	<u>Possession of Stolen Property 2 (RCW 9A.56.160)</u>
<u>Trafficking in Stolen Property 2 (RCW 9A.82.055)</u>	<u>Reckless Burning 1 (RCW 9A.48.040)</u>
<u>Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))</u>	<u>Spotlighting Big Game 1 (RCW 77.15.450(3)(b))</u>
<u>Unlawful Imprisonment (RCW 9A.40.040)</u>	<u>Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))</u>
<u>Unlawful possession of firearm in the second degree (RCW 9.41.040(2))</u>	<u>Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)</u>
<u>Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))</u>	<u>Theft 2 (RCW 9A.56.040)</u>
<u>Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))</u>	<u>Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))</u>
<u>Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))</u>	<u>Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)</u>
<u>Vehicle Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)</u>	<u>Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))</u>
<u>Willful Failure to Return from Work Release (RCW 72.65.070)</u>	<u>Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)</u>
<u>II Commercial Fishing Without a License (RCW 77.15.500(3)(b))</u>	<u>Unlawful Possession of Fictitious Identification (RCW 9A.56.320)</u>
<u>Computer Trespass 1 (RCW 9A.52.110)</u>	<u>Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)</u>
<u>Counterfeiting (RCW 9.16.035(3))</u>	<u>Unlawful Possession of Payment Instruments (RCW 9A.56.320)</u>
<u>Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))</u>	<u>Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)</u>
<u>Escape from Community Custody (RCW 72.09.310)</u>	<u>Unlawful Production of Payment Instruments (RCW 9A.56.320)</u>
<u>Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.132)</u>	<u>Unlawful Release of Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))</u>
<u>Health Care False Claims (RCW 48.80.030)</u>	<u>Unlawful Trafficking in Food Stamps (RCW 9.91.142)</u>
<u>Identity Theft 2 (RCW 9.35.020(3))</u>	<u>Unlawful Use of Food Stamps (RCW 9.91.144)</u>
<u>Improperly Obtaining Financial Information (RCW 9.35.010)</u>	<u>Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))</u>
<u>Malicious Mischief 1 (RCW 9A.48.070)</u>	
<u>Organized Retail Theft 2 (RCW 9A.56.350(3))</u>	
<u>Possession of Stolen Property 1 (RCW 9A.56.150)</u>	
<u>Possession of a Stolen Vehicle (RCW 9A.56.068)</u>	
<u>Retail Theft with ((Extenuating)) Special Circumstances 2 (RCW 9A.56.360(3))</u>	
<u>Theft 1 (RCW 9A.56.030) Theft of a Motor Vehicle (RCW 9A.56.065)</u>	

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
Vehicle Prowl 1 (RCW 9A.52.095)
Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))
 Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

March 12, 2013
SB 5145 Prime Sponsor, Senator Keiser: Allowing fire departments to develop a community assistance referral and education services program. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:
 "NEW SECTION. Sec. 1. A new section is added to chapter 35.21 RCW to read as follows:

(1) Any fire department may develop a community assistance referral and education services program to provide community outreach and assistance to residents of its district in order to advance injury and illness prevention within its community. The program should identify members of the community who use the 911 system for low acuity assistance calls (calls that are nonemergency or nonurgent) and connect them to their primary care providers, other health care professionals, low-cost medication programs, and other social services. The program may also provide a fire department-based, nonemergency contact in order to provide an alternative resource to the 911 system. The program may hire health care professionals as needed.

(2) A participating fire department may seek grant opportunities and private gifts in order to support its community assistance referral and education services program.

(3) In developing a community assistance referral and education services program, a fire department may consult with the health care personnel shortage task force to identify health care professionals capable of working in a nontraditional setting and providing assistance, referral, and education services.

(4) Community assistance referral and education services programs implemented under this section must, at least annually, measure any reduction of repeated use of the 911 emergency system and any reduction in avoidable emergency room trips attributable to implementation of the program. Results of findings under this subsection must be reportable to the legislature or other local governments upon request. Findings should include estimated amounts of medicaid dollars that would have been spent on emergency room visits had the program not been in existence.

(5) For purposes of this section, "fire department" includes city and town fire departments, fire protection districts organized under Title 52 RCW, and regional fire authorities organized under chapter 52.26 RCW."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Ross and Takko.

Passed to Committee on Rules for second reading.

March 12, 2013
SB 5466 Prime Sponsor, Senator Carrell: Modifying criminal history record information compliance audit provisions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso and Takko.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 15, 2013, the 61st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FIRST DAY

House Chamber, Olympia, Friday, March 15, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Moeller presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2002 by Representatives Condotta and Reykdal

AN ACT Relating to snowmobile license fees; amending RCW 46.17.350 and 46.17.350; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5015 by Senator Benton

AN ACT Relating to aggravated first degree murder; amending RCW 10.95.020; and prescribing penalties.

Referred to Committee on Judiciary.

SSB 5031 by Senate Committee on Law & Justice (originally sponsored by Senator Padden)

AN ACT Relating to actions for damage to real property resulting from construction, alteration, or repair on adjacent property; adding a new section to chapter 4.16 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 5059 by Senators Carrell, Hewitt, Pearson, Roach, Delvin, Benton, Hargrove, Harper and Shin

AN ACT Relating to rendering criminal assistance; and amending RCW 9A.76.050 and 9.94A.535.

Referred to Committee on Public Safety.

SSB 5123 by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Hatfield, Hobbs, Parlette and Conway)

AN ACT Relating to a farm internship program; reenacting and amending RCW 49.46.010; adding a new section to chapter 49.12 RCW; adding a new section to chapter 51.16 RCW; adding a new section to chapter 50.04 RCW; and providing an expiration date.

Referred to Committee on Labor & Workforce Development.

E2SSB 5193 by Senate Committee on Ways & Means (originally sponsored by Senators Smith, Roach, Honeyford and Delvin)

AN ACT Relating to gray wolf conflict management; amending RCW 77.36.100, 77.36.130, 46.17.220, and 46.68.425; reenacting and amending RCW 77.36.010; adding new sections to chapter 77.36 RCW; creating a new section; and providing an effective date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5195 by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Hill, Tom, Bailey and Fain)

AN ACT Relating to allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program; amending RCW 28B.92.030, 28B.105.020, 28B.133.010, and 28B.133.050; creating a new section; and providing an effective date.

Referred to Committee on Higher Education.

SSB 5202 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Chase, Kohl-Welles, Conway, Shin, Nelson, Darneille, Frockt, McAuliffe, Keiser, Kline, Harper and Rolfes)

AN ACT Relating to local animal care and control functions; amending RCW 18.92.260; adding a new chapter to Title 16 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5211 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hobbs, Eide, Kline, Ranker, Hatfield, Harper, Billig, Hasegawa, Kohl-Welles, Shin, Keiser, Frockt, Rolfes, Hill, Conway and Nelson)

AN ACT Relating to social networking accounts and profiles; adding new sections to chapter 49.44 RCW; and prescribing penalties.

Referred to Committee on Labor & Workforce Development.

ESB 5236 by Senators Kline and Padden

AN ACT Relating to the uniform correction or clarification of defamation act; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

SSB 5239 by Senate Committee on Transportation (originally sponsored by Senators Eide, Benton, King, Hobbs, Mullet and Shin)

AN ACT Relating to project selection by the freight mobility strategic investment board; and amending RCW 47.06A.020, 47.06A.050, 46.68.300, and 46.68.310.

Referred to Committee on Transportation.

E2SSB 5267 by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Keiser, Conway, Ericksen, Bailey, Dammeier, Frockt and Schlicher)

AN ACT Relating to developing standardized prior authorization for medical and pharmacy management; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

ESSB 5290 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Delvin, Ericksen, Sheldon, Roach, Becker, Bailey, Rivers, Honeyford, Braun, Carrell, Schoesler, Parlette and Hewitt)

AN ACT Relating to designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, water pipes whose primary purpose is for conveyance of water for domestic use, and wastewater pipes as an eligible renewable resource under chapter 19.285 RCW; and reenacting and amending RCW 19.285.030.

Referred to Committee on Environment.

ESSB 5338 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Mullet, Fain and Benton)

AN ACT Relating to debt adjusters; and creating a new section.

Referred to Committee on Business & Financial Services.

SSB 5381 by Senate Committee on Governmental Operations (originally sponsored by Senators Benton and Padden)

AN ACT Relating to cellular device use by state employees; amending RCW 43.41A.025, 43.41A.100, and 43.88.160; and adding a new section to chapter 43.41A RCW.

Referred to Committee on Government Operations & Elections.

SSB 5396 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist Newbry, Conway, Kohl-Welles, Hatfield, Hobbs, Schoesler, Delvin and Kline)

AN ACT Relating to limited on-premise spirits sampling; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Government Accountability & Oversight.

E2SSB 5405 by Senate Committee on Ways & Means (originally sponsored by Senators Murray, Tom, Kohl-Welles, Darneille, Hobbs, Harper and Frockt)

AN ACT Relating to extended foster care services; amending RCW 13.34.145, 13.34.267, 74.13.020, and 74.13.031; reenacting and amending RCW 13.34.030, 74.13.020, and 74.13.031; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SB 5417 by Senators Mullet, Fain, Hasegawa and Roach

AN ACT Relating to the annexation of unincorporated territory within a code city; and amending RCW 35A.14.295.

Referred to Committee on Local Government.

SSB 5456 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Schlicher, Becker, Keiser, Bailey, Frockt, Cleveland, Hargrove, Darneille and McAuliffe)

AN ACT Relating to detentions under the involuntary treatment act; amending RCW 71.05.040; and adding new sections to chapter 71.05 RCW.

Referred to Committee on Judiciary.

ESSB 5458 by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Billig, Ranker, Kohl-Welles and Kline)

AN ACT Relating to the labeling of certain asbestos-containing building materials; amending RCW 70.94.431; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

ESB 5484 by Senators Kline, Frockt, Ranker, Rolfes, Padden, Fain and Kohl-Welles

AN ACT Relating to assault in the third degree occurring in areas used in connection with court proceedings; amending RCW 9.94A.535; reenacting and amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Public Safety.

SSB 5517 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hobbs, Hewitt, Hatfield, Honeyford and Shin)

AN ACT Relating to the beer and wine tasting endorsement for grocery stores; and amending RCW 66.24.363.

Referred to Committee on Government Accountability & Oversight.

ESSB 5551 by Senate Committee on Ways & Means (originally sponsored by Senators Conway, Carrell and Shin)

AN ACT Relating to competency to stand trial evaluations; adding a new section to chapter 10.77 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Judiciary.

ESSB 5595 by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Litzow, Darneille, Fain, Hargrove, McAuliffe, Harper, Nelson, Hobbs, Mullet, Frockt, Cleveland, Rolfes, Kohl-Welles, Shin, Kline and Conway)

AN ACT Relating to child care reform; reenacting and amending RCW 43.215.010; adding new sections to chapter 43.215 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

ESB 5603 by Senators Hatfield, Kohl-Welles, Shin and Ranker

AN ACT Relating to establishing the Washington coastal marine advisory council and the Washington marine resources advisory council; amending RCW 43.372.070; adding new sections to chapter 43.143 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Environment.

SB 5658 by Senators Ericksen, McAuliffe and Hobbs

AN ACT Relating to mercury-containing lights; amending RCW 70.275.060, 70.275.070, 70.275.090, 70.275.100, 70.275.110, and 70.275.140; reenacting and amending RCW 70.275.020; adding a new section to chapter 70.275 RCW; and repealing RCW 70.275.030, 70.275.040, 70.275.050, 70.275.120, and 70.275.130.

Referred to Committee on Environment.

ESB 5666 by Senator Dammeier

AN ACT Relating to clarifying the law regarding disclosing health care quality improvement, quality assurance, peer review, and credentialing information; amending RCW 7.71.030, 70.41.230, 70.230.080, and 70.230.140; and reenacting and amending RCW 70.41.200.

Referred to Committee on Judiciary.

ESSB 5735 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell and Darneille)

AN ACT Relating to registered sex or kidnapping offenders; amending RCW 4.24.550, 9A.44.128, 9A.44.130, 9A.44.132, 9A.44.140, 9A.44.142, 9A.44.143, 43.43.754, 9.94A.030, 28A.300.147, and 72.09.345; reenacting and amending RCW 9.94A.515; adding new sections to chapter 28A.320 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

SB 5797 by Senators Hobbs and Padden

AN ACT Relating to specialty courts; adding a new section to chapter 2.28 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

E2SSB 5802 by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Litzow, Frockt, Cleveland, Billig, Kohl-Welles, Murray and McAuliffe)

AN ACT Relating to developing recommendations to achieve the state's greenhouse gas emissions targets; creating new sections; and declaring an emergency.

Referred to Committee on Environment.

SB 5806 by Senators Smith, Rolfes, Pearson and Hargrove

AN ACT Relating to repealing an obsolete provision for a credit against property taxes paid on timber on public land; creating a new section; and repealing RCW 84.33.077.

Referred to Committee on Finance.

ESSB 5811 by Senate Committee on Ways & Means (originally sponsored by Senators Tom, Fain, Hill, Rivers, Baumgartner and Shin)

AN ACT Relating to employee wellness programs; amending RCW 47.64.270 and 41.05.540; reenacting and amending RCW 41.80.020; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Labor & Workforce Development.

SB 5824 by Senators Honeyford, Hatfield, Schoesler and Shin

AN ACT Relating to the financing of irrigation district improvements; amending RCW 84.34.310, 87.03.480, 87.03.485, 87.03.490, 87.03.495, 87.03.510, 87.03.515, 87.03.527, 87.06.020, 87.28.103, and 87.28.200; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Local Government.

SSB 5834 by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Holmquist Newbry, Conway and McAuliffe)

AN ACT Relating to veteran-owned businesses; amending RCW 43.60A.190, 43.60A.195, and 43.60A.200; and reenacting and amending RCW 43.60A.010.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5849 by Senate Committee on Transportation (originally sponsored by Senators Tom, Frockt, Keiser, Hatfield and Kline)

AN ACT Relating to electric vehicle charging stations; adding a new section to chapter 46.08 RCW; and prescribing penalties.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

March 14, 2013
SSB 5008 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Addressing portable electronics insurance. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 14, 2013
ESSB 5082 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Concerning exchange facilitator requirements. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.310.010 and 2009 c 70 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) A person or entity "affiliated" with a specific person or entity, means a person or entity who directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person or entity specified.

(2) "Client" means the taxpayer with whom the exchange facilitator enters into an agreement as described in subsection ~~((3))~~ (4)(a)(i) of this section.

(3) "Covered dishonest act" means a crime involving fraud, embezzlement, misappropriation of funds, robbery, or other theft of property.

(4)(a) "Exchange facilitator" means a person who:

(i)(A) Facilitates, for a fee, an exchange of like-kind property by entering into an agreement with a taxpayer by which the exchange facilitator acquires from the taxpayer the contractual rights to sell the taxpayer's relinquished property located in this state and transfer a replacement property to the taxpayer as a qualified intermediary, as defined under treasury regulation section 1.1031(k)-1(g)(4); (B) enters into an agreement with a taxpayer to take title to a property in this state as an exchange accommodation titleholder, as defined in internal revenue service revenue procedure 2000-37; or (C) enters into an agreement with a taxpayer to act as a qualified trustee or qualified escrow holder, as both terms are defined under treasury regulation section 1.1031(k)-1(g)(3); or

(ii) Maintains an office in this state for the purpose of soliciting business as an exchange facilitator.

(b) "Exchange facilitator" does not include:

(i) A taxpayer or a disqualified person, as defined under treasury regulation section 1.1031(k)-1(k), seeking to qualify for the nonrecognition provisions of section 1031 of the internal revenue code of 1986, as amended;

(ii) A financial institution that is (A) acting as a depository for exchange funds and is not facilitating an exchange or (B) acting

solely as a qualified escrow holder or qualified trustee, as both terms are defined under treasury regulation section 1.1031(k)-1(g)(3), and is not facilitating an exchange;

(iii) A title insurance company, underwritten title company, or escrow company that is acting solely as a qualified escrow holder or qualified trustee, as both terms are defined under treasury regulation section 1.1031(k)-1(g)(3), and is not facilitating an exchange;

(iv) A person that advertises for and teaches seminars or classes, or otherwise makes a presentation, to attorneys, accountants, real estate professionals, tax professionals, or other professionals, when the primary purpose is to teach the professionals about tax-deferred exchanges or to train them to act as exchange facilitators;

(v) A qualified intermediary, as defined under treasury regulation section 1.1031(k)-1(g)(4), who holds exchange funds from the disposition of relinquished property located outside of this state; or

(vi) An affiliated entity that is used by the exchange facilitator to facilitate exchanges or to take title to property in this state as an exchange accommodation titleholder.

(c) For the purposes of this subsection, "fee" means compensation of any nature, direct or indirect, monetary or in kind, that is received by a person or related person, as defined in section 267(b) or 707(b) of the internal revenue code, for any services relating to or incidental to the exchange of like-kind property.

~~((4))~~ (5) "Financial institution" means a state chartered or federally chartered bank, credit union, savings and loan association, savings bank, or trust company ~~((chartered under the laws of this state or the United States))~~ whose accounts are insured by the full faith and credit of the United States, the federal deposit insurance corporation, the national credit union share insurance fund, or other similar or successor programs.

~~((5))~~ (6) "Person" means an individual, corporation, partnership, limited liability company, joint venture, association, joint stock company, trust, or any other form of a legal entity, and includes the agents and employees of that person.

~~((6))~~ (7) "Prudent investor standard" means the standard for investment as described under RCW 11.100.020.

Sec. 2. RCW 19.310.040 and 2012 c 34 s 2 are each amended to read as follows:

(1) A person who engages in business as an exchange facilitator must:

(a)(i) Maintain a fidelity bond or bonds in an amount of not less than one million dollars executed by an insurer authorized to do business in this state for the benefit of a client of the exchange facilitator that suffers a direct financial loss as a result of the exchange facilitator's covered dishonest act. Such fidelity bond must cover the acts of employees of an exchange facilitator and owners of a nonpublicly traded exchange facilitator; or

(ii) Deposit all exchange funds in a qualified escrow account or qualified trust, as both terms are defined under treasury regulation section 1.1031(k)-1(g)(3), with a financial institution. ~~((The qualified escrow account or qualified trust must provide that))~~ If an exchange facilitator deposits exchange funds in a qualified escrow account or qualified trust:

(A) A withdrawal ((from that escrow account or trust)) of exchange funds requires the exchange facilitator and the client to independently authenticate a record, as defined under RCW 62A.9A-102, of the transaction; and

~~((B))~~ (B) The client of the exchange facilitator must receive independently from the depository financial institution, by any commercially reasonable means, a current statement for verification of the deposited exchange funds; and

(b) Disclose on the company web site and contractual agreement the following statement in large, bold, or otherwise conspicuous typeface calculated to draw the eye: "Washington state law, RCW 19.310.040, requires an exchange facilitator to either maintain a fidelity bond in an amount of not less than one million dollars that

protects clients against losses caused by criminal acts of the exchange facilitator, or to hold all client funds in a qualified escrow account or qualified trust that requires your consent for withdrawals. All exchange funds must be deposited in a separately identified account using your taxpayer identification number. You must receive written notification of how your exchange funds have been deposited. Your exchange facilitator is required to provide you with written directions of how to independently verify the deposit of the exchange funds. Exchange facilitation services are not regulated by any agency of the state of Washington or of the United States government. It is your responsibility to determine that your exchange funds will be held in a safe manner." If recommending other products or services, the exchange facilitator must disclose to the client that the exchange facilitator may receive a financial benefit, such as a commission or referral fee, as a result of such recommendation. The exchange facilitator must not recommend or suggest to a client the use of services of another organization or business entity in which the exchange facilitator has a direct or indirect interest without full disclosure of such interest at the time of recommendation or suggestion.

(2) An exchange facilitator must provide evidence to each client that the requirements of this section are satisfied before entering into an exchange agreement.

(3) Upon request of a current or prospective client, or the attorney general under chapter 19.86 RCW, the exchange facilitator must offer evidence proving that the requirements of this section are satisfied at the time of the request.

Sec. 3. RCW 19.310.050 and 2009 c 70 s 6 are each amended to read as follows:

(1) A person who claims to have sustained damages by reason of the fraudulent act or covered dishonest act((s)) of an exchange facilitator or an exchange facilitator's employee may file a claim on the fidelity bond ~~((or approved alternative described in RCW 19.310.040 to recover the damages)).~~

(2) The remedies provided under this section are cumulative and nonexclusive and do not affect any other remedy available at law.

Sec. 4. RCW 19.310.080 and 2009 c 70 s 9 are each amended to read as follows:

(1) A person who engages in business as an exchange facilitator shall act as a custodian for all exchange funds, including money, property, other consideration, or instruments received by the exchange facilitator from, or on behalf of, the client, except funds received as the exchange facilitator's compensation. The exchange facilitator shall hold the exchange funds in a manner that provides liquidity and preserves both principal and any earned interest, and if invested, shall invest those exchange funds in investments that meet a prudent investor standard and satisfy investment goals of liquidity and preservation of principal and any earned interest. For purposes of this section, a violation of the prudent investor standard includes, but is not limited to, a transaction in which:

(a) Exchange funds are knowingly commingled by the exchange facilitator with the operating accounts of the exchange facilitator, except that the exchange facilitator's fee may be deposited as part of the exchange transaction into the same account as that containing exchange funds, in which event the exchange facilitator must promptly withdraw the fee;

(b) Exchange funds are loaned or otherwise transferred to any person or entity, other than a financial institution, that is affiliated with or related to the exchange facilitator, except that this subsection (1)(b) does not apply to the transfer of funds from an exchange facilitator to an exchange accommodation titleholder in accordance with an exchange contract;

(c) Exchange funds are invested in a manner that does not provide sufficient liquidity to meet the exchange facilitator's contractual obligations to its clients, unless insufficient liquidity occurs as the result of: (i) Events beyond the prediction or control of the exchange

facilitator including, but not limited to, failure of a financial institution; or (ii) an investment specifically requested by the client; or

(d) Exchange funds are invested in a manner that does not preserve the principal of the exchange funds, unless loss of principal occurs as the result of: (i) Events beyond the prediction or control of the exchange facilitator; or (ii) an investment specifically requested by the client.

(2) Exchange funds are not subject to execution or attachment on any claim against the exchange facilitator.

Sec. 5. RCW 19.310.100 and 2009 c 70 s 11 are each amended to read as follows:

A person who engages in business as an exchange facilitator shall not, with respect to a like-kind exchange transaction(~~(-knowingly or with criminal negligence))~~):

(1) Make a false, deceptive, or misleading material representation, directly or indirectly, concerning a like-kind transaction;

(2) Make a false, deceptive, or misleading material representation, directly or indirectly, in advertising or by any other means, concerning a like-kind transaction;

(3) Engage in any unfair or deceptive practice toward any person;

(4) Obtain property by fraud or misrepresentation;

(5) Fail to account for any moneys or property belonging to others that may be in the possession or under the control of the exchange facilitator;

(6) Comingle funds held for a client in any account that holds the exchange facilitator's own funds, except as provided in RCW 19.310.080(1)(a);

(7) Loan or otherwise transfer exchange funds to any person or entity, other than a financial institution, that is affiliated with or related to the exchange facilitator, except for the transfer of funds from an exchange facilitator to an exchange accommodation title holder in accordance with an exchange contract;

(8) Keep, or cause to be kept, any money in any bank, credit union, or other financial institution under a name designating the money as belonging to the client of any exchange facilitator, unless that money belongs to that client and was entrusted to the exchange facilitator by that client;

(9) Fail to fulfill its contractual duties to the client to deliver property or funds to the taxpayer in a material way unless such a failure is due to ~~((circumstances beyond the control of the exchange facilitator))~~: (a) Events beyond the prediction or control of the exchange facilitator; or (b) an investment specifically requested by the client;

(10) Commit, including commission by its owners, officers, directors, employees, agents, or independent contractors, any crime involving fraud, misrepresentation, deceit, embezzlement, misappropriation of funds, robbery, or other theft of property;

(11) Fail to make disclosures required by any applicable state law; or

(12) Make any false statement or omission of material fact in connection with any reports filed by an exchange facilitator or in connection with any investigation conducted by the department of financial institutions.

Sec. 6. RCW 19.310.110 and 2009 c 70 s 12 are each amended to read as follows:

(1) An exchange facilitator must deposit all client funds in(~~(=~~ ~~—(a) For accounts with a value of five hundred thousand dollars or more,))~~ a separately identified account, as defined in treasury regulation section 1.468B-6(c)(ii), for the particular client or client's matter, and the client must receive all the earnings credited to the separately identified account(~~(=~~ ~~—(b) For accounts with a value less than five hundred thousand dollars, (i) a pooled interest bearing trust account if the client agrees to pooling in writing; or (ii) if the client does not agree to pooling, in a~~

~~separately identified account, as defined in treasury regulation section 1.468B-6(c)(ii)).~~

(2) An exchange facilitator must provide the client with written notification of how the exchange proceeds have been invested or deposited.

Sec. 7. RCW 19.310.120 and 2012 c 34 s 4 are each amended to read as follows:

(1) Failure to fulfill the requirements under RCW 19.310.040 constitutes prima facie evidence that the exchange facilitator intended to defraud a client who suffered a subsequent loss of the asset entrusted to the exchange facilitator.

(2) A person who engages in business as an exchange facilitator and who knowingly violates RCW 19.310.100 (1) through ~~((8))~~ (9) or fails to comply with the requirements under RCW 19.310.040 is guilty of a class B felony under chapter 9A.20 RCW. However, an exchange facilitator is not guilty of a class B felony for failure to comply with the requirements under RCW 19.310.040 if: (a) Failure to comply is due to the cancellation or amendment of the fidelity bond by the bond issuer; and (b) the exchange facilitator:

(i) Within thirty days, takes all reasonable steps to comply with the requirements under RCW 19.310.040; and

(ii) Deposits any new exchange funds into a qualified escrow account or qualified trust until a fidelity bond is obtained that meets the requirements under RCW 19.310.040(1)(a)(i)."

Correct the title.

Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4628, by Representative Sullivan

WHEREAS, British Columbia and Washington State share a border, many natural resources, and geological and geographic similarities; and

WHEREAS, British Columbia and Washington State often work together to achieve mutual goals; and

WHEREAS, The Washington State Constitution expresses the paramount importance of education, which will help prepare young people to lead us into the future; and

WHEREAS, British Columbia recognizes the importance and value of quality civic education; and

WHEREAS, Washington State and British Columbia are sponsors of internationally renowned legislative internship programs; and

WHEREAS, Washington State undergraduate interns work during their winter quarter or spring semester with staff and members of the Washington State House of Representatives or Senate in Olympia; and

WHEREAS, In addition to their legislative work, interns participate in weekly academic seminars and workshops to learn about the process of a representative democracy with a bicameral legislature; and

WHEREAS, The British Columbia parliamentary internship program offers an opportunity to university graduates to supplement their academic training by observing the daily operations of

Washington State's Legislature and British Columbia's Parliament firsthand; and

WHEREAS, Interns acquire skills and knowledge they can apply in their chosen careers and future life experiences that will further contribute to a greater public understanding and appreciation of parliamentary government; and

WHEREAS, British Columbia and Washington State Legislative interns have participated in an exchange program to explore and learn about each other's government processes on ten prior occasions; and

WHEREAS, We welcome the British Columbia Parliamentary interns to the Washington State Legislature and commend their numerous academic achievements;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the hardworking and dedicated British Columbian Parliamentary intern program facilitators: Karen Aitken and Jennifer Ives, as well as the British Columbian Parliamentary interns: Katie Dittrich, Maya Fernandez, Emma Fraser, Thomas Lattimer, Jared Marley, Kate Russell, Stephen Satterfield, Vanesa Tomasino Rodriguez, Rebecca Whitmore, and Braeden Wiens; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington hereby honor, thank, and celebrate the British Columbian Parliamentary internship participants here today.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4628.

HOUSE RESOLUTION NO. 4628 was adopted.

HOUSE RESOLUTION NO. 2013-4630, by Representative Chopp

WHEREAS, The Washington State Park system, one of the oldest, largest, and most beautiful in the country, turns 100 years old on March 19, 2013; and

WHEREAS, Washington was the fourth state in the country to inaugurate a statewide parks commission - a tribute to the core Washington values of natural beauty, exploration, and adventure - values that are still cherished today; and

WHEREAS, The Washington State Park system, one of the most ecologically diverse in the nation, offers a variety of recreational activities such as hiking, biking, camping, boating, and winter recreation; and

WHEREAS, Washington State Parks also acquire, operate, enhance, and protect a diverse range of natural, cultural, and historical resources - including iconic geologic sites, 35 heritage areas, interpretive centers, and 700 historic structures - that chronicle our state's history; and

WHEREAS, Washington's 117 state parks are in every corner of the state, within an hour's drive for almost all citizens; and

WHEREAS, The public benefits of state parks include health, education, environmental stewardship, and quality of life for all citizens; and

WHEREAS, The treasures cared for, operated, and preserved by Washington State Parks must be protected for future generations of Washingtonians; and

WHEREAS, Washington State Parks receive approximately 40 million visits a year, generating \$30 million in direct annual state tax receipts and contributing significant revenue for the local communities; and

WHEREAS, The Washington State Park system now prepares to celebrate its 100th birthday with dozens of activities and events planned in parks across the state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives hereby wish Washington State Parks a

Happy 100th Birthday and urge all citizens to celebrate this momentous occasion by getting outdoors and enjoying our Washington State Parks in 2013.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4630.

HOUSE RESOLUTION NO. 4630 was adopted.

HOUSE RESOLUTION NO. 2013-4631, by Representatives Hayes, Kristiansen, Scott, Smith, Lytton, and Morris

WHEREAS, Every April the tulips are in bloom, celebrating the beginning of spring; and

WHEREAS, The beautiful Skagit Valley is the Northwest's tulip capital and the number one producer of tulip bulbs in North America; and

WHEREAS, The Skagit Valley Tulip Festival kicks off the festival season in Washington; and

WHEREAS, Nearly half a million people visited the Skagit Valley Tulip Festival last year, participating in the joy and excitement of the event and contributing to the economy of the Skagit Valley; and

WHEREAS, This year's 30th annual festival will run from April 1st through 30th, focusing on the communities of Sedro-Woolley, Burlington, Anacortes, La Conner, Mount Vernon, Concrete, and Conway; and

WHEREAS, Visitors will be greeted by more than 700 acres of tulips reflecting all the vibrant colors of the rainbow, by the fullness of life in the valley, and by its wonderful people; and

WHEREAS, This year's Tulip Festival Ambassadors, Jennifer Ramirez and Carlos Roques, will ably and personably perform their responsibilities as representatives of the festival; and

WHEREAS, Highlights of the event include the Mount Vernon Street Fair, PACCAR Open House, Air Show and Fly-in, Skagit County wineries, RoozenGarde, Tulip Town, art shows, bike rides, foot races, and much more;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute all the communities of the Skagit Valley, their Chambers of Commerce, the Skagit Valley Tulip Festival Ambassadors, and the Tulip Festival Committee; and

BE IT FURTHER RESOLVED, That the House of Representatives commend the community leaders and corporate sponsors for the success of this important event and encourage citizens from across Washington to take the time to enjoy this spectacular display; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Skagit Valley Tulip Festival Executive Director, Cindy Verge, and the Tulip Festival Ambassadors.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4631.

HOUSE RESOLUTION NO. 4631 was adopted.

HOUSE RESOLUTION NO. 2013-4633, by Representatives Fagan, Schmick, Haler, Vick, Kochmar, Angel, Hargrove, Harris, Springer, Pollet, Moscoso, Maxwell, Wylie, Kirby, Tharinger, Santos, Blake, Takko, Hunter, Ryu, Riccelli, Ormsby, Orcutt, O'Ban, Holy, Haigh, Stonier, Ross, Smith, Scott, Klippert, Johnson, Dahlquist, Bergquist, Liias, MacEwen, and Warnick

WHEREAS, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Colton Wildcats Girls Basketball team displayed extraordinary excellence in winning the 2013 Class 1B state championship; and

WHEREAS, The Colton Wildcats Girls Basketball Head Coach Clark Vining led his team to win five consecutive state basketball championships, setting a new state record for any classification; and

WHEREAS, The Colton Wildcats Girls Basketball team's record was 125-4 in those five years; and

WHEREAS, The Colton Wildcats Girls Basketball team was the State Academic Champion in 2012 and 2013, with a GPA of 3.94 this season; and

WHEREAS, The Colton Wildcats Girls Basketball team has qualified for the state tournament for the last seven years straight and brought home seven trophies, including six straight Southeast League Championships and six straight District 9 Championships with a winning streak of 44 games, a league record of 63-1, and an eight-year record of 187-23; and

WHEREAS, The Colton Wildcats Girls Basketball team was elected the Lewis Clark State College Warrior Athletic Team of the Year in 2010 and 2011 and the Spokane Regional Sports commission Junior Female Team of Year; and

WHEREAS, The Wildcat girls are known for their tenacious defense, ability to run the floor, and mental toughness; and

WHEREAS, The Wildcat girls are also known for their hard work, humbleness, dedication, and focus;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor the Colton Wildcats Girls Basketball team members: Savannah Chadwick, Kaden Dahmen, Kaitlin Druffel, Hannah Kramer, Payton Meyer, Jenna Moser, Zoe Moser, Winnie Schultheis, Raylynn Smith, Paige Vincent, and Jackie Warner, and Head Coach Clark Vining, Assistant Coach Ben Emerson, Athletic Director Jim Moehrle, and Managers Meghan Devorak, Kendyl Druffel, Georgia Meyer, Jordyn Moehrle, Dakota Patchen, and Rylee Vining for their outstanding accomplishment; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Colton Wildcats Girls Basketball Head Coach Clark Vining, the members of the Colton Wildcats Girls Basketball team, and the Colton High School Superintendent and Principal Nate Smith.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4633.

HOUSE RESOLUTION NO. 4633 was adopted.

HOUSE RESOLUTION NO. 2013-4635, by Representatives Zeiger, Morrell, Dahlquist, Hurst, Kochmar, Jinkins, Fey, Freeman, and Wilcox

WHEREAS, The annual Daffodil Festival is a cherished tradition for the people of Pierce County and the Northwest; and

WHEREAS, 2013 marks the eightieth annual Daffodil Festival; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a place to live and visit, to give citizens of Pierce County a civic endeavor where the "Magic of Music" comes alive, to foster civic pride, to give young people and organizations of the local area an opportunity to display their talents and abilities, to give vent to citizens' enthusiasm in

parades, pageantry, and events, and to stimulate the business economy through expenditures by and for the Festival and by visitors attracted during Festival Week; and

WHEREAS, The Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Festival's 2013 events are ongoing with the 52nd Annual Junior Parade on April 20, 2013, the 80th Annual Grand Floral Street Parade on April 13, 2013--winding its way from downtown Tacoma through the communities of Puyallup, Sumner, and Orting and consisting of approximately 150 entries, including bands, marching and mounted units, and floats that are decorated with fresh-cut Daffodils numbering in the thousands--and will culminate with the Marine parade on April 21, 2013; and

WHEREAS, This year's Festival royalty includes Queen McKenna Erhardt, Rogers High School; and Princesses Kayla Prewitt, Curtis High School; Grace Collins, Fife High School; Annie Litzenberger, Eatonville High School; Amy Bernstein, Graham Kapowsin High School; Kayla Williams, Orting High School; Kabrina Kidd, Cascade Christian High School; Mikayla Flores, Chief Leschi High School; Cierra McMahon, Emerald Ridge High School; Bri Pedicone, Puyallup High School; Shelondra Harris, Henry Foss High School; Tara Harris, Lincoln High School; Carly Knox, Stadium High School; Zoe Mix, Wilson High School; Noelle Kaku, Bethel High School; Suga Iopu, Clover Park High School; Helena Laubach, Lakes High School; Marissa Gregg, Sumner High School; Angelica Maria, Mt. Tahoma High School; Anna Kessner, Spanaway Lake High School; Lexie Reyes, Washington High School; Taylor Friend, Bonney Lake High School; Bobbi McGinnis, Franklin Pierce High School; and Jessica Gamble, White River High School;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the many contributions made to our state by the Daffodil Festival and its organizers for the past eighty years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2013 Daffodil Festival Officers and to the members of the Festival Royalty.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4635.

HOUSE RESOLUTION NO. 4635 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 18, 2013, the 64th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FOURTH DAY

House Chamber, Olympia, Monday, March 18, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Agriculture & Natural Resources was relieved of SENATE BILL NO. 5770, and the bill was referred to the Committee on Local Government.

MESSAGE FROM THE SENATE

March 14, 2013

MR. SPEAKER: The President has signed SENATE CONCURRENT RESOLUTION NO. 8402 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 19, 2013, the 65th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY FIFTH DAY

House Chamber, Olympia, Tuesday, March 19, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2003 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2004 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2005 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2006 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2007 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2008 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2009 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2010 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2011 by Representative Hunter

AN ACT Relating to natural resources.

Referred to Committee on Appropriations.

HB 2012 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2013 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2014 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2015 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2016 by Representatives Jinkins, Hunter and Alexander

AN ACT Relating to a hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.070, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.60.140, 74.60.150, 74.60.900, and 74.60.901; adding a new section to chapter 74.09 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

SB 5302

March 14, 2013
Prime Sponsor, Senator Benton: Addressing credit unions' corporate governance and investments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 14, 2013

SB 5343 Prime Sponsor, Senator Bailey: Concerning the rights of higher education students involved in military service. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

March 14, 2013

SB 5472 Prime Sponsor, Senator Bailey: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28B.35 RCW to read as follows:

The board of trustees of Western Washington University may offer applied, but not research, doctorate level degrees in audiology." Correct the title.

Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Referred to Committee on Appropriations Subcommittee on Education.

March 14, 2013

SB 5787 Prime Sponsor, Senator Bailey: Adding the chair of the student achievement council to the Washington higher education facilities authority. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Sells; Smith; Tarleton; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4637, by Representatives Angel, Fagan, Kochmar, Warnick, Scott, Haler, Hargrove, Orcutt, Magendanz, Holy, Smith, Nealey, Manweller, Hayes, Schmick, Klippert, Pike, Wilcox, Short, Harris, Walsh, MacEwen, Condotta, Alexander, Chandler, and Vick

WHEREAS, Traumatic brain injury is a serious national public health epidemic that, according to the Centers for Disease Control and Prevention, strikes an estimated 1.7 million; and

WHEREAS, Annually, traumatic brain injury claims more than 50,000 lives and leaves more than 80,000 individuals with lifelong disabilities; and

WHEREAS, Traumatic brain injury ranks as the leading cause of death and disability in children and young adults; and

WHEREAS, The Defense and Veterans Brain Injury Center reports that traumatic brain injury is the "signature injury" for troops serving in Iraq and Afghanistan, with more than two-thirds of blast-injured veterans identified as having a brain injury; and

WHEREAS, Prevention is the only known cure; and

WHEREAS, In partnership with the Centers for Disease Control and Prevention, the Health Resources and Services Administration and the Defense Brain and Spinal Cord Association of Washington strive to increase brain injury awareness, thus making prevention and safety measures part of the American culture in an effort to decrease the number of brain injuries;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the efforts of the Defense and Veterans Brain Injury Center, Centers for Disease Control and Prevention, Health Resources and Services Administration, Defense Brain and Spinal Cord Association of Washington, The Brain Injury Association of Washington, Brain Energy Support Team (BEST), The Brain Injury Task Force, and all organizations and individuals to increase brain injury awareness, decrease the number of brain injuries, assist in various ways those who suffer brain injuries, and urge all citizens to educate themselves and take the necessary precautions to ensure their own safety and that of their loved ones.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4637.

HOUSE RESOLUTION NO. 4637 was adopted.

HOUSE RESOLUTION NO. 2013-4638, by Representative Appleton

WHEREAS, In 1961 an obscure, penniless drifter was criminally charged with breaking into the Bay Harbor Poolroom in Panama City, Florida, and stealing approximately \$65 in change, 12 beers, 12 Coca-Colas, and four fifths of wine; and

WHEREAS, The trial court denied the indigent man's request for a lawyer to help him defend against the felony charges and convicted and sentenced Clarence Earl Gideon to five years in state prison, and the Florida Supreme Court declined his appeal; and

WHEREAS, From prison, again without a lawyer, Mr. Gideon mailed the United States Supreme Court a humble, hand-printed petition asking the High Court to find that he was deprived of a fair trial because he was denied assistance of legal counsel; and

WHEREAS, Washington State, whose State Constitution guarantees the right to counsel in Article 1, Section 22, was among 22 states that submitted amicus curiae briefs supporting Mr. Gideon's right to a court-appointed lawyer; and

WHEREAS, 50 years ago, in March 1963, the United States Supreme Court announced a unanimous decision in *Gideon v. Wainwright*, establishing as the law of the land that the United States Constitution's Sixth Amendment guarantee of legal counsel is a fundamental right of all persons, essential to a fair trial, and is applied to the states through the due process requirements of the Fourteenth Amendment; and

WHEREAS, As Justice Hugo Black wrote for the court, "The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours"; and

WHEREAS, As a result of the ruling, the state of Florida granted Mr. Gideon a new trial in August 1963, where a court-appointed lawyer was able to present crucial evidence and the jury found Mr. Gideon not guilty; and

WHEREAS, Subsequent United States and Washington Supreme Court rulings have maintained the right to counsel, and have held that the right to counsel means the right to competent, effective counsel;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commemorate the March 18 anniversary of *Gideon v. Wainwright*, marking a significant step toward ensuring that in America, regardless of material wealth or personal privilege, all persons facing the deprivation of liberty at the hands of the government are guaranteed due process and the right to effective assistance of counsel to defend themselves.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4638.

HOUSE RESOLUTION NO. 4638 was adopted.

HOUSE RESOLUTION NO. 2013-4639, by Representative Liias

WHEREAS, The Washington State House of Representatives recognize the importance of education in our state; and

WHEREAS, Mariner High School's longest standing principal, serving since 2003, Brent Kline, has shown dedication to improving students' educational experiences; and

WHEREAS, During the past 10 years, Mariner has improved the overall level of students meeting the language arts state standards from 52% to 79.5%, the writing state standards from 55% to 89%, and the math state standards from 28% to 75%; and

WHEREAS, This achievement was met through hiring reading teachers to help with struggling students, implementing professional development for staff that emphasizes the importance of reading across the curriculum, establishing 20 minutes of silent reading time each day across the school, developing cross-content learning, providing required after-school intervention programs for students not meeting state standards in mathematics, and founding a community of learning through the daily collaboration of the school's teachers; and

WHEREAS, These improvements played a huge factor in Mariner High School receiving multiple awards in the past few years, including the School of Distinction award and the Washington Achievement Award for language arts in 2011. Mariner also was the recipient of the Washington Achievement Award in 2009 for the school's improved graduation rate; and

WHEREAS, For his efforts, Kline won the WESCO 3A/4A Conference principal of the year honors for 2012 from the Washington Interscholastic Activities Association; and

WHEREAS, Mariner High School and its principal, Brent Kline, have achieved significant and noteworthy improvements in language arts, writing, reading, mathematics, and graduation attendance;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize Mariner High School principal Brent Kline for his most recent achievement of being selected as the 2013 High School Principal of the Year by the Association of Washington School Principals.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4639.

HOUSE RESOLUTION NO. 4639 was adopted.

HOUSE RESOLUTION NO. 2013-4640, by Representative Maxwell

WHEREAS, One hundred thousand Washington State children and youth are gifted and talented; and

WHEREAS, Without appropriate support, these children have high dropout rates, between 15 and 30%, and a number of other risk factors; and

WHEREAS, K-12 Highly Capable students are present in all cultural and linguistic groups, across all socioeconomic strata, co-exist with all manner of disabling conditions both visible and invisible, and manifest across all areas of human endeavor; and

WHEREAS, Highly Capable students perform, or show potential for performing, at significantly advanced levels when compared with others of their age, experience, or environments. Outstanding capabilities are seen within students' general intellectual aptitudes, specific academic abilities, creative productivities within a specific domain, and leadership skills; and

WHEREAS, Education for all students must include opportunities to nurture and support learning at the highest levels, laying the foundation for positive outcomes for all students; and

WHEREAS, Research-based teaching practices drawn from gifted education can be used to enhance learning for students in their strength areas, and will have a positive impact on all students; and

WHEREAS, High-end learning with a focus on expanding excellence will lead to a more highly qualified workforce ready to address the challenges we currently face and the ones we will certainly face in the future; and

WHEREAS, Maximum development of each individual's intellectual and creative powers ensures the challenges of the future will more likely be met; and

WHEREAS, Washington has tens of thousands of gifted and talented children, whose full potential can be tapped only through the farsighted cooperation of education, community, and government; and

WHEREAS, Governor Inslee proclaimed March 19, 2013, as Gifted Education Day in Washington State;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives celebrate Gifted Education Day; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Office of the Superintendent of Public Instruction.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4640.

HOUSE RESOLUTION NO. 4640 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 20, 2013, the 66th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY SIXTH DAY

House Chamber, Olympia, Wednesday, March 20, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jenny Wen and Mason Klippert. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The Brass Quintet from Navy Band Northwest performed the National Anthem and the Navy Hymn, "Eternal Father". The prayer was offered by Chaplain John Carter, Command Chaplain at Navy Base Everett.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed SENATE CONCURRENT RESOLUTION NO. 8402

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

SB 5046 March 19, 2013
Prime Sponsor, Senator Padden: Modifying the mandatory retirement provision for district judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

SB 5052 March 19, 2013
Prime Sponsor, Senator Ericksen: Increasing the number of superior court judges in Whatcom county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

SB 5069 March 19, 2013
Prime Sponsor, Senator Schoesler: Increasing the number of superior court judges in Benton and Franklin counties jointly. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Referred to Committee on Appropriations Subcommittee on General Government.

SSB 5077 March 19, 2013
Prime Sponsor, Committee on Commerce & Labor: Making technical corrections to certain gender-based terms. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert and Shea.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Transportation was relieved of HOUSE BILL NO. 2002, and the bill was referred to the Committee on Appropriations Subcommittee on General Government.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 21, 2013, the 67th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY SEVENTH DAY

House Chamber, Olympia, Thursday, March 21, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 19, 2013

SSB 5002 Prime Sponsor, Committee on Governmental Operations: Concerning mosquito control districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Passed to Committee on Rules for second reading.

March 19, 2013

SB 5102 Prime Sponsor, Senator Pearson: Concerning veterinarian immunity from liability when reporting suspected animal cruelty. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 16.52 RCW to read as follows:

A veterinarian lawfully licensed in this state to practice veterinary medicine, surgery, and dentistry who reports, in good faith and in the normal course of business, a suspected incident of animal cruelty that is punishable under this chapter to the proper authorities is immune from liability in any civil or criminal action brought against such veterinarian for reporting the suspected incident. The immunity provided in this section applies only if the veterinarian receives no financial benefit from the suspected incident of animal cruelty beyond charges for services rendered prior to the veterinarian making the initial report."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Goodman.

Passed to Committee on Rules for second reading.

March 19, 2013

ESSB 5110 Prime Sponsor, Committee on Governmental Operations: Concerning local government purchasing of supplies, materials, or equipment. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and Buys.

Passed to Committee on Rules for second reading.

March 19, 2013

SB 5186 Prime Sponsor, Senator Roach: Concerning contractor's bond. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 19, 2013

SB 5450 Prime Sponsor, Senator Parlette: Concerning public hospital districts insurance coverage for commissioners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.44.050 and 2008 c 31 s 2 are each amended to read as follows:

Each commissioner shall receive ninety dollars for each day or portion thereof spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district, to include meetings of the commission of his or her own district, or meetings attended by one or more commissioners of two or more districts called to consider business

common to them, except that the total compensation paid to such commissioner during any one year shall not exceed eight thousand six hundred forty dollars. The commissioners may not be compensated for services performed of a ministerial or professional nature.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioners with the same or similar coverage. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his or her subsistence and lodging and travel while away from his or her place of residence. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2008, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions."

Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

March 19, 2013
SSB 5559 Prime Sponsor, Committee on Higher Education: Authorizing educational specialist degrees at Central Washington University, Western Washington University, and The Evergreen State College. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Representative Orwall presiding) called upon Representative Van de Wege to preside.

MESSAGE FROM THE SENATE

March 21, 2013

MR. SPEAKER: The Senate has adopted SENATE CONCURRENT RESOLUTION NO. 8403 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HCR 4404 by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie and Zeiger

Celebrating the life and legacy of William Booth Gardner.

SCR 8403 by Senators Tom and Murray

Calling a joint session to honor Governor Booth Gardner.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4404 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8403 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

**SENATE CONCURRENT RESOLUTION NO. 8403, by
Senators Tom and Murray**

Calling a joint session to honor Governor Booth Gardner.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Van de Wege presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8403.

SENATE CONCURRENT RESOLUTION NO. 8403, was adopted.

**HOUSE CONCURRENT RESOLUTION NO. 4404, by
Representatives Chopp, DeBolt, Alexander, Angel, Appleton,
Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,
Condofta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey,
Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler,
Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope,
Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby,
Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton,
MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller,
Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby,
Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet,
Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer,
Schmick, Seaquist, Sells, Shea, Smith, Springer, Stanford,
Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger,
Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox,
Wylie and Zeiger**

Celebrating the life and legacy of William Booth Gardner.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Van de Wege presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4404.

HOUSE CONCURRENT RESOLUTION NO. 4404 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 22, 2013, the 68th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY EIGHTH DAY

House Chamber, Olympia, Friday, March 22, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Lytton presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2017 by Representatives Parker, Lytton, Santos, Magendanz and Fagan

AN ACT Relating to changing the deadline for notices of nonrenewal of contracts for certificated school employees; amending RCW 28A.405.210, 28A.405.220, 28A.405.230, 28A.405.245, and 28A.310.250; and declaring an emergency.

Referred to Committee on Education.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

March 19, 2013

SB 5136 Prime Sponsor, Senator Padden: Concerning electronic presentment of claims against the state arising out of tortious conduct. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 4.92.100 and 2012 c 250 s 1 are each amended to read as follows:

(1) All claims against the state, or against the state's officers, employees, or volunteers, acting in such capacity, for damages arising out of tortious conduct, must be presented to the office of risk management ~~((division))~~. A claim is deemed presented when the claim form is delivered in person or by regular mail, registered mail, or certified mail, with return receipt requested, or as an attachment to electronic mail or by fax, to the office of risk management ~~((division))~~. For claims for damages presented after July 26, 2009, all claims for damages must be presented on the standard tort claim form that is maintained by the office of risk management ~~((division))~~. The standard tort claim form must be posted on the ~~((office of financial management's))~~ department of enterprise services' web site.

(a) The standard tort claim form must, at a minimum, require the following information:

- (i) The claimant's name, date of birth, and contact information;
- (ii) A description of the conduct and the circumstances that brought about the injury or damage;

(iii) A description of the injury or damage;

(iv) A statement of the time and place that the injury or damage occurred;

(v) A listing of the names of all persons involved and contact information, if known;

(vi) A statement of the amount of damages claimed; and

(vii) A statement of the actual residence of the claimant at the time of presenting the claim and at the time the claim arose.

(b)~~(i)~~ The standard tort claim form must be signed either:

~~((+))~~ (A) By the claimant, verifying the claim;

~~((+))~~ (B) Pursuant to a written power of attorney, by the attorney in fact for the claimant;

~~((+))~~ (C) By an attorney admitted to practice in Washington state on the claimant's behalf; or

~~((+))~~ (D) By a court-approved guardian or guardian ad litem on behalf of the claimant.

(ii) For the purpose of this subsection (1)(b), when the claim form is presented electronically it must bear an electronic signature in lieu of a written original signature. An electronic signature means a facsimile of an original signature that is affixed to the claim form and executed or adopted by the person with the intent to sign the document.

(iii) When an electronic signature is used and the claim is submitted as an attachment to electronic mail, the conveyance of that claim must include the date, time the claim was presented, and the internet provider's address from which it was sent. The attached claim form must be a format approved by the office of risk management.

(iv) When an electronic signature is used and the claim is submitted via a facsimile machine, the conveyance must include the date, time the claim was submitted, and the fax number from which it was sent.

(v) In the event of a question on an electronic signature, the claimant shall have an opportunity to cure and the cured notice shall relate back to the date of the original filing.

(c) The amount of damages stated on the claim form is not admissible at trial.

(2) The state shall make available the standard tort claim form described in this section with instructions on how the form is to be presented and the name, address, and business hours of the office of risk management ~~((division))~~. The standard tort claim form must not list the claimant's social security number and must not require information not specified under this section. The claim form and the instructions for completing the claim form must provide the United States mail, physical, and electronic addresses and numbers where the claim can be presented.

(3) With respect to the content of claims under this section and all procedural requirements in this section, this section must be liberally construed so that substantial compliance will be deemed satisfactory." Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Nealey; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representatives Hope and Klippert.

Passed to Committee on Rules for second reading.

March 20, 2013

SB 5139 Prime Sponsor, Senator Hatfield: Concerning milk and milk products. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

March 20, 2013

SB 5207 Prime Sponsor, Senator Fain: Addressing the consumer loan act. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 20, 2013

ESSB 5208 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Concerning banks, trust companies, savings banks, and savings associations, and making technical amendments to the laws governing the department of financial institutions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 20, 2013

SSB 5210 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Regulating mortgage brokers. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen and Stanford.

MINORITY recommendation: Without recommendation. Signed by Representative Santos.

Passed to Committee on Rules for second reading.

March 20, 2013

SSB 5352

Prime Sponsor, Committee on Commerce & Labor: Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 20, 2013

SSB 5369

Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning the use of geothermal resources. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) Because related geothermal resources may be present on contiguous private, state, and federal lands within the state, there is a need to provide greater conformity with the state's geothermal resources statutes and the federal statutes defining geothermal resources and clarify that ownership of geothermal resources resides with the surface owner unless the interest is otherwise reserved or conveyed.

(2) It is in the public interest to encourage and foster the development of geothermal resources in the state, and the legislature intends to align the state statutes defining geothermal resources with current federal law with which developers are familiar, and clarify the respective regulatory roles of state agencies.

(3) Geothermal resources suitable for energy development are located at much greater depths than the aquifers relied upon for other beneficial uses, but in the event that a geothermal well draws from the same source as other uses, a coordinated and streamlined permitting of geothermal development can better ensure that any interference with existing water uses will be addressed and eliminated. It is the intent of this act that no water uses associated with a geothermal well impair any water use authorized through appropriation under Title 90 RCW.

(4) Changes to federal law in 2005 require a distribution of a portion of geothermal energy revenues from leases on federal land directly to the county in which the lease activity occurs, and therefore it is appropriate that the additional distribution to the state be provided for statewide uses relating to geothermal energy assessment, exploration, and production.

Sec. 2. RCW 78.60.030 and 1974 ex.s. c 43 s 3 are each amended to read as follows:

~~((For the purposes of this chapter, unless the text otherwise requires, the following terms shall have the following meanings:))~~
The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

~~(1)(a) "Geothermal resources" ((means only that natural heat energy of the earth from which it is technologically practical to produce electricity commercially and the medium by which such heat energy is extracted from the earth, including liquids or gases, as well as any minerals contained in any natural or injected fluids, brines and associated gas, but excluding oil, hydrocarbon gas and other hydrocarbon substances))~~ includes the natural heat of the earth, the energy, in whatever form, below the surface of the earth present in,

resulting from, or created by, or that may be extracted from, the natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, exclusive of helium or oil, hydrocarbon gas or other hydrocarbon substances, but including, specifically:

(i) All products of geothermal processes, including indigenous steam, and hot water and hot brines;

(ii) Steam and other bases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations;

(iii) Heat or other associated energy found in geothermal formations; and

(iv) Any by-product derived from them.

(b) "Geothermal resources" does not include heat energy used in ground source heat exchange systems for ground source heat pumps.

(2) "Waste", in addition to its ordinary meaning, shall mean "physical waste" as that term is generally understood and shall include:

(a) The inefficient, excessive, or improper use of, or unnecessary dissipation of, reservoir energy; or the locating, spacing, drilling, equipping, operating or producing of any geothermal energy well in a manner which results, or tends to result, in reducing the quantity of geothermal energy to be recovered from any geothermal area in this state;

(b) The inefficient above-ground transporting or storage of geothermal energy; or the locating, spacing, drilling, equipping, operating, or producing of any geothermal well in a manner causing, or tending to cause, unnecessary excessive surface loss or destruction of geothermal energy;

(c) The escape into the open air, from a well of steam or hot water, in excess of what is reasonably necessary in the efficient development or production of a geothermal well.

(3) "Geothermal area" means any land that is, or reasonably appears to be, underlain by geothermal resources.

(4) "Energy transfer system" means the structures and enclosed fluids which facilitate the utilization of geothermal energy. The system includes the geothermal wells, cooling towers, reinjection wells, equipment directly involved in converting the heat energy associated with geothermal resources to mechanical or electrical energy or in transferring it to another fluid, the closed piping between such equipment, wells and towers and that portion of the earth which facilitates the transfer of a fluid from reinjection wells to geothermal wells: PROVIDED, That the system shall not include any geothermal resources which have escaped into or have been released into the nongeothermal ground or surface waters from either man-made containers or through leaks in the structure of the earth caused by or to which access was made possible by any drilling, redrilling, reworking or operating of a geothermal or reinjection well.

(5) "Operator" means the person supervising or in control of the operation of a geothermal resource well, whether or not such person is the owner of the well.

(6) "Owner" means the person who possesses the legal right to drill, convert or operate any well or other facility subject to the provisions of this chapter.

(7) "Person" means any individual, corporation, company, association of individuals, joint venture, partnership, receiver, trustee, guardian, executor, administrator, personal representative, or public agency that is the subject of legal rights and duties.

(8) "Pollution" means any damage or injury to ground or surface waters, soil or air resulting from the unauthorized loss, escape, or disposal of any substances at any well subject to the provisions of this chapter.

(9) "Department" means the department of natural resources.

(10) "Well" means any excavation made for the discovery or production of geothermal resources, or any special facility, converted

producing facility, or reactivated or converted abandoned facility used for the reinjection of geothermal resources, or the residue thereof underground.

(11) "Core holes" are holes drilled or excavations made expressly for the acquisition of geological or geophysical data for the purpose of finding and delineating a favorable geothermal area prior to the drilling of a well.

(12) A "completed well" is a well that has been drilled to its total depth, has been adequately cased, and is ready to be either plugged and abandoned, shut-in, or put into production.

(13) "Plug and abandon" means to place permanent plugs in the well in such a way and at such intervals as are necessary to prevent future leakage of fluid from the well to the surface or from one zone in the well to the other, and to remove all drilling and production equipment from the site, and to restore the surface of the site to its natural condition or contour or to such condition as may be prescribed by the department.

(14) "Shut-in" means to adequately cap or seal a well to control the contained geothermal resources for an interim period.

(15) "By-product" means any mineral or minerals, not including oil, hydrocarbon gas, or helium, which are found in solution or in association with geothermal steam and that have a value of less than seventy-five percent of the value of the geothermal resource or are not, because of quantity, quality, or technical difficulties in extraction and production, of sufficient value to warrant extraction and production by themselves.

Sec. 3. RCW 78.60.040 and 1979 ex.s. c 2 s 1 are each amended to read as follows:

Notwithstanding any other provision of law, geothermal resources are found and hereby determined to be sui generis, being neither a mineral resource nor a water resource and as such are ~~(hereby)~~ declared to be the private property of the holder of the title to the surface land above the resource, unless the geothermal resources have been otherwise reserved by or conveyed to another person or entity. Nothing in this section divests the people of the state of any rights, title, or interest in geothermal resources owned by the state.

Sec. 4. RCW 78.60.060 and 2003 c 39 s 40 are each amended to read as follows:

(1) This chapter is intended to preempt local regulation of the drilling and operation of wells for geothermal resources but shall not be construed to permit the locating of any well or drilling when such well or drilling is prohibited under state or local land use law or regulations promulgated thereunder. Geothermal resources, by-products ~~(and/or)~~, or waste products which have escaped or been released from the energy transfer system ~~(and/or)~~ or a mineral recovery process shall be subject to provisions of state law relating to the pollution of ground or surface waters (Title 90 RCW), provisions of the state fisheries law and the state game laws (Title 77 RCW), and any other state environmental pollution control laws.

(2) Authorization for ~~(use of by-product water resources for all beneficial uses)~~ a consumptive or nonconsumptive use of water associated with a geothermal well, for purposes including but not limited to power production, greenhouse heating, warm water fish propagation, space heating plants, irrigation, swimming pools, and hot springs baths, shall be subject to the appropriation procedure as provided in Title 90 RCW, except for the following:

(a) Water that is removed from an aquifer or geothermal reservoir to develop and obtain geothermal resources if the water is returned to or reinjected into the same aquifer or reservoir; or

(b) The reasonable loss of water;

(i) During a test of a geothermal well; or

(ii) From the temporary failure of all or part of a system that removes water from an aquifer or geothermal reservoir, transfers the heat from that water, and reinjects that water into the same aquifer or reservoir.

(3) The department and the department of ecology shall cooperate to avoid duplication and to promote efficiency in issuing permits and other approvals for these uses.

(4) Nothing in this act shall affect or operate to impair any existing water rights.

NEW SECTION. Sec. 5. The purpose of this chapter is to provide for the allocation of revenues distributed to the state under section 35 of the Mineral Lands Leasing Act of 1920, as amended (30 U.S.C. Sec. 191), with respect to activities of the United States bureau of land management undertaken pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. Sec. 1001 et seq.) in order to accomplish the following general objectives:

(1) Reduction of dependence on nonrenewable energy and stimulation of the state's economy through development of geothermal energy.

(2) Mitigation of the social, economic, and environmental impacts of geothermal development.

(3) Maintenance of the productivity of renewable resources through the investment of proceeds from these resources.

NEW SECTION. Sec. 6. (1) There is created the geothermal account in the state treasury. All expenditures from this account are subject to appropriation and chapter 43.88 RCW.

(2) All revenues received by the state treasurer under section 35 of the Mineral Lands Leasing Act of 1920, as amended (30 U.S.C. Sec. 191), with respect to activities of the United States bureau of land management undertaken pursuant to the Geothermal Steam Act of 1970 (30 U.S.C. Sec. 1001 et seq.) shall be deposited in the geothermal account in the state treasury immediately upon receipt.

(3) Expenditures from the account may only be used as provided in section 7 of this act.

NEW SECTION. Sec. 7. Distribution of funds from the geothermal account created in section 6 of this act shall be subject to the following limitations:

(1) Seventy percent to the department of natural resources for geothermal exploration and assessment; and

(2) Thirty percent to Washington State University or its statutory successor for the purpose of encouraging the development of geothermal energy.

NEW SECTION. Sec. 8. Sections 5 through 7 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 43.140.010 (Purpose) and 1981 c 158 s 1;

(2) RCW 43.140.020 (Definitions) and 1981 c 158 s 2;

(3) RCW 43.140.030 (Geothermal account--Deposit of revenues) and 1991 sp.s. c 13 s 7, 1985 c 57 s 58, & 1981 c 158 s 3;

(4) RCW 43.140.040 (Geothermal account--Limitations on distributions) and 1996 c 186 s 510 & 1981 c 158 s 4;

(5) RCW 43.140.050 (Distribution of funds to county of origin) and 1996 c 186 s 511, 1996 c 186 s 107, & 1981 c 158 s 5;

(6) RCW 43.140.060 (Appropriation for exploration and assessment of geothermal energy--Reimbursement) and 1981 c 158 s 7; and

(7) RCW 43.140.900 (Termination of chapter) and 2001 c 215 s 1, 1991 c 76 s 1, & 1981 c 158 s 8."

Correct the title.

Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Morris; Nealey and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representative Overstreet.

Referred to Committee on Appropriations Subcommittee on General Government.

March 20, 2013

SB 5377

Prime Sponsor, Senator Rivers: Extending the program establishing Christmas tree grower licensure. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

March 20, 2013

SB 5407

Prime Sponsor, Senator Erickson: Concerning electronic filing of pollutant discharge elimination permit system applications. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

Passed to Committee on Rules for second reading.

March 20, 2013

SSB 5471

Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Addressing insurance, generally. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Blake; Habib; Hudgins; Hurst; Kochmar; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Chandler; Hawkins and MacEwen.

Passed to Committee on Rules for second reading.

March 21, 2013

SB 5606

Prime Sponsor, Senator Roach: Concerning fire suppression water facilities and services provided by municipal and other water purveyors. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

March 20, 2013

SSB 5634

Prime Sponsor, Committee on Natural Resources & Parks: Clarifying the department of natural resources' authority to enter into cooperative agreements. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

Passed to Committee on Rules for second reading.

March 21, 2013

ESB 5699 Prime Sponsor, Senator Ericksen: Concerning electronic product recycling. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.95N.020 and 2006 c 183 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the Washington materials management and financing authority created under RCW 70.95N.280.

(2) "Authorized party" means a manufacturer who submits an individual independent plan or the entity authorized to submit an independent plan for more than one manufacturer.

(3) "Board" means the board of directors of the Washington materials management and financing authority created under RCW 70.95N.290.

(4) "Collector" means an entity licensed to do business in the state that gathers unwanted covered electronic products from households, small businesses, school districts, small governments, and charities for the purpose of recycling and meets minimum standards that may be developed by the department.

(5) "Contract for services" means an instrument executed by the authority and one or more persons or entities that delineates collection, transportation, and recycling services, in whole or in part, that will be provided to the citizens of the state within service areas as described in the approved standard plan.

(6) "Covered electronic product" includes a cathode ray tube or flat panel computer monitor having a viewable area greater than four inches when measured diagonally, a desktop computer, a laptop or a portable computer, or a cathode ray tube or flat panel television having a viewable area greater than four inches when measured diagonally that has been used in the state by any covered entity regardless of original point of purchase. "Covered electronic product" does not include: (a) A motor vehicle or replacement parts for use in motor vehicles or aircraft, or any computer, computer monitor, or television that is contained within, and is not separate from, the motor vehicle or aircraft; (b) monitoring and control instruments or systems; (c) medical devices; (d) products including materials intended for use as ingredients in those products as defined in the federal food, drug, and cosmetic act (21 U.S.C. Sec. 301 et seq.) or the virus-serum-toxin act of 1913 (21 U.S.C. Sec. 151 et seq.), and regulations issued under those acts; (e) equipment used in the delivery of patient care in a health care setting; (f) a computer, computer monitor, or television that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, or air purifier; or (g) hand-held portable voice or data devices used for commercial mobile services as defined in 47 U.S.C. Sec. 332 (d)(1).

(7) "Covered entity" means any household, charity, school district, small business, or small government located in Washington state.

(8) "Curbside service" means a collection service providing regularly scheduled pickup of covered electronic products from

households or other covered entities in quantities generated from households.

(9) "Department" means the department of ecology.

(10) "Electronic product" includes a cathode ray tube or flat panel computer monitor having a viewable area greater than four inches when measured diagonally; a desktop computer; a laptop or a portable computer; or a cathode ray tube or flat screen television having a viewable area greater than four inches when measured diagonally.

(11) "Equivalent share" means the weight in pounds of covered electronic products identified for an individual manufacturer under this chapter as determined by the department under RCW 70.95N.200.

(12) "Household" means a single detached dwelling unit or a single unit of a multiple dwelling unit and appurtenant structures.

(13) "Independent plan" means a plan for the collection, transportation, and recycling of unwanted covered electronic products that is developed, implemented, and financed by an individual manufacturer or by an authorized party.

(14) "Manufacturer" means any person, in business or no longer in business but having a successor in interest, who, irrespective of the selling technique used, including by means of distance or remote sale:

(a) Manufactures or has manufactured a covered electronic product under its own brand names for sale in or into this state;

(b) Assembles or has assembled a covered electronic product that uses parts manufactured by others for sale in or into this state under the assembler's brand names;

(c) Resells or has resold in or into this state under its own brand names a covered electronic product produced by other suppliers, including retail establishments that sell covered electronic products under their own brand names;

(d) Manufactures or manufactured a cobranded product for sale in or into this state that carries the name of both the manufacturer and a retailer;

(e) Imports or has imported a covered electronic product into the United States that is sold in or into this state. However, if the imported covered electronic product is manufactured by any person with a presence in the United States meeting the criteria of manufacturer under (a) through (d) of this subsection, that person is the manufacturer. For purposes of this subsection, "presence" means any person that performs activities conducted under the standards established for interstate commerce under the commerce clause of the United States Constitution; ((e))

(f) Sells at retail a covered electronic product acquired from an importer that is the manufacturer as described in (e) of this subsection, and elects to register in lieu of the importer as the manufacturer for those products; or

(g) Beginning in program year 2016, elects to assume the responsibility and register in lieu of a manufacturer as defined under this section. In the event the entity who assumes responsibility fails to comply, the manufacturer as defined under (a) through (f) of this subsection remains fully responsible.

(15) "New entrant" means: (a) A manufacturer of televisions that have been sold in the state for less than ten years; or (b) a manufacturer of desktop computers, laptop and portable computers, or computer monitors that have been sold in the state for less than five years. However, a manufacturer of both televisions and computers or a manufacturer of both televisions and computer monitors that is deemed a new entrant under either only (a) or (b) of this subsection is not considered a new entrant for purposes of this chapter.

(16) "Orphan product" means a covered electronic product that lacks a manufacturer's brand or for which the manufacturer is no longer in business and has no successor in interest.

(17) "Plan's equivalent share" means the weight in pounds of covered electronic products for which a plan is responsible. A plan's equivalent share is equal to the sum of the equivalent shares of each manufacturer participating in that plan.

(18) "Plan's return share" means the sum of the return shares of each manufacturer participating in that plan.

(19) "Premium service" means services such as at-location system upgrade services provided to covered entities and at-home pickup services offered to households. "Premium service" does not include curbside service.

(20) "Processor" means an entity engaged in disassembling, dismantling, or shredding electronic products to recover materials contained in the electronic products and prepare those materials for reclaiming or reuse in new products in accordance with processing standards established by this chapter and by the department. A processor may also salvage parts to be used in new products.

(21) "Product type" means one of the following categories: Computer monitors; desktop computers; laptop and portable computers; and televisions.

(22) "Program" means the collection, transportation, and recycling activities conducted to implement an independent plan or the standard plan.

(23) "Program year" means each full calendar year after the program has been initiated.

(24) "Recycling" means transforming or remanufacturing unwanted electronic products, components, and by-products into usable or marketable materials for use other than landfill disposal or incineration. "Recycling" does not include energy recovery or energy generation by means of combusting unwanted electronic products, components, and by-products with or without other waste. Smelting of electronic materials to recover metals for reuse in conformance with all applicable laws and regulations is not considered disposal or energy recovery.

(25) "Retailer" means a person who offers covered electronic products for sale at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet, but does not include a sale that is a wholesale transaction with a distributor or a retailer.

(26) "Return share" means the percentage of covered electronic products by weight identified for an individual manufacturer, as determined by the department under RCW 70.95N.190.

(27) "Reuse" means any operation by which an electronic product or a component of a covered electronic product changes ownership and is used for the same purpose for which it was originally purchased.

(28) "Small business" means a business employing less than fifty people.

(29) "Small government" means a city in the state with a population less than fifty thousand, a county in the state with a population less than one hundred twenty-five thousand, and special purpose districts in the state.

(30) "Standard plan" means the plan for the collection, transportation, and recycling of unwanted covered electronic products developed, implemented, and financed by the authority on behalf of manufacturers participating in the authority.

(31) "Transporter" means an entity that transports covered electronic products from collection sites or services to processors or other locations for the purpose of recycling, but does not include any entity or person that hauls their own unwanted electronic products.

(32) "Unwanted electronic product" means a covered electronic product that has been discarded or is intended to be discarded by its owner.

(33) "White box manufacturer" means a person who manufactured unbranded covered electronic products offered for sale in the state within ten years prior to a program year for televisions or within five years prior to a program year for desktop computers, laptop or portable computers, or computer monitors.

(34) "Market share" means the percentage of covered electronic products by weight identified for an individual manufacturer, as determined by the department under RCW 70.95N.190.

(35) "Plan's market share" means the sum of the market shares of each manufacturer participating in that plan.

Sec. 2. RCW 70.95N.040 and 2006 c 183 s 4 are each amended to read as follows:

(1) By January 1, 2007, and annually thereafter, each manufacturer must register with the department.

(2) A manufacturer must submit to the department with each registration or annual renewal a fee to cover the administrative costs of this chapter as determined by the department under RCW 70.95N.230.

(3) The department shall review the registration or renewal application and notify the manufacturer if their registration does not meet the requirements of this section. Within thirty days of receipt of such a notification from the department, the manufacturer must file with the department a revised registration addressing the requirements noted by the department.

(4) The registration must include the following information:

(a) The name and contact information of the manufacturer submitting the registration;

(b) The manufacturer's brand names of covered electronic products, including all brand names sold in the state in the past, all brand names currently being sold in the state, and all brand names for which the manufacturer has legal responsibility under RCW 70.95N.100;

(c) The method or methods of sale used in the state; and

(d) Whether the registrant will be participating in the standard plan or submitting an independent plan to the department for approval.

(5) The registrant shall submit any changes to the information provided in the registration to the department within fourteen days of such change.

(6) The department shall identify, using all reasonable means, manufacturers that are in business or that are no longer in business but that have a successor in interest by examining best available return share data, product advertisements, and other pertinent data. The department shall notify manufacturers that have been identified and for whom an address has been found of the requirements of this chapter, including registration and plan requirements under this section and RCW 70.95N.050.

Sec. 3. RCW 70.95N.050 and 2006 c 183 s 5 are each amended to read as follows:

(1) A manufacturer must participate in the standard plan administered by the authority, unless the manufacturer obtains department approval for an independent plan for the collection, transportation, and recycling of unwanted electronic products.

(2) An independent plan may be submitted by an individual manufacturer or by a group of manufacturers, provided that:

(a) For program years 2009 through 2015, each independent plan represents at least a five percent return share of covered electronic products. For program year 2016 and all subsequent program years, each independent plan represents at least a five percent market share of covered electronic products; and

(b) No manufacturer may participate in an independent plan if it is a new entrant or a white box manufacturer.

(3) An individual manufacturer submitting an independent plan to the department is responsible for collecting, transporting, and recycling its equivalent share of covered electronic products.

(4)(a) Manufacturers collectively submitting an independent plan are responsible for collecting, transporting, and recycling the sum of the equivalent shares of each participating manufacturer.

(b) Each group of manufacturers submitting an independent plan must designate a party authorized to file the plan with the department on their behalf. A letter of certification from each of the manufacturers designating the authorized party must be submitted to the department together with the plan.

(5) Each manufacturer in the standard plan or in an independent plan retains responsibility and liability under this chapter in the event that the plan fails to meet the manufacturer's obligations under this chapter.

Sec. 4. RCW 70.95N.090 and 2006 c 183 s 9 are each amended to read as follows:

(1) A program must provide collection services for covered electronic products of all product types and produced by any manufacturer that are reasonably convenient and available to all citizens of the state residing within its geographic boundaries, including both rural and urban areas. Each program must provide collection service in every county of the state. A program may provide collection services jointly with another plan or plans.

(a) For any city or town with a population of greater than ten thousand, each program shall provide a minimum of one collection site or alternate collection service described in subsection (3) of this section or a combination of sites and alternate service that together provide at least one collection opportunity for all product types. A collection site for a county may be the same as a collection site for a city or town in the county.

(b) Collection sites may include electronics recyclers and repair shops, recyclers of other commodities, reuse organizations, charities, retailers, government recycling sites, or other suitable locations.

(c) Collection sites must be staffed, open to the public at a frequency adequate to meet the needs of the area being served, and on an on-going basis.

(2) A program may limit the number of covered electronic products or covered electronic products by product type accepted per customer per day or per delivery at a collection site or service. All covered entities may use a collection site as long as the covered entities adhere to any restrictions established in the plans.

(3) A program may provide collection services in forms different than collection sites, such as curbside services, if those alternate services provide equal or better convenience to citizens and equal or increased recovery of unwanted covered electronic products.

(4) For rural areas without commercial centers or areas with widely dispersed population, a program may provide collection at the nearest commercial centers or solid waste sites, collection events, mail-back systems, or a combination of these options.

(5) For small businesses, small governments, charities, and school districts that may have large quantities of covered electronic products that cannot be handled at collection sites or curbside services, a program may provide alternate services. At a minimum, a program must provide for processing of these large quantities of covered electronic products at no charge to the small businesses, small governments, charities, and school districts.

Sec. 5. RCW 70.95N.110 and 2006 c 183 s 11 are each amended to read as follows:

(1) For program years 2009 through 2014, an independent plan and the standard plan must implement and finance an auditable, statistically significant sampling of covered electronic products entering its program every program year. The information collected must include a list of the brand names of covered electronic products by product type, the number of covered electronic products by product type, the weight of covered electronic products that are identified for each brand name or that lack a manufacturer's brand, the total weight of the sample by product type, and any additional information needed to assign return share.

(2) For program years 2009 through 2014, the sampling must be conducted in the presence of the department or a third-party organization approved by the department. The department may, at its discretion, audit the methodology and the results.

(3) After the fifth program year through the 2014 program year, the department may reassess the sampling required in this section. The department may adjust the frequency at which manufacturers must implement the sampling or may adjust the frequency at which

manufacturers must provide certain information from the sampling. Prior to making any changes, the department shall notify the public, including all registered manufacturers, and provide a comment period. The department shall notify all registered manufacturers of any such changes.

Sec. 6. RCW 70.95N.140 and 2006 c 183 s 14 are each amended to read as follows:

(1) By March 1st of the second program year and each program year thereafter, the authority and each authorized party shall file with the department an annual report for the preceding program year.

(2) The annual report must include the following information:

(a) The total weight in pounds of covered electronic products collected and recycled, by county, during the preceding program year including documentation verifying collection and processing of that material. The total weight in pounds includes orphan products. The report must also indicate and document the weight in pounds received from each nonprofit charitable organization primarily engaged in the business of reuse and resale used by the plan. The report must document the weight in pounds that were received in large quantities from small businesses, small governments, charities and school districts as described in RCW 70.95N.090(5);

(b) The collection services provided in each county and for each city with a population over ten thousand including a list of all collection sites and services operating in the state in the prior program year and the parties who operated them;

(c) A list of processors used, the weight of covered electronic products processed by each direct processor, and a description of the processes and methods used to recycle the covered electronic products including a description of the processing and facility locations. The report must also include a list of subcontractors who further processed or recycled unwanted covered electronic products, electronic components, or electronic scrap (~~described in section 26(1) of this act~~), including facility locations;

(d) (~~Other documentation as established under section 26(3) of this act;~~

~~—(e)) Educational and promotional efforts that were undertaken;~~

~~((f)) (e) For program years 2009 through 2014~~, the results of sampling and sorting as required in RCW 70.95N.110, including a list of the brand names of covered electronic products by product type, the number of covered electronic products by product type, the weight of covered electronic products that are identified for each brand name or that lack a manufacturer's brand, and the total weight of the sample by product type;

~~((g)) (f) The list of manufacturers that are participating in the standard plan; and~~

~~((h)) (g) Any other information deemed necessary by the department.~~

(3) The department shall review each report within ninety days of its submission and shall notify the authority or authorized party of any need for additional information or documentation, or any deficiency in its program.

(4) All reports submitted to the department must be available to the general public through the internet. Proprietary information submitted to the department under this chapter is exempt from public disclosure under RCW 42.56.270.

Sec. 7. RCW 70.95N.180 and 2006 c 183 s 18 are each amended to read as follows:

(1) The department shall maintain on its web site the following information:

(a) The names of the manufacturers and the manufacturer's brands that are registered with the department under RCW 70.95N.040;

(b) The names of the manufacturers and the manufacturer's brands that are participating in an approved plan under RCW 70.95N.050;

(c) The names and addresses of the collectors and transporters that are listed in registrations filed with the department under RCW 70.95N.240;

(d) The names and addresses of the processors used to fulfill the requirements of the plans;

(e) For program years 2009 through 2015, return and equivalent shares for all manufacturers.

(2) The department shall update this web site information promptly upon receipt of a registration or a report.

Sec. 8. RCW 70.95N.190 and 2006 c 183 s 19 are each amended to read as follows:

(1) For program years 2009 through 2015, the department shall determine the return share for each manufacturer in the standard plan or an independent plan by dividing the weight of covered electronic products identified for each manufacturer by the total weight of covered electronic products identified for all manufacturers in the standard plan or an independent plan, then multiplying the quotient by one hundred.

(2) For the first program year, the department shall determine the return share for such manufacturers using all reasonable means and based on best available information regarding return share data from other states and other pertinent data.

(3) For ~~((the second and each subsequent program year))~~ 2014, the department shall determine the return share for such manufacturers using all reasonable means and based on the most recent sampling of covered electronic products conducted in the state under RCW 70.95N.110.

(4)(a) For program year 2016 and all subsequent program years, the department shall determine market share by weight for all manufacturers using any combination of the following data:

(i) Generally available market research data;

(ii) Sales data supplied by manufacturers for brands they manufacture or sell; or

(iii) Sales data provided by retailers for brands they sell.

(b) The department shall determine each manufacturer's percentage of market share by dividing each manufacturer's total pounds of covered electronic products sold in Washington by the sum total of all pounds of covered electronic products sold in Washington by all manufacturers.

(5) Data reported by manufacturers under subsection (4) of this section is exempt from public disclosure under chapter 42.56 RCW.

Sec. 9. RCW 70.95N.200 and 2006 c 183 s 20 are each amended to read as follows:

(1) For program years 2009 through 2015, the department shall determine the total equivalent share for each manufacturer in the standard plan or an independent plan by dividing the return share percentage for each manufacturer by one hundred, then multiplying the quotient by the total weight in pounds of covered electronic products collected for that program year, allowing as needed for the additional credit authorized in subsection (3) of this section. For program year 2016 and all subsequent program years, the department shall determine the total equivalent share for each manufacturer in the standard plan or an independent plan by dividing the market share percentage for each manufacturer by one hundred, then multiplying the quotient by the total weight in pounds of covered electronic products collected for that program year, allowing as needed for the additional credit authorized in subsection (3) of this section.

(2)(a) By June 1st of each program year, the department shall notify each manufacturer of the manufacturer's equivalent share of covered electronic products to be applied to the previous program year. The department shall also notify each manufacturer of how its equivalent share was determined.

(b) By June 1st of each program year, the department shall bill any authorized party or authority that has not attained its plan's equivalent share as determined under RCW 70.95N.220. The

authorized party or authority shall remit payment to the department within sixty days from the billing date.

(c) By September 1st of each program year, the department shall pay any authorized party or authority that exceeded its plan's equivalent share.

(3) Plans that utilize the collection services of nonprofit charitable organizations that qualify for a taxation exemption under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) that are primarily engaged in the business of reuse and resale must be given an additional five percent credit to be applied toward a plan's equivalent share for pounds that are received for recycling from those organizations. The department may adjust the percentage of credit annually.

Sec. 10. RCW 70.95N.210 and 2006 c 183 s 21 are each amended to read as follows:

(1) By June 1, 2007, the department shall notify each manufacturer of its preliminary return share of covered electronic products for the first program year.

(2) For program years 2009 through 2014, preliminary return share of covered electronic products must be announced annually by June 1st of each program year for the next program year. For the 2015 program year and all subsequent program years, preliminary market share of covered electronic products must be sent out to each individual manufacturer annually by June 1st of each program year for the next program year.

(3) Manufacturers may challenge the preliminary return or market share by written petition to the department. The petition must be received by the department within thirty days of the date of publication of the preliminary return or market shares.

(4) The petition must contain a detailed explanation of the grounds for the challenge, an alternative calculation, and the basis for such a calculation, documentary evidence supporting the challenge, and complete contact information for requests for additional information or clarification.

(5) Sixty days after the publication of the preliminary return or market share, the department shall make a final decision on return or market share, having fully taken into consideration any and all challenges to its preliminary calculations.

(6) A written record of challenges received and a summary of the bases for the challenges, as well as the department's response, must be published at the same time as the publication of the final return share.

(7) By August 1, 2007, the department shall publish the final return shares for the first program year. For program years 2009 through 2014, by August 1st of each program year, the department shall publish the final return shares for use in the coming program year. For the 2015 program year and all subsequent program years, by August 1st of each program year, the department shall notify each manufacturer of its final market shares for use in the coming program year.

Sec. 11. RCW 70.95N.230 and 2006 c 183 s 23 are each amended to read as follows:

(1) The department shall adopt rules to determine the process for manufacturers to change plans under RCW 70.95N.080.

(2) The department shall establish annual registration and plan review fees for administering this chapter. An initial fee schedule must be established by rule and be adjusted no more often than once every two years. All fees charged must be based on factors relating to administering this chapter and be based on a sliding scale that is representative of annual sales of covered electronic products in the state, either by weight or unit, or by representative market share. Fees must be established in amounts to fully recover and not to exceed expenses incurred by the department to implement this chapter.

(3) The department shall establish an annual process for local governments and local communities to report their satisfaction with the services provided by plans under this chapter. This information

must be used by the department in reviewing plan updates and revisions.

(4) The department may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

Sec. 12. RCW 70.95N.290 and 2008 c 79 s 1 are each amended to read as follows:

(1)(a) The authority is governed by a board of directors. The board of directors is comprised of eleven participating manufacturers, appointed by the director of the department. For program years 2009 through 2015, five board positions are reserved for representatives of the top ten brand owners by return share of covered electronic products, and six board positions are reserved for representatives of other brands, including at least one board position reserved for a manufacturer who is also a retailer selling their own private label. The return share of covered electronic products used to determine the top ten brand owners for purposes of electing the board must be determined by the department by January 1, 2007. For program years 2016 and beyond, five board positions are reserved for representatives of the top ten brand owners by market share of covered electronic products, and six board positions are reserved for representatives of other brands, including at least one board position reserved for a manufacturer who is also a retailer selling its own private label. The market share of covered electronic products used to determine the top ten brand owners for purposes of electing the board must be determined by the department by October 1, 2015.

(b) The board must have representation from both television and computer manufacturers.

(2) The board shall select from its membership the chair of the board and such other officers as it deems appropriate.

(3) A majority of the board constitutes a quorum.

(4) The directors of the department of ~~((community, trade, and economic development))~~ commerce and the department of ecology serve as ex officio members. The state agency directors serving in ex officio capacity may each designate an employee of their respective departments to act on their behalf in all respects with regard to any matter to come before the authority. Ex officio designations must be made in writing and communicated to the authority director.

(5) The board shall create its own bylaws in accordance with the laws of the state of Washington.

(6) Any member of the board may be removed for misfeasance, malfeasance, or willful neglect of duty after notice and a public hearing, unless the notice and hearing are expressly waived in writing by the affected member.

(7) The members of the board serve without compensation but are entitled to reimbursement, solely from the funds of the authority, for expenses incurred in the discharge of their duties under this chapter.

Sec. 13. RCW 70.95N.300 and 2006 c 183 s 31 are each amended to read as follows:

(1) Manufacturers participating in the standard plan shall pay the authority to cover all administrative and operational costs associated with the collection, transportation, and recycling of covered electronic products within the state of Washington incurred by the standard program operated by the authority to meet the standard plan's equivalent share obligation as described in RCW 70.95N.280(5).

(2) The authority shall assess charges on each manufacturer participating in the standard plan and collect funds from each participating manufacturer for the manufacturer's portion of the costs in subsection (1) of this section. For program years 2009 through 2015, such apportionment ((shall)) must be based on return share, market share, any combination of return share and market share, or any other equitable method. For the 2016 program year and all subsequent program years, such apportionment must be based on market share. The authority's apportionment of costs to manufacturers participating in the standard plan may not include nor be based on electronic products imported through the state and subsequently exported outside the state. Charges assessed under this

section must not be formulated in such a way as to create incentives to divert imported electronic products to ports or distribution centers in other states. The authority shall adjust the charges to manufacturers participating in the standard plan as necessary in order to ensure that all costs associated with the identified activities are covered.

(3) The authority may require financial assurances or performance bonds for manufacturers participating in the standard plan, including but not limited to new entrants and white box manufacturers, when determining equitable methods for apportioning costs to ensure that the long-term costs for collecting, transporting, and recycling of a covered electronic product are borne by the appropriate manufacturer in the event that the manufacturer ceases to participate in the program.

(4) Nothing in this section authorizes the authority to assess fees or levy taxes directly on the sale or possession of electronic products.

(5) If a manufacturer has not met its financial obligations as determined by the authority under this section, the authority shall notify the department that the manufacturer is no longer participating in the standard plan.

(6) For program years 2009 through 2015, the authority shall submit its plan for assessing charges and apportioning cost on manufacturers participating in the standard plan to the department for review and approval along with the standard plan as provided in RCW 70.95N.060.

(7)(a) Any manufacturer participating in the standard plan may appeal an assessment of charges or apportionment of costs levied by the authority under this section by written petition to the director of the department. The director of the department or the director's designee shall review all appeals within timelines established by the department and shall reverse any assessments of charges or apportionment of costs if the director finds that the authority's assessments or apportionment of costs was an arbitrary administrative decision, an abuse of administrative discretion, or is not an equitable assessment or apportionment of costs. The director shall make a fair and impartial decision based on sound data. If the director of the department reverses an assessment of charges, the authority must redetermine the assessment or apportionment of costs.

(b) Disputes regarding a final decision made by the director or director's designee may be challenged through arbitration. The director shall appoint one member to serve on the arbitration panel and the challenging party shall appoint one other. These two persons shall choose a third person to serve. If the two persons cannot agree on a third person, the presiding judge of the Thurston county superior court shall choose a third person. The decision of the arbitration panel shall be final and binding, subject to review by the superior court solely upon the question of whether the decision of the panel was arbitrary or capricious.

Sec. 14. RCW 42.56.270 and 2011 1st sp.s. c 14 s 15 are each amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information; ~~(and)~~

(21) Financial, commercial, operations, and technical and research information and data submitted to or obtained by innovate Washington in applications for, or delivery of, grants and loans under chapter 43.333 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information; and

(22) Market share data submitted by a manufacturer under RCW 70.95N.190(4).

NEW SECTION. Sec. 15. This act takes effect January 1, 2014."

Correct the title.

Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Lias; Morris; Nealey and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representative Overstreet.

Passed to Committee on Rules for second reading.

ESSB 5709

March 20, 2013
Prime Sponsor, Committee on Ways & Means:
Concerning a pilot program to demonstrate the feasibility of using densified biomass to heat public schools. Reported by Committee on Environment

Hunter G. Goodman, Secretary

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Kagi; Lias; Morris; Nealey; Overstreet and Tharinger.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 25, 2013, the 71st Day of the Regular Session.

Referred to Committee on Appropriations Subcommittee on Education.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

March 20, 2013

SSB 5760 Prime Sponsor, Committee on Natural Resources & Parks: Providing compensation for commercial crop damage caused by bighorn sheep. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford and Warnick.

MINORITY recommendation: Do not pass. Signed by Representative Lytton, Vice Chair.

Referred to Committee on Appropriations Subcommittee on General Government.

March 21, 2013

E2SSB 5802 Prime Sponsor, Committee on Ways & Means: Developing recommendations to achieve the state's greenhouse gas emissions targets. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Kagi; Lias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member; Nealey and Overstreet.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802 which was placed on the second reading calendar.

The Speaker (Representative Lytton presiding) called upon Representative Roberts to preside.

MESSAGES FROM THE SENATE

March 22, 2013

MR. SPEAKER: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4404 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

March 22, 2013

MR. SPEAKER:

The President has signed SENATE CONCURRENT RESOLUTION NO. 8403 and the same is herewith transmitted.

SEVENTY FIRST DAY

House Chamber, Olympia, Monday, March 25, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bianka Parrish and Chris Teller. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Norma Hissong, Baha'i Spiritual Assembly, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2018 by Representative Hunter

AN ACT Relating to additional contribution rates for contributions made after the date the service is rendered for individual employers of the Washington state retirement systems; amending RCW 41.45.010, 41.45.050, and 41.45.060; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2019 by Representatives Tharinger, Haler, Hunt, Pollet, Morrell and Goodman

AN ACT Relating to the sales and distribution of spirits by distributors, restaurants, former contract liquor stores, and former state store auction buyers; amending RCW 66.24.630, 66.24.055, and 82.08.150; adding a new section to chapter 66.28 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Government Accountability & Oversight.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

SSB 5072

Prime Sponsor, Committee on Ways & Means:
Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that

March 19, 2013

assist physically challenged persons to safely operate a motor vehicle. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to sales to eligible purchasers of prescribed add-on automotive adaptive equipment, including charges incurred for labor and services rendered in respect to the installation and repairing of such equipment. The exemption provided in this section only applies if the eligible purchaser is reimbursed in whole or part for the purchase by the United States department of veterans affairs or other federal agency, and the reimbursement is paid directly by the federal agency to the seller.

(2) Sellers making tax-exempt sales under this section must obtain an exemption certificate from the eligible purchaser in a form and manner prescribed by the federal agency that provides the reimbursement. The seller must retain a copy of the exemption certificate for the seller's files. In lieu of an exemption certificate, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.

(3) For purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Add-on automotive adaptive equipment" means equipment installed in, and modifications made to, a motor vehicle that are necessary to assist physically challenged persons to enter, exit, or safely operate a motor vehicle. The term includes but is not limited to wheelchair lifts, wheelchair restraints, ramps, under vehicle lifts, power door openers, power seats, lowered floors, raised roofs, raised doors, hand controls, left foot gas pedals, chest and shoulder harnesses, parking brake extensions, dual battery systems, steering devices, reduced and zero effort steering and braking, voice-activated controls, and digital driving systems. The term does not include motor vehicles and equipment installed in a motor vehicle by the manufacturer of the motor vehicle.

(b) "Eligible purchaser" means a veteran, or member of the armed forces serving on active duty, who is disabled, regardless of whether the disability is service connected as that term is defined by federal statute 38 U.S.C. Sec. 101, as amended, as of August 1, 2013.

(c) "Prescribed add-on automotive adaptive equipment" means add-on automotive adaptive equipment prescribed by a physician.

NEW SECTION. Sec. 2. A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of prescribed add-on automotive adaptive equipment or to labor and services rendered in respect to the installation and repairing of such equipment. The exemption under this section only applies if the sale of the prescribed add-on automotive adaptive equipment or labor and services was exempt from sales tax under section 1 of this act or

would have been exempt from sales tax under section 1 of this act if the equipment or labor and services had been purchased in this state.

(2) For purposes of this section, "prescribed add-on automotive adaptive equipment" has the same meaning as provided in section 1 of this act.

NEW SECTION. Sec. 3. This act takes effect August 1, 2013."

Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Finance.

March 19, 2013
SB 5097 Prime Sponsor, Senator Becker: Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 21, 2013
SSB 5119 Prime Sponsor, Committee on Law & Justice: Creating a sentence enhancement for body armor. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Without recommendation. Signed by Representative Appleton.

Referred to Committee on Appropriations Subcommittee on General Government.

March 19, 2013
SB 5212 Prime Sponsor, Senator Holmquist Newbry: Expanding membership of the Washington state horse park authority. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2013
SB 5235 Prime Sponsor, Senator Hargrove: Modifying the requirements for purchase of care for Indian children. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 21, 2013
SB 5488 Prime Sponsor, Senator Kohl-Welles: Establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission of a sex-trafficking crime. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

March 19, 2013
SB 5558 Prime Sponsor, Senator Fain: Creating loan-making authority for down payment assistance for single-family homeownership. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2013
SSB 5615 Prime Sponsor, Committee on Higher Education: Concerning the health professional loan repayment and scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.76.090 and 2012 c 229 s 401 are each amended to read as follows:

(1) The office of student financial assistance is created within and under the direction of the student achievement council.

(2) The purpose of the office is to administer state and federal financial aid and other education services programs, including the advanced college tuition payment program in chapter 28B.95 RCW, in a cost-effective manner.

(3) The office shall also contract with a fund-raiser who shall not be a registered state lobbyist to solicit and accept grants and donations from public and private sources for the health professional loan repayment and scholarship program as required under RCW 28B.115.030.

Sec. 2. RCW 28B.115.030 and 2011 1st sp.s. c 11 s 205 are each amended to read as follows:

The health professional loan repayment and scholarship program is established for credentialed health professionals and residents serving in health professional shortage areas. The program shall be administered by the office. In administering this program, the office shall:

(1) Select credentialed health care professionals and residents to participate in the loan repayment portion of the loan repayment and scholarship program and select eligible students to participate in the scholarship portion of the loan repayment and scholarship program;

(2) Adopt rules and develop guidelines to administer the program;

(3) Collect and manage repayments from participants who do not meet their service obligations under this chapter;

(4) Publicize the program, particularly to maximize participation among individuals in shortage areas and among populations expected to experience the greatest growth in the workforce;

(5) Use a competitive procurement to contract with a fund-raiser to solicit and accept grants and donations from ((public and)) private sources for the program. The fund-raiser must be paid on a contingency fee basis, which shall be based on the total funds raised by the fund-raiser for the program each year. The amount the fund-raiser is paid may be on a sliding scale but must not exceed fifteen percent of the total amount raised for the program each year; and

(6) Develop criteria for a contract for service in lieu of the service obligation where appropriate, that may be a combination of service and payment."

Correct the title.

Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Sells; Smith; Tarleton; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Referred to Committee on Appropriations Subcommittee on Education.

March 19, 2013

SSB 5691 Prime Sponsor, Committee on Ways & Means: Concerning veterans' homes. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802, by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Litzow, Frockt, Cleveland, Billig, Kohl-Welles, Murray and McAuliffe)

Developing recommendations to achieve the state's greenhouse gas emissions limits. Revised for 2nd Substitute: Developing recommendations to achieve the state's greenhouse gas emissions targets.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (350).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The status of Washington's electric transmission grid and its ability to accept and absorb new renewable sources of energy, and to quantify the additional investments needed, if any, to meet our state's greenhouse gas emissions reduction targets in 2020, 2035, and 2050"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (350) was not adopted.

MOTIONS

On motion of Representative Harris, Representatives Condotta, Crouse, Hope and Rodne were excused. On motion of Representative Van De Wege, Representative Moscoso was excused.

Representative Dahlquist moved the adoption of amendment (351).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The long-term economic viability of the solar power industry, including the economic impact and importance of the renewable energy investment cost recovery incentive program as provided in chapter 82.16 RCW"

Representative Dahlquist spoke in favor of the adoption of the amendment.

Representative Morris spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (351) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (351) was not adopted.

Representative Kretz moved the adoption of amendment (352).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The long-term economic viability of the wind power industry, including the economic impact and importance of the sales and use tax exemption for machinery and equipment used in generating electricity from renewable energy as provided in RCW 82.08.962"

Representative Kretz spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (352) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (352) was not adopted.

Representative Short moved the adoption of amendment (353).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The economic, environmental, and greenhouse gas emissions impacts of including hydroelectric generation as an eligible renewable resource under the energy independence act"

Representative Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (353) and the amendment was not adopted by the following vote: Yeas: 41 Nays: 52 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (353) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Upthegrove, Short, Morris and Short (again) spoke in favor of the passage of the bill.

Representatives Klippert, MacEwen, Parker and Hawkins spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5802.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5802, and the bill passed the House by the following vote: Yeas, 61; Nays, 32; Absent, 0; Excused, 5.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Taylor, Vick, Walsh and Warnick.

Excused: Representatives Condotta, Crouse, Hope, Moscoso and Rodne.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Second Substitute Senate Bill No. 5802.

Representative Hurst, 31st District

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 26, 2013, the 72nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY SECOND DAY

House Chamber, Olympia, Tuesday, March 26, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4641, by Representatives Santos, Freeman, Johnson, Moscoso, Riccelli, Ryu, Stanford, Tarleton, Morrell, Ormsby, Takko, Ross, Schmick, Bergquist, Morris, Blake, Orwall, Rodne, Warnick, Nealey, Holy, Crouse, Magendanz, Angel, Kretz, Walsh, Chandler, Smith, Parker, Hayes, Manweller, MacEwen, Vick, Short, Haler, Alexander, Klippert, Buys, Dahlquist, Zeiger, Kochmar, Fagan, Wilcox, Pike, and Shea

WHEREAS, Across the country, Catholic schools celebrate the 2013 Catholic Schools Week with the theme: Catholic Schools Raise the Standards; and

WHEREAS, A quality education is the foundation of a child's future, and this week recognizes one of the many types of education choices available to our children; and

WHEREAS, The common good of the state of Washington is strengthened through the continued existence of Catholic schools; and
WHEREAS, Washington state has 27,000 students of diverse backgrounds in ninety-three Catholic schools; and

WHEREAS, Catholic schools encourage and prepare students to obtain high levels of achievement through religious, academic, and cocurricular programs; and

WHEREAS, With an emphasis on academic excellence and moral values, Catholic schools and their students attain high achievement, including high school graduation rates of more than ninety-nine percent; and

WHEREAS, The 7,800 Catholic schools in the United States, both elementary and secondary, save almost twenty billion dollars a year in public school expenses; and

WHEREAS, With a commitment to service, Catholic schools have produced many of our state's and nation's finest leaders, including members of this legislature;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the Catholic schools of Washington state and honor their dedication to academic excellence and faith-based instruction during the celebration of Catholic Schools Week; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the school departments at the Archdiocese of Seattle, the Diocese of Spokane, the Diocese of Yakima, and the Washington State Catholic Conference.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4641.

HOUSE RESOLUTION NO. 4641 was adopted.

MESSAGE FROM THE SENATE

March 25, 2013

MR. SPEAKER: The Senate has passed HOUSE BILL NO. 1319 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 21, 2013

SB 5050 Prime Sponsor, Senator Sheldon: Authorizing registered tow truck operators to carry passengers in a vehicle attached to a flatbed tow truck under certain situations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.61.625 and 1999 c 398 s 9 are each amended to read as follows:

(1) No person or persons shall occupy any trailer while it is being moved upon a public highway, except a person occupying a proper position for steering a trailer designed to be steered from a rear-end position.

(2) Except as provided in subsection (3) of this section, no person or persons may occupy a vehicle while it is being towed by a tow truck as defined in RCW 46.55.010.

(3)(a) A tow truck operator may allow passengers to ride in a vehicle that is carried on the deck of a flatbed tow truck only when the following conditions are met:

(i) The number of people that need to be transported exceeds the seating capacity of the tow truck or a person needing to be transported has a disability that limits that person's ability to enter the tow truck;

(ii) All passengers in the carried vehicle and in the tow truck comply with RCW 46.61.687 and 46.61.688;

(iii) Any passenger under sixteen years of age is accompanied by an adult riding in the same vehicle; and

(iv) There is a way for the passengers in the carried vehicle to immediately communicate, either verbally, audibly, or visually, with the tow truck operator in case of an emergency.

(b) No passenger of such a carried vehicle may exit the carried vehicle, ride outside of the passenger compartment of the carried vehicle, or exhibit dangerous or distracting behaviors while in the carried vehicle."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert;

Kochmar; Kristiansen; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

March 21, 2013

SB 5113 Prime Sponsor, Senator Bailey: Concerning the enforcement of speed limits on roads within condominium associations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.61.419 and 2003 c 193 s 1 are each amended to read as follows:

State, local, or county law enforcement personnel may enforce speeding violations under RCW 46.61.400 on private roads within a community organized under chapter 64.34, 64.32, or 64.38 RCW if:

(1) A majority of the homeowner's association's, association of apartment owners', or condominium association's board of directors votes to authorize the issuance of speeding infractions on its private roads, and declares a speed limit not lower than twenty miles per hour;

(2) A written agreement regarding the speeding enforcement is signed by the homeowner's association, association of apartment owners, or condominium association president and the chief law enforcement official of the city or county within whose jurisdiction the private road is located;

(3) The homeowner's association, association of apartment owners, or condominium association has provided written notice to all of the homeowners, apartment owners, or unit owners describing the new authority to issue speeding infractions; and

(4) Signs have been posted declaring the speed limit at all vehicle entrances to the community."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kristiansen; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

March 21, 2013

SSB 5152 Prime Sponsor, Committee on Transportation: Creating Seattle Sounders FC and Seattle Seahawks special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.18.200 and 2012 c 65 s 1 are each amended to read as follows:

(1) Special license plate series reviewed and approved by the department:

(a) May be issued in lieu of standard issue or personalized license plates for vehicles required to display one and two license plates unless otherwise specified;

(b) Must be issued under terms and conditions established by the department;

(c) Must not be issued for vehicles registered under chapter 46.87 RCW; and

(d) Must display a symbol or artwork approved by the department.

(2) The department approves and shall issue the following special license plates:

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
4-H	Displays the "4-H" logo.
Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast guard, and national guard.
Endangered wildlife	Displays a symbol or artwork((approved by the special license plate review board and the legislature)) <u>symbolizing endangered wildlife in Washington state.</u>
Gonzaga University alumni association	Recognizes the Gonzaga University alumni association.
Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.
Keep kids safe	Recognizes efforts to prevent child abuse and neglect.
Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.
Music matters	Displays the "Music Matters" logo.
Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.
<u>Seattle Seahawks</u>	<u>Displays the "Seattle Seahawks" logo.</u>
<u>Seattle Sounders FC</u>	<u>Displays the "Seattle Sounders FC" logo.</u>
Share the road	Recognizes an organization that promotes bicycle safety and awareness education.
Ski & ride Washington	Recognizes the Washington snowsports industry.
State flower	Recognizes the Washington state flower.
Volunteer firefighters	Recognizes volunteer firefighters.
Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.

Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.	(c) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
		(d) Baseball stadium	\$ 40.00	\$ 30.00	Subsection (2) of this section
Washington's national park fund	Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks.	(e) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
		(f) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
		(g) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
Washington's wildlife collection	Recognizes Washington's wildlife.	(h) Gonzaga University alumni association	\$ 40.00	\$ 30.00	RCW 46.68.420
We love our pets	Recognizes an organization that assists local member agencies of the federation of animal welfare and control agencies to promote and perform spay/neuter surgery on Washington state pets to reduce pet overpopulation.	(i) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
		(j) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
		(k) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
Wild on Washington	Symbolizes wildlife viewing in Washington state.	(l) Law enforcement memorial	\$ 40.00	\$ 30.00	RCW 46.68.420
		(m) Military affiliate radio system	\$ 5.00	N/A	RCW 46.68.070
		(n) Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
		(o) Professional firefighters and paramedics	\$ 40.00	\$ 30.00	RCW 46.68.420
		(p) Ride share	\$ 25.00	N/A	RCW 46.68.030
		(q) <u>Seattle Seahawks</u>	<u>\$40.00</u>	<u>\$30.00</u>	<u>RCW 46.68.420</u>
		(r) <u>Seattle Sounders FC</u>	<u>\$40.00</u>	<u>\$30.00</u>	<u>RCW 46.68.420</u>
		(s) Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
		((+)) (t) Ski & ride Washington	\$ 40.00	\$ 30.00	RCW 46.68.420
		((+)) (u) Square dancer	\$ 40.00	N/A	RCW 46.68.070
		((+)) (v) State flower	\$ 40.00	\$ 30.00	RCW 46.68.420
		((+)) (w) Volunteer firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420
		((+)) (x) Washington lighthouses	\$ 40.00	\$ 30.00	RCW 46.68.420
		((+)) (y) Washington state parks	\$ 40.00	\$ 30.00	RCW 46.68.425
		((+)) (z) Washington's national parks	\$ 40.00	\$ 30.00	RCW 46.68.420

(3) Applicants for initial and renewal professional firefighters and paramedics special license plates must show proof eligibility by providing a certificate of current membership from the Washington state council of firefighters.

(4) Applicants for initial volunteer firefighters special license plates must (a) have been a volunteer firefighter for at least ten years or be a volunteer firefighter for one or more years and (b) have documentation of service from the district of the appropriate fire service. If the volunteer firefighter leaves firefighting service before ten years of service have been completed, the volunteer firefighter shall surrender the license plates to the department on the registration renewal date. If the volunteer firefighter stays in service for at least ten years and then leaves, the license plate may be retained by the former volunteer firefighter and as long as the license plate is retained for use the person will continue to pay the future registration renewals. A qualifying volunteer firefighter may have no more than one set of license plates per vehicle, and a maximum of two sets per applicant, for their personal vehicles. If the volunteer firefighter is convicted of a violation of RCW 46.61.502 or a felony, the license plates must be surrendered upon conviction.

Sec. 2. RCW 46.17.220 and 2012 c 65 s 4 are each amended to read as follows:

(1) In addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the holder of a special license plate shall pay the appropriate special license plate fee as listed in this section.

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
(b) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070

((a)) (aa)	\$ 40.00	\$ 30.00	RCW 46.68.425
Washington's wildlife collection			
((a)) (bb) We love our pets	\$ 40.00	\$ 30.00	RCW 46.68.420
((a)) (cc) Wild on Washington	\$ 40.00	\$ 30.00	RCW 46.68.425

(2) After deducting administration and collection expenses for the sale of baseball stadium license plates, the remaining proceeds must be distributed to a county for the purpose of paying the principal and interest payments on bonds issued by the county to construct a baseball stadium, as defined in RCW 82.14.0485, including reasonably necessary preconstruction costs, while the taxes are being collected under RCW 82.14.360. After this date, the state treasurer shall credit the funds to the state general fund.

Sec. 3. RCW 46.68.420 and 2012 c 65 s 5 are each amended to read as follows:

(1) The department shall:

- (a) Collect special license plate fees established under RCW 46.17.220;
- (b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and
- (c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the proceeds to the motor vehicle account until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fee amounts for each special license plate to the following appropriate account as created in this section in the custody of the state treasurer:

ACCOUNT	CONDITIONS FOR USE OF FUNDS
4-H programs	Support Washington 4-H programs
Gonzaga University alumni association	Scholarship funds to needy and qualified students attending or planning to attend Gonzaga University
Helping kids speak	Provide free diagnostic and therapeutic services to families of children who suffer from a delay in language or speech development
Law enforcement memorial	Provide support and assistance to survivors and families of law enforcement officers in Washington killed in the line of duty and to organize, finance, fund, construct, utilize, and maintain a memorial on the state capitol grounds to honor those fallen officers
Lighthouse environmental programs	Support selected Washington state lighthouses that are accessible to the public and staffed by volunteers; provide environmental education

Music matters awareness

Seattle Seahawks

Seattle Sounders FC

Share the road

Ski & ride Washington

State flower

programs; provide grants for other Washington lighthouses to assist in funding infrastructure preservation and restoration; encourage and support interpretive programs by lighthouse docents

Promote music education in schools throughout Washington

Provide funds from fifty percent of proceeds to InvestED to encourage secondary students who have economic needs to stay in school, return to school, or get involved within their learning community, and provide funds from fifty percent of proceeds to the youth athletic facility account created in RCW 43.99N.060(4) for purposes of grants or loans to cities, counties, and qualified nonprofit organizations for community outdoor athletic facilities

Provide funds from fifty percent of proceeds to Washington state mentors to increase the number of mentors in the state by offering mentoring grants throughout Washington state that foster positive youth development and academic success, with up to twenty percent of these proceeds authorized for program administration costs, and provide funds from fifty percent of proceeds to the youth athletic facility account created in RCW 43.99N.060(4) for purposes of grants or loans to cities, counties, and qualified nonprofit organizations for community outdoor athletic facilities

Promote bicycle safety and awareness education in communities throughout Washington

Promote winter snowsports, such as skiing and snowboarding, and related programs, such as ski and ride safety programs, underprivileged youth ski and ride programs, and active, healthy lifestyle programs

Support Meerkerk Rhododendron Gardens and provide for grants to other qualified nonprofit organizations' efforts to preserve rhododendrons

Volunteer firefighters	Receive and disseminate funds for purposes on behalf of volunteer firefighters, their families, and others deemed in need
Washington state council of firefighters benevolent fund	Receive and disseminate funds for charitable purposes on behalf of members of the Washington state council of firefighters, their families, and others deemed in need
Washington's national park fund	Build awareness of Washington's national parks and support priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks
We love our pets	Support and enable the Washington federation of animal welfare and control agencies to promote and perform spay/neuter surgery of Washington state pets in order to reduce pet population

(3) Only the director or the director's designee may authorize expenditures from the accounts described in subsection (2) of this section. The accounts are subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(4) Funds in the special license plate accounts described in subsection (2) of this section must be disbursed subject to the conditions described in subsection (2) of this section and under contract between the department and qualified nonprofit organizations that provide the services described in subsection (2) of this section.

(5) For the purposes of this section, a "qualified nonprofit organization" means a not-for-profit corporation operating in Washington that has received a determination of tax exempt status under 26 U.S.C. Sec. 501(c)(3). The qualified nonprofit organization must meet all the requirements under RCW 46.18.100(1).

Sec. 4. RCW 46.18.060 and 2012 c 65 s 6 are each amended to read as follows:

(1) The department must review and either approve or reject special license plate applications submitted by sponsoring organizations.

(2) Duties of the department include, but are not limited to, the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the joint transportation committee;

(b) Report annually to the joint transportation committee on the special license plate applications that were considered by the department;

(c) Issue approval and rejection notification letters to sponsoring organizations, the executive committee of the joint transportation committee, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application; and

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The department may submit a recommendation to discontinue a special plate series to the executive committee of the joint transportation committee.

(3) (~~Except as provided in RCW 46.18.245,~~) In order to assess the effects and impact of the proliferation of special license plates, the legislature declares a temporary moratorium on the issuance of any additional plates until July 1, 2013. During this period of time, the department is prohibited from accepting, reviewing, processing, or approving any applications. Additionally, a special license plate may not be enacted by the legislature during the moratorium, unless the proposed license plate has been approved by the former special license plate review board before February 15, 2005.

(4) The limitations under subsection (3) of this section do not apply to the following special license plates:

(a) 4-H license plates created under RCW 46.18.200;

(b) Gold star license plates created under RCW 46.18.245;

(c) Music Matters license plates created under RCW 46.18.200;

~~((e))~~ (d) Seattle Seahawks license plates created under RCW 46.18.200;

(e) Seattle Sounders FC license plates created under RCW 46.18.200;

(f) State flower license plates created under RCW 46.18.200;

~~((d))~~ (g) Volunteer firefighter license plates created under RCW 46.18.200.

NEW SECTION. Sec. 5. A new section is added to chapter 46.04 RCW to read as follows:

"Seattle Sounders FC license plates" means special license plates issued under RCW 46.18.200 that display a symbol or artwork recognizing Seattle Sounders FC.

NEW SECTION. Sec. 6. A new section is added to chapter 46.04 RCW to read as follows:

"Seattle Seahawks license plates" means special license plates issued under RCW 46.18.200 that display a symbol or artwork recognizing the Seattle Seahawks.

NEW SECTION. Sec. 7. This act takes effect January 1, 2014."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Fitzgibbon; Hayes; Johnson; Klippert; Kochmar; Morris; O'Ban; Riccelli; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Farrell; Habib; Kristiansen and Shea.

Passed to Committee on Rules for second reading.

March 21, 2013

SB 5161

Prime Sponsor, Senator Braun: Authorizing certain eligible family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.18.245 and 2010 c 161 s 621 are each amended to read as follows:

(1) A registered owner who is ~~((the mother or father))~~ an eligible family member of a member of the United States armed forces who died while in service to his or her country, or as a result of his or her service, may apply to the department for special gold star license plates for use on a motor vehicle. The registered owner must:

(a) Be a resident of this state;

(b) Provide proof to the satisfaction of the department that the registered owner is an eligible family member, which includes:

(i) A widow;

(ii) A widower;

(iii) A biological parent;

(iv) An adoptive parent;

(v) A stepparent;

(vi) An adult in loco parentis or foster parent;

(vii) A biological child; or

(viii) An adopted child;

(c) Provide certification from the Washington state department of veterans affairs that the registered owner qualifies for the special license plate under this section;

~~((e))~~ (d) Be recorded as the registered owner of the motor vehicle on which the gold star license plates will be displayed; and

~~((d))~~ (e) Pay all fees and taxes required by law for registering the motor vehicle.

(2) Gold star license plates must be issued:

(a) Only for motor vehicles owned by qualifying applicants; and

(b) Without payment of any license plate fee.

(3) Gold star license plates must be replaced, free of charge, if the license plates become lost, stolen, damaged, defaced, or destroyed.

(4) Gold star license plates may be transferred from one motor vehicle to another motor vehicle owned by the ~~((mother or father))~~ eligible family member, as described in subsection (1) of this section, upon application to the department, county auditor or other agent, or subagent appointed by the director.

NEW SECTION. Sec. 2. This act takes effect August 1, 2013." Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kristiansen; Morris; O'Ban; Riccelli; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

March 21, 2013

ESB 5607 Prime Sponsor, Senator Harper: Concerning beer, wine, and spirits theater licenses. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 66.24 RCW to read as follows:

(1) There are two theater licenses created for theaters as defined in this section.

(a) A beer and wine theater license is created to sell beer, including strong beer, or wine, or both, at retail for consumption on theater premises. The annual fee is four hundred dollars for a beer and wine theater license.

(b) A spirits, beer, and wine theater license is created to sell spirits, beer, including strong beer, or wine, or all, at retail, for

consumption on theater premises. A spirits, beer, and wine theater license may be issued to a theater with no more than one hundred twenty seats per screen and that is maintained in a substantial manner as a place for preparing, cooking, and serving complete meals and providing tabletop accommodations for in-theater dining. Requirements for complete meals are the same as those adopted by the board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and wine restaurant license authorized by RCW 66.24.400. The annual fee is two thousand dollars for a spirits, beer, and wine theater license.

(2) If the theater premises is to be frequented by minors, an alcohol control plan must be submitted to the board at the time of application. The alcohol control plan must be approved by the board, and be prominently posted on the premises, prior to minors being allowed.

(3) The board must adopt rules regarding alcohol control plans and necessary control measures to ensure that minors are not able to obtain alcohol or be exposed to areas where drinking alcohol predominates. All alcohol control plans must include a requirement that any person involved in the serving of beer, wine, and/or spirits must have completed a mandatory alcohol server training program.

(4)(a) A licensee that is an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended as of January 1, 2013, may enter into arrangements with a beer, wine, or spirits manufacturer, importer, or distributor for brand advertising at the theater or promotion of events held at the theater. The financial arrangements providing for the brand advertising or promotion of events may not be used as an inducement to purchase the products of the manufacturer, importer, or distributor entering into the arrangement and such arrangements may not result in the exclusion of brands or products of other companies.

(b) The arrangements allowed under this subsection (4) are an exception to arrangements prohibited under RCW 66.28.305. The board must monitor the impacts of these arrangements. The board may conduct audits of a licensee and the affiliated business to determine compliance with this subsection (4). Audits may include, but are not limited to: Product selection at the facility; purchase patterns of the licensee; contracts with the beer, wine, or spirits manufacturer, importer, or distributor; and the amount allocated or used for beer, wine, or spirits advertising by the licensee, affiliated business, manufacturer, importer, or distributor under the arrangements.

(5) The maximum penalties prescribed by the board in WAC 314-29-020 relating to fines and suspensions are double for violations involving minors or the failure to follow the alcohol control plan with respect to theaters licensed under this section.

(6) For the purposes of this section:

(a) "Alcohol control plan" means a written, dated, and signed plan submitted to the board by an applicant or licensee for the entire theater premises, or rooms or areas therein, that shows where and when alcohol is permitted, where and when minors are permitted, and the control measures used to ensure that minors are not able to obtain alcohol or be exposed to environments where drinking alcohol predominates.

(b) "Theater" means a place of business where motion pictures or other primarily nonparticipatory entertainment are shown.

Sec. 2. RCW 66.20.300 and 2011 c 325 s 5 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout RCW 66.20.310 through 66.20.350 unless the context clearly requires otherwise.

(1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

(2) "Alcohol server" means any person who as part of his or her employment participates in the sale or service of alcoholic beverages for on-premise consumption at a retail licensed premise as a regular

requirement of his or her employment, and includes those persons eighteen years of age or older permitted by the liquor laws of this state to serve alcoholic beverages with meals.

(3) "Board" means the Washington state liquor control board.

(4) "Training entity" means any liquor licensee associations, independent contractors, private persons, and private or public schools, that have been certified by the board.

(5) "Retail licensed premises" means any:

(a) Premises licensed to sell alcohol by the glass or by the drink, or in original containers primarily for consumption on the premises as authorized by this section and RCW 66.20.310, 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.450, 66.24.570, ((and)) 66.24.610, and section 1 of this act;

(b) Distillery licensed pursuant to RCW 66.24.140 that is authorized to serve samples of its own production;

(c) Facility established by a domestic winery for serving and selling wine pursuant to RCW 66.24.170(4); and

(d) Grocery store licensed under RCW 66.24.360, but only with respect to employees whose duties include serving during tasting activities under RCW 66.24.363.

Sec. 3. RCW 66.20.310 and 2011 c 325 s 4 are each amended to read as follows:

(1)(a) There ~~((shall be))~~ is an alcohol server permit, known as a class 12 permit, for a manager or bartender selling or mixing alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(b) There ~~((shall be))~~ is an alcohol server permit, known as a class 13 permit, for a person who only serves alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(c) As provided by rule by the board, a class 13 permit holder may be allowed to act as a bartender without holding a class 12 permit.

(2)(a) Effective January 1, 1997, except as provided in (d) of this subsection, every alcohol server employed, under contract or otherwise, at a retail licensed premise ~~((shall))~~ must be issued a class 12 or class 13 permit.

(b) Every class 12 and class 13 permit issued ~~((shall))~~ must be issued in the name of the applicant and no other person may use the permit of another permit holder. The holder ~~((shall))~~ must present the permit upon request to inspection by a representative of the board or a peace officer. The class 12 or class 13 permit ~~((shall be))~~ is valid for employment at any retail licensed premises described in (a) of this subsection.

(c) Except as provided in (d) of this subsection, no licensee holding a license as authorized by this section and RCW 66.20.300, 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.450, 66.24.570, 66.24.600, ((and)) 66.24.610, and section 1 of this act may employ or accept the services of any person without the person first having a valid class 12 or class 13 permit.

(d) Within sixty days of initial employment, every person whose duties include the compounding, sale, service, or handling of liquor ~~((shall))~~ must have a class 12 or class 13 permit.

(e) No person may perform duties that include the sale or service of alcoholic beverages on a retail licensed premises without possessing a valid alcohol server permit.

(3) A permit issued by a training entity under this section is valid for employment at any retail licensed premises described in subsection (2)(a) of this section for a period of five years unless suspended by the board.

(4) The board may suspend or revoke an existing permit if any of the following occur:

(a) The applicant or permittee has been convicted of violating any of the state or local intoxicating liquor laws of this state or has been convicted at any time of a felony; or

(b) The permittee has performed or permitted any act that constitutes a violation of this title or of any rule of the board.

(5) The suspension or revocation of a permit under this section does not relieve a licensee from responsibility for any act of the employee or agent while employed upon the retail licensed premises. The board may, as appropriate, revoke or suspend either the permit of the employee who committed the violation or the license of the licensee upon whose premises the violation occurred, or both the permit and the license.

(6)(a) After January 1, 1997, it is a violation of this title for any retail licensee or agent of a retail licensee as described in subsection (2)(a) of this section to employ in the sale or service of alcoholic beverages, any person who does not have a valid alcohol server permit or whose permit has been revoked, suspended, or denied.

(b) It is a violation of this title for a person whose alcohol server permit has been denied, suspended, or revoked to accept employment in the sale or service of alcoholic beverages.

(7) Grocery stores licensed under RCW 66.24.360, the primary commercial activity of which is the sale of grocery products and for which the sale and service of beer and wine for on-premises consumption with food is incidental to the primary business, and employees of such establishments, are exempt from RCW 66.20.300 through 66.20.350, except for employees whose duties include serving during tasting activities under RCW 66.24.363."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

March 21, 2013

ESSB 5723

Prime Sponsor, Committee on Commerce & Labor: Authorizing enhanced raffles conducted by bona fide charitable or nonprofit organizations serving individuals with intellectual disabilities. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 9.46 RCW to read as follows:

(1) A bona fide charitable or nonprofit organization, as defined in RCW 9.46.0209, whose primary purpose is serving individuals with intellectual disabilities may conduct enhanced raffles if licensed by the commission.

(2) The commission has the authority to approve two enhanced raffles per calendar year for western Washington and two enhanced raffles per calendar year for eastern Washington. Whether the enhanced raffle occurs in western Washington or eastern Washington will be determined by the location where the grand prize winning ticket is to be drawn as stated on the organization's application to the commission. An enhanced raffle is considered approved when voted on by the commission.

(3) The commission has the authority to approve enhanced raffles under the following conditions:

(a) The value of the grand prize must not exceed five million dollars.

(b) Sales may be made in person, by mail, by fax, or by telephone only. Raffle ticket order forms may be printed from the bona fide charitable or nonprofit organization's web site. Obtaining the form in this manner does not constitute a sale.

(c) Tickets purchased as part of a multiple ticket package may be purchased at a discount.

(d) Multiple smaller prizes are authorized during the course of an enhanced raffle for a grand prize including, but not limited to, early bird, refer a friend, and multiple ticket drawings.

(e) A purchase contract is not necessary for smaller noncash prizes, but the bona fide charitable or nonprofit organization must be able to demonstrate that such a prize is available and sufficient funds are held in reserve in the event that the winner chooses a noncash prize.

(f) All enhanced raffles and associated smaller raffles must be independently audited, as defined by the commission during rule making. The audit results must be reported to the commission.

(g) Call centers, when licensed by the commission, are authorized. The bona fide charitable or nonprofit organization may contract with a call center vendor to receive enhanced raffle ticket sales. The vendor may not solicit sales. The vendor may be located outside the state, but the bona fide charitable or nonprofit organization must have a contractual relationship with the vendor stating that the vendor must comply with all applicable Washington state laws and rules.

(h) The bona fide charitable or nonprofit organization must be the primary recipient of the funds raised.

(i) Sales data may be transmitted electronically from the vendor to the bona fide charitable or nonprofit organization. Credit cards, issued by a state regulated or federally regulated financial institution, may be used for payment to participate in enhanced raffles.

(j) Receipts including ticket confirmation numbers may be sent to ticket purchasers either by mail or by e-mail.

(k) In the event the bona fide charitable or nonprofit organization determines ticket sales are insufficient to qualify for a complete enhanced raffle to move forward, the enhanced raffle winner must receive fifty percent of the net proceeds in excess of expenses as the grand prize. The enhanced raffle winner will receive a choice between an annuity value equal to fifty percent of the net proceeds in excess of expenses paid by annuity over twenty years, or a one-time cash payment of seventy percent of the annuity value.

(l) A bona fide charitable or nonprofit organization is authorized to hire a consultant licensed by the commission to run an enhanced raffle; in addition, the bona fide charitable or nonprofit organization must have a dedicated employee who is responsible for oversight of enhanced raffle operations. The bona fide charitable or nonprofit organization is ultimately responsible for ensuring that an enhanced raffle is conducted in accordance with all applicable state laws and rules.

(4) The commission has the authority to set fees for bona fide charitable or nonprofit organizations, call center vendors, and consultants conducting enhanced raffles authorized under this section.

(5) The commission has the authority to adopt rules governing the licensing and operation of enhanced raffles.

(6) Except as specifically authorized in this section, enhanced raffles must be held in accordance with all other requirements of this chapter, other applicable laws, and rules of the commission.

(7) For the purposes of this section:

(a) "Enhanced raffle" means a game in which tickets bearing an individual number are sold for not more than two hundred fifty dollars each and in which a grand prize and smaller prizes are awarded on the basis of drawings from the tickets by the person or persons conducting the game. An enhanced raffle may include additional related entries and drawings, such as early bird, refer a friend, and multiple ticket drawings when the bona fide charitable or nonprofit organization establishes the eligibility standards for such entries and drawings before any enhanced raffle tickets are sold. No drawing may occur by using a random number generator or similar means.

(b) "Early bird drawing" means a separate drawing for a separate prize held prior to the grand prize drawing. All tickets entered into the early bird drawing, including all early bird winning tickets, are

entered into subsequent early bird drawings, and also entered into the drawing for the grand prize.

(c) "Refer a friend drawing" means a completely separate drawing, using tickets distinct from those for the enhanced raffle, for a separate prize held at the conclusion of the enhanced raffle for all enhanced raffle ticket purchasers, known as the referring friend, who refer other persons to the enhanced raffle when the other person ultimately purchases an enhanced raffle ticket. The referring friend will receive one ticket for each friend referred specifically for the refer a friend drawing. In addition, each friend referred could also become a referring friend and receive his or her own additional ticket for the refer a friend drawing.

(d) "Multiple ticket drawing" means a completely separate drawing, using tickets distinct from those for the enhanced raffle, for a separate prize held at the conclusion of the enhanced raffle for all enhanced raffle ticket purchasers who purchase a specified number of enhanced raffle tickets. For example, a multiple ticket drawing could include persons who purchase three or more enhanced raffle tickets in the same order, using the same payment information, with tickets in the same person's name. For each eligible enhanced raffle ticket purchased, the purchaser also receives a ticket for the multiple ticket drawing prize.

(e) "Western Washington" includes those counties west of the Cascade mountains, including Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

(f) "Eastern Washington" includes those counties east of the Cascade mountains that are not listed in (e) of this subsection.

(8) By December 2017, the commission must report back to the appropriate committees of the legislature on enhanced raffles. The report must include results of the raffles, revenue generated by the raffles, and identify any state or federal regulatory actions taken in relation to enhanced raffles in Washington. The report must also make recommendations, if any, for policy changes to the enhanced raffle authority.

(9) This section expires June 30, 2016."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

March 21, 2013

SSB 5774

Prime Sponsor, Committee on Commerce & Labor: Authorizing applications for a special permit to allow alcohol tasting by persons at least eighteen years of age under certain circumstances. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1319
HOUSE CONCURRENT RESOLUTION NO. 4404
SENATE CONCURRENT RESOLUTION NO. 8403

The Speaker called upon Representative Orwall to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., March 27, 2013, the 73rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

SEVENTY THIRD DAY

House Chamber, Olympia, Wednesday, March 27, 2013

was not found

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Molly Sullivan and Josh Gonzalez. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Greg Asimakoupoulos, Evangelical Covenant Church, Mercer Island, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4627, by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, The State of Washington has a long history of agricultural sustainability and the production of many highly valued crops; and

WHEREAS, Washington is home to a forty-six billion dollar food and agriculture industry that has played a significant role in creating one hundred sixty thousand jobs and currently stands at over thirteen percent of the state's economy; and

WHEREAS, Washington agriculture maintains a strong national and global trade presence and is a national leader in exporting highly sought products to the world's largest foreign markets; and

WHEREAS, The agricultural industry has demonstrated its continuous dedication to domestic trade and local development by providing its abundant products to wholesale and retail markets around the country while also sustaining strong community markets and working to provide nutritious food to assist Washington's most vulnerable citizens; and

WHEREAS, The food processing industry is a vital component of agriculture and works in tandem with farmers to extend the shelf life of Washington's food and ensure that domestic and international consumers receive attractive, marketable, and safe food products from the state's agricultural industry; and

WHEREAS, High-quality agricultural research has provided leadership in discovering and applying knowledge that contributes to

a safe and abundant food, fiber, and energy supply while enhancing the sustainability of agricultural and natural resource systems; and

WHEREAS, The importance of a positive governmental relationship with the agricultural community was recognized from Washington's earliest days as a territory, with agricultural laws passed during the Territorial Assembly's first session in 1854; and

WHEREAS, In 1913, the Department of Agriculture was created to implement laws and regulations and facilitate the growth of the agricultural industry in Washington State; and

WHEREAS, After a century, the Department of Agriculture continues to be relevant in response to the changing needs of the state and the agricultural community by including responsibilities that provide solutions to modern day industry challenges and embracing continuous quality improvement principles and respect for people in order that the citizens and agricultural industry across the state receive a high return on their investment;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State House of Representatives hereby recognize and commend the partnership between the agricultural industry and the Department of Agriculture and their collective commitment to ensure the health and safety of Washington's citizens, crops, livestock, and environment; and

BE IT FURTHER RESOLVED, That the members of the House of Representatives acknowledge the extraordinary history and heritage of the Department of Agriculture and join it in celebrating its one hundredth anniversary on June 10, 2013, which honors the Department and the agricultural community for their service to the state's citizens, economy, and environment.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4627.

HOUSE RESOLUTION NO. 4627 was adopted.

HOUSE RESOLUTION NO. 2013-4636, by Representatives Jinkins, Short, Kretz, Cody, Kagi, and Morrell

WHEREAS, Mary C. Selecky began her distinguished public health career as the Administrator of the Northeast Tri-County Health District in Colville, Washington, a post Mary held for 20 years; and

WHEREAS, While working at the local level, Mary served as president of the Washington State Association of Local Public Health Officials; and

WHEREAS, In 1989, Mary played a foundational role in the formation of the Washington State Department of Health; and

WHEREAS, Mary served as Secretary of the Department of Health for nearly 15 years, serving three Governors, and was instrumental in developing Washington's nationally recognized Public Health Improvement Partnership; and

WHEREAS, Building on her success at the local and state levels, Mary has proved an influential leader at the federal level as well, serving two terms as the president of the Association of State and Territorial Health Officials and receiving the 2010 American Medical Association's Nathan Davis Award for Outstanding Government Service; and

WHEREAS, Recently, as a result of Mary's leadership, the Washington State Department of Health is one of the first two state health departments in the nation to achieve national accreditation status; and

WHEREAS, Mary is recognized and appreciated by her staff, colleagues, local officials, legislators, and friends, regardless of their political affiliation, philosophical persuasion, or policy position, as a passionate, trusted, witty, and thoughtful champion of public health; and

WHEREAS, This year Mary will retire from her role as Secretary, leaving a professional legacy of higher state immunization rates, improved patient safety, a state agency that is trusted and credible, and one of the strongest local-state public health relationships in the nation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Mary C. Selecky for her unwavering dedication to improving the health and safety of the people of Washington State and for the outstanding example and high standard she has set for those who will serve after her; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the esteemed Mary C. Selecky.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4636.

HOUSE RESOLUTION NO. 4636 was adopted.

MESSAGES FROM THE SENATE

March 26, 2013

MR. SPEAKER: The President has signed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

March 26, 2013

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1319

HOUSE CONCURRENT RESOLUTION NO. 4404

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 26, 2013

SB 5056 Prime Sponsor, Senator Honeyford: Allowing a person to apply for a work permit for the employment of minors without completing a new master application under certain circumstances. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

March 25, 2013

SB 5220

Prime Sponsor, Senator Conway: Addressing membership on city disability boards. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 41.26.110 and 2005 c 66 s 1 are each amended to read as follows:

(1) All claims for disability shall be acted upon and either approved or disapproved by either type of disability board authorized to be created in this section.

(a) Each city having a population of twenty thousand or more shall establish a disability board having jurisdiction over all members employed by those cities and composed of the following five members: Two members of the city legislative body to be appointed by the mayor; one active or retired firefighter employed by or retired from the city to be elected by the firefighters employed by or retired from the city who are subject to the jurisdiction of the board; one active or retired law enforcement officer employed by or retired from the city to be elected by the law enforcement officers employed by or retired from the city who are subject to the jurisdiction of the board; and one member from the public at large who resides within the city to be appointed by the other four members designated in this subsection. Only those active or retired firefighters and law enforcement officers who are subject to the jurisdiction of the board have the right to elect under this section. All firefighters and law enforcement officers employed by or retired from the city are eligible for election. Each of the elected members shall serve a two year term. If there are either no firefighters or law enforcement officers under the jurisdiction of the board eligible to vote, a second eligible employee representative shall be elected by the law enforcement officers or firefighters eligible to vote. The members appointed pursuant to this subsection shall serve for two year terms: PROVIDED, That cities of the first class only, shall retain existing (~~firemen's~~) firefighters' pension boards established pursuant to RCW 41.16.020 and existing boards of trustees of the relief and pension fund of the police department as established pursuant to RCW 41.20.010 which such boards shall have authority to act upon and approve or disapprove claims for disability by firefighters or law enforcement officers as provided under the Washington law enforcement officers' and firefighters' retirement system act.

(b) Each county shall establish a disability board having jurisdiction over all members employed by or retired from an employer within the county and not employed by a city in which a disability board is established. The county disability board so created shall be composed of five members to be chosen as follows: One member of the legislative body of the county to be appointed by the county legislative body; one member of a city or town legislative body located within the county which does not contain a city disability board established pursuant to (~~subsection (1))~~(a) of this subsection to be chosen by a majority of the mayors of such cities and towns within the county which does not contain a city disability board; one active firefighter or retired firefighter employed by or retired from an employer within the county to be elected by the firefighters employed or retired from an employer within the county who are not employed by or retired from a city in which a disability board is established and who are subject to the jurisdiction of that board; one law enforcement officer or retired law enforcement officer employed by or retired from an employer within the county to be elected by the law enforcement officers employed in or retired from

an employer within the county who are not employed by or retired from a city in which a disability board is established and who are subject to the jurisdiction of that board; and one member from the public at large who resides within the county but does not reside within a city in which a city disability board is established, to be appointed by the other four members designated in this subsection. However, in counties with a population less than sixty thousand, the member of the disability board appointed by a majority of the mayors of the cities and towns within the county that do not contain a city disability board must be a resident of one of the cities and towns but need not be a member of a city or town legislative body. Only those active or retired firefighters and law enforcement officers who are subject to the jurisdiction of the board have the right to elect under this section. All firefighters and law enforcement officers employed by or retired from an employer within the county who are not employed by or retired from a city in which a disability board is established are eligible for election. All members appointed or elected pursuant to this subsection shall serve for two year terms. If there are no firefighters under the jurisdiction of the board eligible to vote, a second eligible employee representative shall be elected by the law enforcement officers eligible to vote. If there are no law enforcement officers under the jurisdiction of the board eligible to vote, a second eligible representative shall be elected by the firefighters eligible to vote.

(2) The members of both the county and city disability boards shall not receive compensation for their service upon the boards but the members shall be reimbursed by their respective county or city for all expenses incidental to such service as to the amount authorized by law.

(3) The disability boards authorized for establishment by this section shall perform all functions, exercise all powers, and make all such determinations as specified in this chapter."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi;

Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5754 Prime Sponsor, Committee on Ways & Means; Concerning integrated career learning opportunities and employment training for at-risk youth. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802.

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 28, 2013, the 74th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY FOURTH DAY

House Chamber, Olympia, Thursday, March 28, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4642, by Representatives Riccelli, Parker, Shea, Short, Manweller, Holy, Fagan, Warnick, Crouse, Schmick, Kretz, and Ormsby

WHEREAS, The annual Spokane Lilac Festival is a favored tradition of the people of Spokane County and the Inland Northwest; and

WHEREAS, 2013 marks the 75th anniversary of the Spokane Lilac Festival, which embraces the theme of "Lilac Legacy--Alive at 75"; and

WHEREAS, The Lilac Festival began in 1938 under the guidance of the Associated Garden Clubs and the Spokane Floral Association as a way to celebrate the beautiful Lilac City, Spokane, and its growing popularity as a Washington destination; and

WHEREAS, In 1950, after the establishment of Armed Forces Day, the 92nd Bomb Wing of Geiger Field joined the festival parade as the official color guard of the Lilac Festival. This partnership with the Armed Forces continues today and is the nation's largest Armed Forces Parade; and

WHEREAS, The missions and goals of the Spokane Lilac Festival are to honor local military personnel, recognize outstanding area youth, showcase and celebrate Spokane and the Inland Northwest community, foster goodwill with other Northwest communities, give our youth and local organizations in the area an opportunity to display their abilities and talents, and act as a business stimulus both during the festival and throughout the year; and

WHEREAS, The Spokane Lilac Festival, a nonprofit organization operated entirely by volunteers, provides over 18,000 dollars in scholarships to members of the Royalty program and trains the members of the Royalty program in speech, military protocol, etiquette, self-defense, intercultural exchange, modeling, and the importance of volunteerism; and

WHEREAS, The volunteer aspect of the Spokane Lilac Festival continues to expand each year with projects such as visiting and serving at area hospitals, including Shriners Hospital for Children, veterans centers, retirement centers, and homeless shelters; reading at elementary schools, including Read Across America; participating in the Salvation Army's Clothe-a-Child program; working at Santa Express, a fund-raising arm of the Vanessa Behan Crisis Nursery; supporting the airmen and airwomen at Fairchild Air Force Base through Operation Cookie Drop; and participating in Make-a-Wish, Bloomsday, and the Associated Garden Club Annual Plant Sale; and

WHEREAS, Each year, thousands of volunteer hours are donated to the success of the festival including the "Lilac Loons" who discretely paint lilac blossoms on numerous streets and intersections to promote the festival, the "Float Toads" who design, build, and decorate each year's float, the "Parade Krewe" who oversee and produce the nation's largest Armed Forces Torchlight Parade, and the

"Purple Coaters" who make up the Board of Directors of the festival and along with the Royalty Court serve as ambassadors to over 20 outlying parades and festivals each year; and

WHEREAS, This year's Festival Royalty Court includes Queen Brett Rountree of Central Valley High School and Princesses Katie Heitkemper of Lewis and Clark High School, Devyn Russell of Northwest Christian High School, Michelle Tatko of Ferris High School, Hailey Hyde of Saint George's High School, Emily Staker of Gonzaga Prep, and Savannah Sundseth of Mead High School;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the many contributions made to our state by the Spokane Lilac Festival, its organizers both past and present, and the Royalty Courts for the past seventy-five years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2013 Lilac Festival Officers and the Festival Royalty Court.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4642.

HOUSE RESOLUTION NO. 4642 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2020 by Representatives Shea, Overstreet, Taylor, Condotta, Holy, Scott and Pike

AN ACT Relating to expanding economic development and creating jobs by increasing the availability of ammunition and firearm parts and accessories in Washington state; amending RCW 7.72.030; adding new sections to chapter 82.04 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 19.02 RCW; adding a new section to chapter 23B.01 RCW; adding a new section to chapter 25.15 RCW; adding a new section to chapter 43.330 RCW; adding a new chapter to Title 19 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

March 25, 2013

HB 1982 Prime Sponsor, Representative Hunter: Eliminating lottery games that generate insufficient net revenue. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5100 Prime Sponsor, Committee on Law & Justice: Addressing the statute of limitations for sexual abuse against a child. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

March 26, 2013

ESB 5104 Prime Sponsor, Senator Mullet: Placing epinephrine autoinjectors in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that allergies are a serious medical disorder that affect more than one in five persons in the United States and are the sixth leading cause of chronic disease. Roughly one in thirteen children has a food allergy, and the incidence is rising. Up to forty percent of food-allergic children may be at risk for anaphylaxis, a severe and potentially life-threatening reaction. Anaphylaxis may also occur due to an insect sting, drug allergy, or other causes. Twenty-five percent of first-time anaphylactic reactions among children occur in a school setting. Anaphylaxis can occur anywhere on school property, including the classroom, playground, school bus, or on field trips.

(2) Rapid and appropriate administration of the drug epinephrine, also known as adrenaline, to a patient experiencing an anaphylactic reaction may make the difference between life and death. In a school setting, epinephrine is typically administered intramuscularly via an epinephrine autoinjector device. Medical experts agree that the benefits of emergency epinephrine administration far outweigh the risks.

(3) The legislature further finds that, on many days, as much as twenty percent of the nation's combined adult and child population can be found in public and nonpublic schools. Therefore, schools need to be prepared to treat potentially life-threatening anaphylactic reactions in the event a student is experiencing a first-time anaphylactic reaction, a student does not have his or her own epinephrine autoinjector device available, or if a school nurse is not in the vicinity at the time.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.210 RCW to read as follows:

(1) School districts and nonpublic schools may maintain at a school in a designated location a supply of epinephrine autoinjectors based on the number of students enrolled in the school.

(2)(a) A licensed health professional with the authority to prescribe epinephrine autoinjectors may prescribe epinephrine autoinjectors in the name of the school district or school to be maintained for use when necessary. Epinephrine prescriptions must be accompanied by a standing physician's order for the administration of school-supplied, undesignated epinephrine autoinjectors for potentially life-threatening allergic reactions.

(b) There are no changes to current prescription or self-administration practices for children with existing epinephrine autoinjector prescriptions or a physician guided anaphylaxis action plan.

(c) Epinephrine autoinjectors may be obtained from donation sources, but must be accompanied by a prescription.

(3)(a) When a student has a prescription for an epinephrine autoinjector on file, the school nurse or designated trained school personnel may utilize the school district or school supply of epinephrine autoinjectors to respond to an anaphylactic reaction under a standing protocol from a physician employed under RCW 28A.210.300 or any other physician with which the school has contracted for medical services.

(b) When a student does not have an epinephrine autoinjector or prescription for an epinephrine autoinjector on file, the school nurse may utilize the school district or school supply of epinephrine autoinjectors to respond to an anaphylactic reaction under a standing protocol from a physician employed under RCW 28A.210.300 or any other physician with which the school has contracted for medical services.

(c) Epinephrine autoinjectors may be used on school property, including the school building, playground, and school bus, as well as during field trips or sanctioned excursions away from school property. The school nurse or designated trained school personnel may carry an appropriate supply of school-owned epinephrine autoinjectors on field trips or excursions.

(4)(a) If a student is injured or harmed due to the administration of epinephrine that a licensed health professional with prescribing authority has prescribed and a pharmacist has dispensed to a school under this section, the licensed health professional with prescribing authority and pharmacist may not be held responsible for the injury unless he or she issued the prescription with a conscious disregard for safety.

(b) In the event a school nurse or other school employee administers epinephrine in substantial compliance with a student's prescription that has been prescribed by a licensed health professional within the scope of the professional's prescriptive authority, if applicable, and written policies of the school district or private school, then the school employee, the employee's school district or school of employment, and the members of the governing board and chief administrator thereof are not liable in any criminal action or for civil damages in their individual, marital, governmental, corporate, or other capacity as a result of providing the epinephrine.

(c) School employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to the use of epinephrine autoinjectors as a specific part of their job description, may file with the school district a written letter of refusal to use epinephrine autoinjectors. This written letter of refusal may not serve as grounds for discharge, nonrenewal of an employment contract, or other action adversely affecting the employee's contract status.

(5) The office of the superintendent of public instruction shall review the anaphylaxis policy guidelines required under RCW 28A.210.380 and make a recommendation to the education committees of the legislature by December 1, 2013, based on student safety, regarding whether to designate other trained school employees to administer epinephrine autoinjectors to students without

prescriptions for epinephrine autoinjectors demonstrating the symptoms of anaphylaxis when a school nurse is not in the vicinity."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Klippert; Pike and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

March 26, 2013

SSB 5123 Prime Sponsor, Committee on Ways & Means: Establishing a farm internship program. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 26, 2013

SSB 5195 Prime Sponsor, Committee on Ways & Means: Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Riccelli; Sawyer; Scott; Smith; Tarleton; Walsh and Wylie.

Referred to Committee on Appropriations.

March 26, 2013

SB 5198 Prime Sponsor, Senator Darneille: Exempting personal information relating to children from public inspection and copying. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

On page 2, after line 27, insert the following:

"**NEW SECTION. Sec. 2.** A new section is added to chapter 42.56 RCW to read as follows: Actual enumeration data collected under RCW 35.13.260, 35A.14.700, 36.13.030, and chapter 43.62 RCW shall be used and retained only by the office of financial management and only for the purposes of RCW 35.13.260, 35A.14.700, 36.13.030, and chapter 43.62 RCW. The enumeration data collected is confidential and not subject to public disclosure. The office of financial management must destroy the enumeration data collected after it is used to produce the required population estimates."

Correct the title.

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 26, 2013

E2SSB 5243 Prime Sponsor, Committee on Ways & Means: Establishing policies to support academic acceleration for high school students. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

On page 1, line 7, after "credit" insert "and other rigorous"

On page 1, line 13, after "year;" strike "and"

On page 1, line 16, after "year" insert "; and"

(d) More school districts are offering innovative advanced courses such as in computer science, aerospace manufacturing, and science, technology, engineering, and mathematics"

On page 2, beginning on line 5, after "(1)" strike all material through "must" on line 6 and insert "Each school district board of directors is encouraged to"

On page 3, beginning on line 4, strike all of section 3 and insert the following:

"**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the academic acceleration incentive program is established as provided in this section. The intent of the legislature is that the funds awarded under the program be used to support teacher training, curriculum, technology, examination fees, and other costs associated with offering dual credit courses to high school students.

(2) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section on a competitive basis to provide one-time grants for high schools to expand the availability of dual credit courses. To be eligible for a grant, a school district must have adopted an academic acceleration policy as provided under section 2 of this act. In making grant awards, the office of the superintendent of public instruction must give priority to grants for high schools with a high proportion of low-income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.

(3) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section to school districts as an incentive award for each student who earned dual high school and college credit, as described under subsection (4) of this section, for courses offered by the district's high schools during the previous school year. School districts must distribute the award to the high schools that generated the funds. The award amount for low-income students eligible to participate in the federal free and reduced-price meals program who earn dual credits must be set at one hundred twenty-five percent of the base award for other students. A student who earns more than one dual credit in the same school year counts only once for the purposes of the incentive award.

(4) For the purposes of this section, the following students are considered to have earned dual high school and college credit in a course offered by a high school:

(a) Students who achieve a score of three or higher on an AP examination;

(b) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(c) Students who successfully complete a Cambridge advanced international certificate of education examination;

(d) Students who successfully complete a course through the college in the high school program under RCW 28A.600.290 and are awarded credit by the partnering institution of higher education; and

(e) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a tech prep course.

(5) If a high school provides access to online courses for students to earn dual high school and college credit at no cost to the student, such a course is considered to be offered by the high school. Students enrolled in the running start program under RCW 28A.600.300 do not generate an incentive award under this section."

On page 5, after line 8, insert the following:

"**NEW SECTION. Sec. 5.** If specific funding for purposes of section 3 of this act, referencing section 3 of this act by bill or chapter and section number, is not provided by June 30, 2013, in the omnibus operating appropriations act, section 3 of this act is null and void."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt and Pollet.

Referred to Committee on Appropriations.

March 26, 2013

SB 5257 Prime Sponsor, Senator Roach: Modifying time frames applicable to certain public disclosure commission requirements. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

On page 5, line 12, after "electronically" strike all material through "facsimile" on line 18 and insert "by electronic mail or facsimile, or in written form" (~~including but not limited to mailgram, telegram, or night letter~~). The special report may be transmitted orally by telephone to the commission if the written form of the report is postmarked and mailed to the commission or the electronic (~~file~~) form is transferred to the commission within the delivery periods established in (a) and (b) of this subsection"

On page 5, line 21 after "within" strike "~~(forty-eight)~~ twenty-four" and insert "forty-eight"

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

SB 5258 Prime Sponsor, Senator Benton: Aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Assistant Ranking Minority Member; Alexander; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5289 Prime Sponsor, Committee on Natural Resources & Parks: Concerning the discover pass. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 79A.80.020 and 2012 c 261 s 2 are each amended to read as follows:

(1) Except as otherwise provided in (~~RCW 79A.80.050, 79A.80.060, and 79A.80.070~~) this chapter, a discover pass is required for any motor vehicle to:

~~(a) Park (or operate on) at any recreation site or lands (except for short-term parking as may be authorized under RCW 79A.80.070); or~~

(b) Operate on any recreation site or lands.

(2) Except as provided in section 4 of this act, the cost of a discover pass is thirty dollars. Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) A discover pass is valid for one year beginning from the date that the discover pass is marked for activation. The activation date may differ from the purchase date pursuant to any policies developed by the agencies.

(4) Sales of discover passes must be consistent with RCW 79A.80.100.

(5) The discover pass must contain space for two motor vehicle license plate numbers. A discover pass is valid only for those vehicle license plate numbers written on the pass. However, the agencies may offer for sale a family discover pass that is fully transferable among vehicles and does not require the placement of a license plate number on the pass to be valid. The agencies must collectively set a price for the sale of a family discover pass that is no more than fifty dollars. A discover pass is valid only for use with one motor vehicle at any one time.

(6) One complimentary discover pass must be provided to a volunteer who performed twenty-four hours of service on agency-sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

Sec. 2. RCW 79A.80.030 and 2012 c 261 s 3 are each amended to read as follows:

(1) A person may purchase a day-use permit to meet the requirements of RCW 79A.80.080. Except as provided in section 4 of this act, a day-use permit is ten dollars per day and must be available for purchase from each agency. A day-use permit is valid for one calendar day.

(2) The agencies may provide short-term parking under RCW 79A.80.070 where a day-use permit is not required.

(3) Every four years the office of financial management must review the cost of the day-use permit and, if necessary, recommend to the legislature an adjustment to the cost of the day-use permit to account for inflation.

(4) Sales of day-use permits must be consistent with RCW 79A.80.100.

Sec. 3. RCW 79A.80.080 and 2012 c 261 s 7 are each amended to read as follows:

(1) A discover pass, vehicle access pass, or day-use permit must be visibly displayed in the front windshield, or otherwise in a prominent location for motor vehicles without a windshield, of any motor vehicle (~~or otherwise in a prominent location for vehicles without a windshield~~):

- (a) Operating on ~~((a))~~ any recreation site or lands; or
 (b) Parking at ~~((a))~~ any recreation site or lands.

(2) The discover pass, the vehicle access pass, or the day-use permit is not required:

(a) On private lands, state-owned aquatic lands other than water access areas, or at agency offices, hatcheries, or other facilities where public business is conducted(:

~~—(3) The discover pass, the vehicle access pass, or the day-use permit is not required for:~~

~~—(a))~~;

(b) For persons who use, possess, or enter lands owned or managed by the agencies for nonrecreational purposes consistent with a written authorization from the agency, including but not limited to leases, contracts, and easements; (~~—(b))~~ (c) On department of fish and wildlife lands only, for persons possessing a current vehicle access pass pursuant to RCW 79A.80.040; or

(d) When operating on a road managed by the department of fish and wildlife or the department of natural resources, including a forest or land management road, that is not blocked by a gate.

~~((4))~~ (3)(a) An agency may waive the requirements of this section for any person who has secured the ability to access specific recreational land through the provision of monetary consideration to the agency or for any person attending an event or function that required the provision of monetary compensation to the agency.

(b) Special events and group activities are core recreational activities and major public service opportunities within state parks. When waiving the requirements of this section for special events, the state parks and recreation commission must consider the direct and indirect costs and benefits to the state, local market rental rates, the public service functions of the event sponsor, and other public interest factors when setting appropriate fees for each event or activity.

~~((5))~~ (4) Failure to comply with subsection (1) of this section is a natural resource infraction under chapter 7.84 RCW. An agency is authorized to issue a notice of infraction to any person who fails to comply with subsection (1)(a) of this section or to any motor vehicle that fails to comply with subsection (1)(b) of this section.

~~((6))~~ (5) The penalty for failure to comply with the requirements of this section is ninety-nine dollars. This penalty must be reduced to fifty-nine dollars if an individual provides proof of purchase of a discover pass to the court within fifteen days after the issuance of the notice of violation.

NEW SECTION. Sec. 4. A new section is added to chapter 79A.80 RCW to read as follows:

(1) By mutual agreement, the agencies may sell discounted discover passes at a rate below that established under RCW 79A.80.020 or discounted day-use permits at a rate below that established under RCW 79A.80.030 for purposes of bulk sales to retailers, agency license and permit product bundling, and partnership opportunities to expand accessibility and visibility of the discover pass and recreational opportunities on agency-managed lands.

(2) In exercising this authority, the agencies must prioritize opportunities for discounted sales that result in a net revenue gain."

Correct the title.

Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Johnson, Assistant Ranking Minority Member; Pike; Ryu; Santos and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member and Haler.

Referred to Committee on Appropriations Subcommittee on General Government.

March 26, 2013

SB 5318

Prime Sponsor, Senator Bailey: Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Pedersen.

Referred to Committee on Appropriations.

March 27, 2013

SB 5337

Prime Sponsor, Senator Pearson: Modifying expiration dates affecting the department of natural resources' timber sale program. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Kretz; Pettigrew; Schmick; Van De Wege and Warnick.

Referred to Committee on Appropriations.

March 26, 2013

SSB 5362

Prime Sponsor, Committee on Commerce & Labor: Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 26, 2013

SSB 5396

Prime Sponsor, Committee on Commerce & Labor: Concerning limited on-premise spirits sampling. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

SSB 5400 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Allowing utilities serving customers in Washington and in other states to use eligible renewable resources in their other states to comply with chapter 19.285 RCW, the energy independence act. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative McCoy, Vice Chair.

Passed to Committee on Rules for second reading.

SB 5408 Prime Sponsor, Senator Ericksen: Modifying the definition of nonpower attributes in the energy independence act. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

Passed to Committee on Rules for second reading.

SB 5446 Prime Sponsor, Senator Hobbs: Providing a process for the state auditor's office to apply for investigative subpoenas. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

ESSB 5491 Prime Sponsor, Committee on Early Learning & K-12 Education: Establishing statewide indicators of educational health. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature acknowledges that multiple entities, including the state board of education, the office of the superintendent of public instruction, the workforce training and education coordinating board, the quality education council, and the student achievement council, are actively working on efforts to identify measurable goals and priorities, road maps, and strategic plans for the entire educational system. It is not the legislature's intent to undermine or curtail the ongoing work of these groups. However, the legislature believes that a coordinated single set of statewide goals would help focus these efforts.

(2) It is, therefore, the intent of the legislature to establish a discrete set of statewide data points that will serve as snapshots of the overall health of the educational system and as a means for evaluating progress in achieving the outcomes set for the system and the students it serves. By monitoring these statewide indicators over time, it is the intent of the legislature to understand whether reform efforts and investments are making positive progress in the overall education of students and whether adjustments are necessary. Finally, it is the intent of the legislature to align the education reform efforts of each state education agency in order to hold each part of the system – statewide leaders, school personnel, and students – accountable to the same definitions of success.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.150 RCW to read as follows:

(1) The following statewide indicators of educational system health are established:

(a) The percentage of students demonstrating the characteristics of entering kindergartners in all six areas identified by the Washington kindergarten inventory of developing skills administered in accordance with RCW 28A.655.080;

(b) The percentage of students meeting the standard on the fourth grade statewide reading assessment administered in accordance with RCW 28A.655.070;

(c) The percentage of students meeting the standard on the eighth grade statewide mathematics assessment administered in accordance with RCW 28A.655.070;

(d) The four-year cohort high school graduation rate;

(e) The percentage of high school graduates who during the second quarter after graduation are either enrolled in postsecondary education or training or are employed, and the percentage during the fourth quarter after graduation who are either enrolled in postsecondary education or training or are employed; and

(f) The percentage of students enrolled in precollege or remedial courses in college.

(2) The statewide indicators established in subsection (1) of this section shall be disaggregated as provided under RCW 28A.300.042.

(3) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall establish a process for identifying realistic but challenging system-wide performance goals and measurements, if necessary, for each of the indicators established in subsection (1) of this section, including for subcategories of students as provided under subsection (2) of this section. The performance goal for each indicator must be set on a biennial basis, and may only be adjusted upward.

(4) The state board of education, the office of the superintendent of public instruction, and the student achievement council shall each align their strategic planning and education reform efforts with the statewide indicators and performance goals established under this section.

(5)(a) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the

student achievement council, shall submit a report on the status of each indicator in subsection (1) of this section and recommend revised performance goals and measurements, if necessary, by December 1st of each even-numbered year, except that the initial report establishing baseline values and initial goals shall be delivered to the education committees of the legislature by December 1, 2013.

(b) If the educational system is not on target to meet the performance goals on any individual indicator, the report must recommend evidence-based reforms intended to improve student achievement in that area.

(c) To the extent data is available, the performance goals for each indicator must be compared with national data in order to identify whether Washington student achievement results are within the top ten percent nationally or are comparable to results in peer states with similar characteristics as Washington. If comparison data show that Washington students are falling behind national peers on any indicator, the report must recommend evidence-based reforms targeted at addressing the indicator in question."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations Subcommittee on Education.

March 26, 2013

SSB 5507 Prime Sponsor, Committee on Governmental Operations: Increasing transparency of donors to candidates and ballot measures. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

On page 2, at the beginning of line 27, insert "The statement must be placed in a prominent position, such as on the cover or on the first two pages of the voters' pamphlet."

On page 2, beginning on line 35, strike all of section 3

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 4, beginning on line 22, after "section." strike all material through "materials" on line 26 and insert "Alternately, at the discretion of the county auditor or local election official, the statement required by this subsection (1)(b) may be printed in a prominent position on the ballot envelope and in the materials that accompany the ballot"

Correct the title.

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5517 Prime Sponsor, Committee on Commerce & Labor: Changing the criteria for the beer and wine tasting endorsement for grocery stores. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Blake; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5518 Prime Sponsor, Committee on Governmental Operations: Making nonsubstantive changes to election laws. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

March 27, 2013

SB 5541 Prime Sponsor, Senator Hobbs: Concerning the redemption of real property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jenkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 26, 2013

ESSB 5563 Prime Sponsor, Committee on Early Learning & K-12 Education: Regarding training for school employees in the prevention of sexual abuse. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

March 26, 2013

ESB 5620 Prime Sponsor, Senator King: Changing school safety-related drills. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

March 26, 2013

2SSB 5624 Prime Sponsor, Committee on Ways & Means: Aligning high-demand secondary STEM or career

and technical education programs with applied baccalaureate programs. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Hansen; Hargrove; Pedersen; Riccelli; Sawyer; Sells; Tarleton and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Zeiger, Assistant Ranking Minority Member; Fagan; Johnson; Magendanz; Scott; Smith and Walsh.

Referred to Committee on Appropriations Subcommittee on Education.

March 26, 2013

2ESB 5701 Prime Sponsor, Senator Brown: Authorizing the suspension or revocation of certificates or permits to teach based on the fraudulent submission of tests for educators. (REVISED FOR ENGROSSED: Authorizing penalties based on the fraudulent submission of tests for educators.) Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

March 26, 2013

SB 5712 Prime Sponsor, Senator Kohl-Welles: Encouraging community colleges to use, and inform students of the use of, multiple measures to determine the need for precollege courses. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

March 26, 2013

ESSB 5744 Prime Sponsor, Committee on Commerce & Labor: Monitoring the progress of the logger safety initiative. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that many Washington workers involved in manual logging in the logging industry suffer industrial injuries with greater frequency and severity than workers in other industries. The legislature further finds that the incidence and severity of injury is particularly high among young workers during the early periods of employment in manual logging.

The legislature recognizes the importance of improving safety performance in the logging industry to reduce industrial injuries for workers and resulting workers' compensation premium rates for employers. The legislature acknowledges that industry participants, including private land owners, timber industry employers, the department of natural resources, and the department of labor and industries, have formed a logger safety task force to develop and implement a logger safety initiative. The goal of the initiative is to reduce the frequency and severity of injuries in the logging industry. The task force will create a program that will establish sector-wide standards for worker training and supervision; establish a certification process for individual company safety programs; and review the progress of logging operations through mandatory performance-based audits. The legislature further recognizes that as the safety culture in the logging industry evolves, the frequency and severity of injuries will decrease, which will drive down industrial insurance costs for logging industry employers. While the industrial insurance costs will decline over time as safety improves, the legislature acknowledges that an immediate reduction in industrial insurance rates for the 2014 rate year for participating logging employers provides an additional incentive for these employers to commit to the logger safety initiative. Therefore, the legislature intends to monitor development and implementation of the logger safety initiative.

NEW SECTION. Sec. 2. A new section is added to chapter 51.04 RCW to read as follows:

(1) The department shall include one or more representatives of logging industry workers on the logger safety task force. In addition, the department shall reach out to all employers in the logging industry, including those having one or more on the job fatalities in the last five years, and invite them to participate in the logger safety initiative. All participants must comply with the requirements of the logger safety initiative.

(2) By December 31, 2013, the department shall report back to the appropriate committees of the legislature on the development and implementation of the logger safety initiative. The report shall provide a status update on implementation of the initiative and participation in the safety program, including a description and summary of the worker training and supervision standards and the certification process for individual companies. The report shall also contain a description and summary of any industrial insurance rate reduction or other incentive for rate year 2014 that will be applied to employers participating in the initiative. The report may provide recommendations for legislative consideration to further the goals of the initiative."

Correct the title.

Signed by Representatives Sells, Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 27, 2013

SSB 5786 Prime Sponsor, Committee on Natural Resources & Parks: Requiring certain information in commercial fishing guide license applications. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 77.65 RCW to read as follows:

(1) Any application for a food fish guide license under RCW 77.65.370 or game fish guide license under RCW 77.65.480 must include:

(a) The applicant's driver's license or other government-issued identification card number and the jurisdiction of issuance;

(b) The applicant's unified business identifier number under a master license issued under RCW 19.02.070;

(c) Proof of current certification in first aid and cardiopulmonary resuscitation;

(d) A certificate of insurance demonstrating that the applicant has commercial liability coverage of at least three hundred thousand dollars; and

(e) If applicable, an original or notarized copy of a valid license issued by the United States coast guard to the applicant that authorizes the holder to carry passengers for hire.

(2) The requirements of this section related to licensure by the United States coast guard apply only to applicants intending to carry passengers for hire with a motorized vessel on federally recognized navigable waters. The license issued by the United States coast guard must be valid in the waters where the game fish guide or food fish guide license applicant will be carrying passengers for hire in a motorized vessel.

(3) The requirements in this section are in addition to the requirements of RCW 77.65.050.

Sec. 2. RCW 77.65.480 and 2011 c 339 s 30 are each amended to read as follows:

(1) A taxidermy license allows the holder to practice taxidermy for commercial purposes, as that term is defined in RCW 77.15.110. The fee for this license is one hundred eighty dollars. The application fee is seventy dollars.

(2) A fur dealer's license allows the holder to purchase, receive, or resell raw furs for commercial purposes, as that term is defined in RCW 77.15.110. The fee for this license is one hundred eighty dollars. The application fee is seventy dollars.

(3) A game fish guide license allows the holder to offer or perform the services of a game fish guide in the taking of game fish. The fee for this license is one hundred eighty dollars for a resident and six hundred dollars for a nonresident. The application fee is seventy dollars. An application for a game fish guide license must include the information required in section 1 of this act.

(4) A game farm license allows the holder to operate a game farm to acquire, breed, grow, keep, and sell wildlife under conditions prescribed by the rules adopted pursuant to this title. The fee for this license is seventy-two dollars for the first year and forty-eight dollars for each following year. The application fee is seventy dollars.

(5) A game fish stocking permit allows the holder to release game fish into the waters of the state as prescribed by rule of the commission. The fee for this permit is twenty-four dollars. The application fee is seventy dollars.

(6) A fishing or field trial permit allows the holder to promote, conduct, hold, or sponsor a fishing or field trial contest in accordance with rules of the commission. The fee for a fishing contest permit is twenty-four dollars. The fee for a field trial contest permit is twenty-four dollars. The application fee is seventy dollars.

(7)(a) An anadromous game fish buyer's license allows the holder to purchase or sell steelhead trout and other anadromous game fish harvested by Indian fishers lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the director. The fee for this license is one hundred eighty dollars. The application fee is one hundred five dollars.

(b) An anadromous game fish buyer's license is not required for those businesses that buy steelhead trout and other anadromous game fish from Washington licensed game fish dealers and sell solely at retail.

Sec. 3. RCW 77.65.370 and 2009 c 333 s 8 are each amended to read as follows:

(1) A person shall not offer or perform the services of a food fish guide without a food fish guide license in the taking of food fish for personal use in freshwater rivers and streams, except that a charter boat license is required to operate a vessel from which a person may for a fee fish for food fish in state waters listed in RCW 77.65.150(4)(b).

(2) Only an individual at least sixteen years of age may hold a food fish guide license. No individual may hold more than one food fish guide license.

(3) An application for a food fish guide license must include the information required in section 1 of this act."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Kretz; Pettigrew; Schmick; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

March 26, 2013

SB 5810

Prime Sponsor, Senator Darneille: Allowing the department of corrections to exempt information contained in the internal database on security threat group data from dissemination under the public records act. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 72.09 RCW to read as follows:

(1) The special investigations services unit of the department may collect, evaluate, collate, and analyze data and specific investigative information concerning the existence, structure, activities, and operations of security threat groups, drugs, and violence within department facilities and the participants involved therein under the jurisdiction of the department.

(2) Security threat group data must be located in a centralized database of the department and must be used to maintain the safety and security of offenders, staff, facilities, and the public. The data compiled may aid in addressing violence reduction, illegal activities, and identification of offender separation or protection needs, and may be used to assist law enforcement agencies and prosecutors in developing evidence for purposes of criminal prosecution upon request.

(3) The security threat group database must only contain information directly related to an offender's security threat group affiliation or affiliations and activities.

(4) Those portions of records contained in the security threat group database that identify an individual or an individual security threat are exempt from public disclosure under chapter 42.56 RCW.

Sec. 2. RCW 42.56.240 and 2012 c 88 s 1 are each amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is

essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) The statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and e-mail address; ~~(and)~~

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; and

(10) Those portions of records contained in the security threat group database referenced in section 1 of this act that identify an individual or an individual security threat."

Correct the title.

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Assistant Ranking Minority Member; Kristiansen and Manweller.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5834 Prime Sponsor, Committee on Governmental Operations: Concerning veteran-owned businesses. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.60A.010 and 2010 1st sp.s. c 7 s 117 and 2010 c 5 s 2 are each reenacted and amended to read as follows:

As used in this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Committee" means the veterans affairs advisory committee.

(2) "Department" means the department of veterans affairs.

(3) "Director" means the director of the department of veterans affairs.

(4) "Goods and services" includes professional services and all other goods and services.

(5) "Procurement" means the purchase, lease, or rental of any goods or services.

(6) "State agency" includes the state of Washington and all agencies, departments, offices, divisions, boards, commissions, and correctional and other types of institutions.

(7) "Veteran-owned business" means a business that is certified by the department ((to be at least fifty-one percent owned and controlled by:

(a) A veteran as defined in RCW 41.04.007; or

(b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves)) under RCW 43.60A.190.

Sec. 2. RCW 43.60A.190 and 2008 c 187 s 1 are each amended to read as follows:

(1) The department shall:

(a) Develop and maintain a current list of veteran-owned businesses; and

(b) Make the list available on the department's public web site.

(2) To qualify as a veteran-owned business, the ~~((business must be at least fifty-one percent owned and controlled by))~~ department must certify that:

(a) ((A veteran as defined in RCW 41.04.007; or

(b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.)) The business is at least fifty-one percent owned and controlled:

(i) By a veteran as defined in this section; or

(ii) Jointly by a veteran and his or her spouse or domestic partner if the veteran is involved in the day-to-day business operations; and

(b) The state of Washington is where:

(i) The principal office of the business is located;

(ii) The veteran owner is a resident; or

(iii) All corporate officers are residents if the business is a corporation.

(3) To participate in the linked deposit program under chapter 43.86A RCW, a veteran-owned business qualified under this section must be certified by the department as a business:

(a) In which the veteran owner possesses and exercises sufficient expertise specifically in the business's field of operation to make decisions governing the long-term direction and the day-to-day operations of the business;

(b) That is organized for profit and performing a commercially useful function; and

(c) That meets the criteria for a small business concern as established under chapter 39.19 RCW.

(4) The department shall create a logo for the purpose of identifying veteran-owned businesses to the public. The department shall put the logo on an adhesive sticker or decal suitable for display in a business window and distribute the stickers or decals to veteran-owned businesses listed with the department.

(5)(a) Businesses may submit an application on a form prescribed by the department for inclusion on the list or to apply for certification under this section.

(b) The department must notify the state treasurer of veteran-owned businesses that are no longer certified under this section. The written notification to the state treasurer must contain information regarding the reasons for the decertification and information on financing provided to the veteran-owned business under RCW 43.86A.060.

(6) The department may adopt rules necessary to implement this section.

(7) For purposes of this section, "veteran" means:

(a) A person who meets the definition in RCW 41.04.007; or

(b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

Sec. 3. RCW 43.60A.195 and 2010 c 5 s 3 are each amended to read as follows:

(1) The department shall develop a procedure for certifying veteran-owned businesses and maintain a list of veteran-owned businesses ~~((on the department's public web site))~~ to be accessible for all state agencies and educational institutions. The department shall work with the department of enterprise services to provide access to a centralized list of certified veteran-owned businesses.

(2) The department shall adopt rules necessary to implement chapter 5, Laws of 2010. The department shall consult agencies to determine what specific information they must report to the department.

(3) The department ~~((shall collaborate with and may assist agencies in implementing outreach to veteran-owned businesses))~~ and the department of enterprise services shall work together to develop a comprehensive plan insuring that certified veteran-owned businesses are provided an opportunity to participate in public contracts for public works and goods and services.

Sec. 4. RCW 43.60A.200 and 2010 c 5 s 4 are each amended to read as follows:

(1) State agencies are encouraged to award ~~((three))~~ five percent of all procurement contracts ~~((that are exempt from competitive bidding requirements under RCW 43.19.1906(2)))~~ under chapters 39.04, 39.26, 39.80, and 47.28 RCW to veteran-owned businesses certified by the department under RCW 43.60A.195.

(2) State agencies shall:

(a) Perform outreach to veteran-owned businesses in collaboration with the department to increase opportunities for veteran-owned businesses to sell goods and services to the state; and

(b) ~~((Work to match))~~ Provide agency ~~((procurement))~~ contracting records with the department's database of certified veteran-owned businesses to establish how many procurement contracts are being awarded to those businesses."

Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENT

The Speaker (Representative Orwall presiding) announced the following committee appointment: Representative MacEwan was

appointed the Assistant Ranking Member of the Capital Budget Committee.

There being no objection, the House adjourned until 10:00 a.m., March 29, 2013, the 75th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY FIFTH DAY

House Chamber, Olympia, Friday, March 29, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by the Yakama Warriors Association Color Guard. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rex Puckhyahtoot Buck JR, Religious Leader for Wanapum of Priest Rapids.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4643, by Representatives Chopp, DeBolt, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, The Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with United States Armed Forces and South Vietnam; and

WHEREAS, Members of the United States Armed Forces began serving in an advisory role to the South Vietnamese in 1961; and

WHEREAS, Congress overwhelmingly passed the Gulf of Tonkin Resolution on August 7, 1964, which handed over war making powers to President Johnson until peace and security returned to Vietnam; and

WHEREAS, In 1965, United States Armed Forces ground combat units arrived in Vietnam; and

WHEREAS, By the end of 1965, there were eighty thousand United States troops in Vietnam, and by 1969 a peak of approximately five hundred forty-three thousand troops was reached; and

WHEREAS, On January 27, 1973, the Treaty of Paris was signed, requiring the release of all United States prisoners of war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam; and

WHEREAS, On March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam; and

WHEREAS, The Vietnam War was an extremely divisive issue among the people of the United States; and

WHEREAS, Members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were, upon their return home, caught in the crossfire of public debate about the involvement of the United States in the Vietnam War; and

WHEREAS, One thousand one hundred twenty-three members of the United States Armed Forces from Washington State were killed or were declared missing in action in Vietnam, and hundreds were wounded; and

WHEREAS, In 1987, the current Vietnam War Veterans Memorial was dedicated on the Washington state capitol grounds to commemorate the members of the United States Armed Forces from Washington State who died or were declared missing in action in Vietnam; and

WHEREAS, The establishment of a Washington state "Welcome Home Vietnam Veterans Day" would be a fitting way to honor our state's brave and loyal veterans who served in Vietnam during the war; and

WHEREAS, March 30, 2013, is an appropriate day to establish as "Welcome Home Vietnam Veterans Day";

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commemorate and honor the contributions of Washington state veterans of the Armed Forces who served in Vietnam, and encourage the people of Washington State to observe "Welcome Home Vietnam Veterans Day" with ceremonies and activities that promote awareness of the contributions of our Vietnam War veterans and the importance of helping them readjust to civilian life.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4643.

HOUSE RESOLUTION NO. 4643 was adopted.

HOUSE RESOLUTION NO. 2013-4632, by Representatives Bergquist and Hudgins

WHEREAS, On Saturday, March 2, the Cleveland High School Eagles women's basketball team faced the Seattle Prep High School Panthers for the State Championship game; and

WHEREAS, The Eagles won their last 25 games in a row heading into the championship game and had not lost a game in the state of Washington. Having been crowned Metro Champions and District Champions, they also had not lost a home game in two and a half seasons; and

WHEREAS, The Eagles won the championship game 45-43 in overtime, scored the game winning points with 18 seconds left on the clock, and capped an amazing season with a state championship; and

WHEREAS, The Eagles have also done a great deal to benefit their community. Over the last three years, they have held a community basketball camp designed for 3rd-8th grade students focusing on basketball and life skills and have hosted a toy drive for families in need in their community, resulting in several hundred boys and girls receiving gifts during the holidays; and

WHEREAS, Six players earned all-league awards, including Makala Roper, who also earned all-state recognition; and

WHEREAS, Coach Stephanie Wheeler-Smith, who was hired in 2008, turned the program into a contender and a two-time state champion during her tenure and, along with a tremendous coaching staff, focused on academic excellence and sportsmanship;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate the Cleveland High School women's basketball team for their fantastic play this season and their community involvement and work ethic off the court.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4632.

HOUSE RESOLUTION NO. 4632 was adopted.

HOUSE RESOLUTION NO. 2013-4634, by Representatives Pettigrew, Santos, and Maxwell

WHEREAS, The Rainier Beach High School Vikings men's basketball team won the 2013 state championship in overtime, scoring 62-59 against Lakeside High School in the Tacoma Dome on March 2nd; and

WHEREAS, Rainier Beach finished the year with 25 wins and only four losses, their second state championship in a row, and their sixth title since 1998; and

WHEREAS, Rainier Beach ended the season ranked number 1 in Washington, which they were ranked for much of the year, and 34th nationally; and

WHEREAS, Rainier Beach played Lakeside for the fourth time this year, beating them three times and losing once, and beating Franklin 73-59 in the semifinals; and

WHEREAS, There were four members selected for the very talented Metro All-Conference teams, including Washington State 3A Basketball Player of the Year Anrio Adams; and

WHEREAS, Rainier Beach High School Vikings men's basketball team has been a dominant force in Washington State high school basketball for the last two decades and has displayed outstanding sportsmanship through its success, advancing many players on to play college basketball and several players into the NBA; and

WHEREAS, Coach Mike "Falcon Eddie" Bethea won his Washington state record sixth state basketball championship since taking over during the 1993-1994 season, making him one of the most successful basketball coaches in Washington State history;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives join and congratulate the members of the 2013 Rainier Beach High School Vikings men's basketball team for their success this year in winning the Men's Basketball 3A state championship and for their continued success.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4634.

HOUSE RESOLUTION NO. 4634 was adopted.

INTRODUCTIONS AND FIRST READING

HB 2021 by Representatives O'Ban and Green

AN ACT Relating to streamlining hydraulic project approval for sediment removal by citizen volunteers; adding a new section to chapter 77.55 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

March 27, 2013

SSB 5135 Prime Sponsor, Committee on Law & Justice:
Concerning judicial proceedings and forms.
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 2.36.095 and 1993 c 408 s 8 are each amended to read as follows:

(1) Persons selected to serve on a petit jury, grand jury, or jury of inquest shall be summoned by mail or personal service. The county clerk shall issue summons and thereby notify persons selected for jury duty. The clerk may issue summons for any jury term, in any consecutive twelve-month period, at any time thirty days or more before the beginning of the jury term for which the summons are issued. However, when applicable, the provisions of RCW 2.36.130 apply.

(2) In courts of limited jurisdiction summons shall be issued by the court. Upon the agreement of the courts, the county clerk may summon jurors for any and all courts in the county or judicial district.

((3) The county clerk shall notify the county auditor of each summons for jury duty that is returned by the postal service as undeliverable.))

"**Sec. 2.** RCW 11.96A.090 and 1999 c 42 s 302 are each amended to read as follows:

(1) A judicial proceeding under this title is a special proceeding under the civil rules of court. The provisions of this title governing such actions control over any inconsistent provision of the civil rules.

(2) A judicial proceeding under this title ((may)) must be commenced as a new action ((or as an action incidental to an existing judicial proceeding relating to the same trust or estate or nonprobate asset)).

(3) Once commenced, the action may be consolidated with an existing proceeding ((or converted to a separate action)) upon the motion of a party for good cause shown, or by the court on its own motion.

(4) The procedural rules of court apply to judicial proceedings under this title only to the extent that they are consistent with this title, unless otherwise provided by statute or ordered by the court under RCW 11.96A.020 or 11.96A.050, or other applicable rules of court.

"**Sec. 3.** RCW 26.26.610 and 2002 c 302 s 533 are each amended to read as follows:

(1) On request of a party and for good cause shown, the court may close a proceeding under this section and RCW 26.26.500 through 26.26.605 and 26.26.615 through 26.26.630.

(2) A final order determining parentage in a proceeding under this section and RCW 26.26.500 through 26.26.605 and 26.26.615 through 26.26.630 is ~~((available for public inspection. Other papers and records are available only with the consent of the parties or on order of the court for good cause))~~ publicly accessible. Records entered prior to the entry of a final order determining parentage in a proceeding under this section and RCW 26.26.500 through 26.26.605 and 26.26.615 through 26.26.630 are accessible only to the parties or on order of the court for good cause.

(3) Except as provided by applicable court rules, records entered

after the entry of a final order determining parentage in a proceeding under this section and RCW 26.26.500 through 26.26.605 and 26.26.615 through 26.26.630 are publicly accessible."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 26, 2013

ESSB 5153 Prime Sponsor, Committee on Human Services & Corrections: Concerning transfers of clients between regional support networks. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 71.24 RCW to read as follows:

The regional support networks shall jointly develop a uniform transfer agreement to govern the transfer of clients between regional support networks. By September 1, 2013, the regional support networks shall submit the uniform transfer agreement to the department. By December 1, 2013, the department shall establish guidelines to implement the uniform transfer agreement and may modify the uniform transfer agreement as necessary to avoid impacts on state administrative systems."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 27, 2013

SSB 5165 Prime Sponsor, Committee on Law & Justice: Increasing the authority of superior court commissioners to hear and determine certain matters. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

March 27, 2013

SSB 5182 Prime Sponsor, Committee on Transportation: Addressing the disclosure of vehicle owner information. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne,

Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Transportation.

March 26, 2013

ESB 5206 Prime Sponsor, Senator Becker: Authorizing occupational therapists, occupational therapy assistants, dieticians, and nutritionists to participate in online access to the University of Washington health sciences library. (REVISED FOR ENGROSSED: Increasing the health professions participating in online access to the University of Washington health sciences library.) Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.70.110 and 2011 c 35 s 1 are each amended to read as follows:

(1) The secretary shall charge fees to the licensee for obtaining a license. Physicians regulated pursuant to chapter 18.71 RCW who reside and practice in Washington and obtain or renew a retired active license are exempt from such fees. After June 30, 1995, municipal corporations providing emergency medical care and transportation services pursuant to chapter 18.73 RCW shall be exempt from such fees, provided that such other emergency services shall only be charged for their pro rata share of the cost of licensure and inspection, if appropriate. The secretary may waive the fees when, in the discretion of the secretary, the fees would not be in the best interest of public health and safety, or when the fees would be to the financial disadvantage of the state.

(2) Except as provided in subsection (3) of this section, fees charged shall be based on, but shall not exceed, the cost to the department for the licensure of the activity or class of activities and may include costs of necessary inspection.

(3) License fees shall include amounts in addition to the cost of licensure activities in the following circumstances:

(a) For registered nurses and licensed practical nurses licensed under chapter 18.79 RCW, support of a central nursing resource center as provided in RCW 18.79.202, until June 30, 2013;

(b) For all health care providers licensed under RCW 18.130.040, the cost of regulatory activities for retired volunteer medical worker licensees as provided in RCW 18.130.360; and

(c) For physicians licensed under chapter 18.71 RCW, physician assistants licensed under chapter 18.71A RCW, osteopathic physicians licensed under chapter 18.57 RCW, osteopathic physicians' assistants licensed under chapter 18.57A RCW, naturopaths licensed under chapter 18.36A RCW, podiatrists licensed under chapter 18.22 RCW, chiropractors licensed under chapter 18.25 RCW, psychologists licensed under chapter 18.83 RCW, registered nurses and licensed practical nurses licensed under chapter 18.79 RCW, optometrists licensed under chapter 18.53 RCW, mental health counselors licensed under chapter 18.225 RCW, massage therapists licensed under chapter 18.108 RCW, clinical social workers licensed under chapter 18.225 RCW, midwives licensed under chapter 18.50 RCW((§)), licensed marriage and family therapists under chapter 18.225 RCW((§)), occupational therapists and occupational therapy assistants licensed under chapter 18.59 RCW, dietitians and nutritionists certified under chapter 18.138 RCW, speech-language pathologists licensed under chapter 18.35 RCW, and East Asian medicine practitioners licensed under chapter 18.06 RCW, the license

fees shall include up to an additional twenty- five dollars to be transferred by the department to the University of Washington for the purposes of RCW 43.70.112.

(4) Department of health advisory committees may review fees established by the secretary for licenses and comment upon the appropriateness of the level of such fees."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 26, 2013

SB 5216 Prime Sponsor, Senator Rolfes: Addressing long-term care insurance. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 27, 2013

ESB 5221 Prime Sponsor, Senator Kohl-Welles: Requiring notification of release of a person following dismissal of charges based on incompetence to stand trial. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 10.77.065 and 2012 c 256 s 4 are each amended to read as follows:

(1)(a)(i) The expert conducting the evaluation shall provide his or her report and recommendation to the court in which the criminal proceeding is pending. For a competency evaluation of a defendant who is released from custody, if the evaluation cannot be completed within twenty-one days due to a lack of cooperation by the defendant, the evaluator shall notify the court that he or she is unable to complete the evaluation because of such lack of cooperation.

(ii) A copy of the report and recommendation shall be provided to the designated mental health professional, the prosecuting attorney, the defense attorney, and the professional person at the local correctional facility where the defendant is being held, or if there is no professional person, to the person designated under (a)(iv) of this subsection. Upon request, the evaluator shall also provide copies of any source documents relevant to the evaluation to the designated mental health professional.

(iii) Any facility providing inpatient services related to competency shall discharge the defendant as soon as the facility determines that the defendant is competent to stand trial. Discharge shall not be postponed during the writing and distribution of the evaluation report. Distribution of an evaluation report by a facility providing inpatient services shall ordinarily be accomplished within two working days or less following the final evaluation of the defendant. If the defendant is discharged to the custody of a local correctional facility, the local correctional facility must continue the medication regimen prescribed by the facility, when clinically

appropriate, unless the defendant refuses to cooperate with medication.

(iv) If there is no professional person at the local correctional facility, the local correctional facility shall designate a professional person as defined in RCW 71.05.020 or, in cooperation with the regional support network, a professional person at the regional support network to receive the report and recommendation.

(v) Upon commencement of a defendant's evaluation in the local correctional facility, the local correctional facility must notify the evaluator of the name of the professional person, or person designated under (a)(iv) of this subsection, to receive the report and recommendation.

(b) If the evaluator concludes, under RCW 10.77.060(3)(f), the person should be evaluated by a designated mental health professional under chapter 71.05 RCW, the court shall order such evaluation be conducted prior to release from confinement when the person is acquitted or convicted and sentenced to confinement for twenty-four months or less, or when charges are dismissed pursuant to a finding of incompetent to stand trial.

(2) The designated mental health professional shall provide written notification within twenty-four hours of the results of the determination whether to commence proceedings under chapter 71.05 RCW. The notification shall be provided to the persons identified in subsection (1)(a) of this section.

(3) The prosecuting attorney shall provide a copy of the results of any proceedings commenced by the designated mental health professional under subsection (2) of this section to the secretary.

(4) A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)(b)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notification to the prosecuting attorney and defense attorney. The notification must be provided on a business day and at least twenty-four hours prior to the person's release.

(5) The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services under this chapter may also be disclosed to the courts solely to prevent the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 27, 2013

SSB 5264 Prime Sponsor, Committee on Transportation: Concerning the transportation and storage of certain explosive devices. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 27, 2013

SSB 5282 Prime Sponsor, Committee on Human Services & Corrections: Creating a statewide database of mental health commitment information. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The department of licensing, Washington state patrol, department of social and health services, administrative office of the courts, and representatives of regional support networks and superior courts shall participate in a work group convened by the department of licensing for the purpose of making a proposal for consolidation of statewide involuntary commitment information for the purpose of accurate and efficient verification of eligibility to possess a firearm. The work group shall also make recommendations with respect to how to maintain the privacy of commitment information and whether access to the database can legally be provided to designated mental health professionals or law enforcement officials for use in the official course of their duties. The work group shall report its recommendations to the governor and the appropriate committees of the legislature by December 1, 2013.

NEW SECTION. Sec. 2. A new section is added to chapter 71.05 RCW to read as follows:

By August 1, 2013, all regional support networks in the state of Washington must forward historical mental health involuntary commitment information retained by the organization including identifying information and dates of commitment to the department. As soon as feasible, the regional support networks must arrange to report new commitment data to the department within twenty-four hours. Commitment information under this section does not need to be resent if it is already in the possession of the department. Regional support networks and the department shall be immune from liability related to the sharing of commitment information under this section."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5332 Prime Sponsor, Committee on Governmental Operations: Modifying the percentage of votes required to continue benefit charges for fire protection districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Liias; Springer and Uptegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member and Buys.

Referred to Committee on Finance.

March 27, 2013

ESSB 5338 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Addressing nonprofit debt adjusters. (REVISED FOR ENGROSSED: Addressing debt adjuster compensation.) Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5411 Prime Sponsor, Senator Rolfes: Requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Kristiansen; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5416 Prime Sponsor, Committee on Health Care: Concerning prescription information. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

SSB 5434 Prime Sponsor, Committee on Health Care: Addressing the filing and public disclosure of health care provider compensation. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

On page 6, after line 32, insert the following:

"Sec. 4. RCW 42.56.400 and 2012 2nd sp.s. c 3 s 8 are each amended to read as follows:

The following information relating to insurance and financial institutions is exempt from disclosure under this chapter:

(1) Records maintained by the board of industrial insurance appeals that are related to appeals of crime victims' compensation claims filed with the board under RCW 7.68.110;

(2) Information obtained and exempted or withheld from public inspection by the health care authority under RCW 41.05.026, whether retained by the authority, transferred to another state purchased health care program by the authority, or transferred by the authority to a technical review committee created to facilitate the development, acquisition, or implementation of state purchased health care under chapter 41.05 RCW;

(3) The names and individual identification data of either all owners or all insureds, or both, received by the insurance commissioner under chapter 48.102 RCW;

(4) Information provided under RCW 48.30A.045 through 48.30A.060;

(5) Information provided under RCW 48.05.510 through 48.05.535, 48.43.200 through 48.43.225, 48.44.530 through 48.44.555, and 48.46.600 through 48.46.625;

(6) Examination reports and information obtained by the department of financial institutions from banks under RCW 30.04.075, from savings banks under RCW 32.04.220, from savings and loan associations under RCW 33.04.110, from credit unions under RCW 31.12.565, from check cashers and sellers under RCW 31.45.030(3), and from securities brokers and investment advisers under RCW 21.20.100, all of which is confidential and privileged information;

(7) Information provided to the insurance commissioner under RCW 48.110.040(3);

(8) Documents, materials, or information obtained by the insurance commissioner under RCW 48.02.065, all of which are confidential and privileged;

(9) Confidential proprietary and trade secret information provided to the commissioner under RCW 48.31C.020 through 48.31C.050 and 48.31C.070;

(10) Data filed under RCW 48.140.020, 48.140.030, 48.140.050, and 7.70.140 that, alone or in combination with any other data, may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self-insurer involved in a particular claim or a collection of claims. For the purposes of this subsection:

(a) "Claimant" has the same meaning as in RCW 48.140.010(2).

(b) "Health care facility" has the same meaning as in RCW 48.140.010(6).

(c) "Health care provider" has the same meaning as in RCW 48.140.010(7).

(d) "Insuring entity" has the same meaning as in RCW 48.140.010(8).

(e) "Self-insurer" has the same meaning as in RCW 48.140.010(11);

(11) Documents, materials, or information obtained by the insurance commissioner under RCW 48.135.060;

(12) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.060;

(13) Confidential and privileged documents obtained or produced by the insurance commissioner and identified in RCW 48.37.080;

(14) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.140;

(15) Documents, materials, or information obtained by the insurance commissioner under RCW 48.17.595;

(16) Documents, materials, or information obtained by the insurance commissioner under RCW 48.102.051(1) and 48.102.140(3) and (7)(a)(ii);

(17) Documents, materials, or information obtained by the insurance commissioner in the commissioner's capacity as receiver under RCW 48.31.025 and 48.99.017, which are records under the jurisdiction and control of the receivership court. The commissioner is not required to search for, log, produce, or otherwise comply with the public records act for any records that the commissioner obtains under chapters 48.31 and 48.99 RCW in the commissioner's capacity as a receiver, except as directed by the receivership court;

(18) Documents, materials, or information obtained by the insurance commissioner under RCW 48.13.151;

(19) Data, information, and documents provided by a carrier pursuant to section 1, chapter 172, Laws of 2010;

(20) Information in a filing of usage-based insurance about the usage-based component of the rate pursuant to RCW 48.19.040(5)(b); ~~(and)~~

(21) Data, information, and documents, other than those described in RCW 48.02.210(2), that are submitted to the office of the insurance commissioner by an entity providing health care coverage pursuant to RCW 28A.400.275 and 48.02.210; and

(22) Information not subject to public inspection or public disclosure under section 1(5) of this act."

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5444 Prime Sponsor, Committee on Governmental Operations: Concerning the administration of taxes regarding publicly owned property. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Finance.

March 26, 2013

ESSB 5449 Prime Sponsor, Committee on Health Care: Addressing the Washington state health insurance pool. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The federal patient protection and affordable care act of 2010, P.L. 111-148, as amended, prohibits the imposition of any preexisting condition coverage exceptions in the individual market for insurance coverage beginning January 1, 2014. The affordable care act also extends opportunities for individuals to enroll in comprehensive coverage in a health benefit exchange beginning January 1, 2014. The legislature finds that some individuals may still be barred from enrolling in the new comprehensive coverage options and it is the intent of the legislature to continue some limited access to the Washington state health insurance pool for a transitional period, and to provide for modification to the pool to reflect changes in federal law and insurance availability.

Sec. 2. RCW 48.41.060 and 2011 c 314 s 13 are each amended to read as follows:

(1) The board shall have the general powers and authority granted under the laws of this state to insurance companies, health care service contractors, and health maintenance organizations, licensed or registered to offer or provide the kinds of health coverage defined under this title. In addition thereto, the board shall:

(a) ~~((Designate or establish the standard health questionnaire to be used under RCW 48.41.100 and 48.43.018, including the form and content of the standard health questionnaire and the method of its application. The questionnaire must provide for an objective evaluation of an individual's health status by assigning a discrete measure, such as a system of point scoring to each individual. The questionnaire must not contain any questions related to pregnancy, and pregnancy shall not be a basis for coverage by the pool. The questionnaire shall be designed such that it is reasonably expected to~~

identify the eight percent of persons who are the most costly to treat who are under individual coverage in health benefit plans, as defined in RCW 48.43.005, in Washington state or are covered by the pool, if applied to all such persons;

—(b) Obtain from a member of the American academy of actuaries, who is independent of the board, a certification that the standard health questionnaire meets the requirements of (a) of this subsection;

—(c) Approve the standard health questionnaire and any modifications needed to comply with this chapter. The standard health questionnaire shall be submitted to an actuary for certification, modified as necessary, and approved at least every thirty-six months unless at the time when certification is required the pool will be discontinued before the end of the succeeding thirty-six month period. The designation and approval of the standard health questionnaire by the board shall not be subject to review and approval by the commissioner. The standard health questionnaire or any modification thereto shall not be used until ninety days after public notice of the approval of the questionnaire or any modification thereto, except that the initial standard health questionnaire approved for use by the board after March 23, 2000, may be used immediately following public notice of such approval;

—(d)) Establish appropriate rates, rate schedules, rate adjustments, expense allowances, claim reserve formulas and any other actuarial functions appropriate to the operation of the pool. Rates shall not be unreasonable in relation to the coverage provided, the risk experience, and expenses of providing the coverage. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim costs and shall take into consideration appropriate risk factors in accordance with established actuarial underwriting practices consistent with Washington state individual plan rating requirements under RCW 48.44.022 and 48.46.064;

((e)) (b)(i) Assess members of the pool in accordance with the provisions of this chapter, and make advance interim assessments as may be reasonable and necessary for the organizational or interim operating expenses. Any interim assessments will be credited as offsets against any regular assessments due following the close of the year.

(ii) Self-funded multiple employer welfare arrangements are subject to assessment under this subsection only in the event that assessments are not preempted by the employee retirement income security act of 1974, as amended, 29 U.S.C. Sec. 1001 et seq. The arrangements and the commissioner shall initially request an advisory opinion from the United States department of labor or obtain a declaratory ruling from a federal court on the legality of imposing assessments on these arrangements before imposing the assessment. Once the legality of the assessments has been determined, the multiple employer welfare arrangement certified by the insurance commissioner must begin payment of these assessments.

(iii) If there has not been a final determination of the legality of these assessments, then beginning on the earlier of (A) the date the fourth multiple employer welfare arrangement has been certified by the insurance commissioner, or (B) April 1, 2006, the arrangement shall deposit the assessments imposed by this subsection into an interest bearing escrow account maintained by the arrangement. Upon a final determination that the assessments are not preempted by the employee retirement income security act of 1974, as amended, 29 U.S.C. Sec. 1001 et seq., all funds in the interest bearing escrow account shall be transferred to the board;

((f)) (c) Issue policies of health coverage in accordance with the requirements of this chapter;

((g)) (d) Establish procedures for the administration of the premium discount provided under RCW 48.41.200(3)(a)(iii);

((h)) (e) Contract with the Washington state health care authority for the administration of the premium discounts provided under RCW 48.41.200(3)(a) (i) and (ii);

((i)) (f) Set a reasonable fee to be paid to an insurance producer licensed in Washington state for submitting an acceptable application for enrollment in the pool; and

((j)) (g) Provide certification to the commissioner when assessments will exceed the threshold level established in RCW 48.41.037.

(2) In addition thereto, the board may:

(a) Enter into contracts as are necessary or proper to carry out the provisions and purposes of this chapter including the authority, with the approval of the commissioner, to enter into contracts with similar pools of other states for the joint performance of common administrative functions, or with persons or other organizations for the performance of administrative functions;

(b) Sue or be sued, including taking any legal action as necessary to avoid the payment of improper claims against the pool or the coverage provided by or through the pool;

(c) Appoint appropriate legal, actuarial, and other committees as necessary to provide technical assistance in the operation of the pool, policy, and other contract design, and any other function within the authority of the pool; and

(d) Conduct periodic audits to assure the general accuracy of the financial data submitted to the pool, and the board shall cause the pool to have an annual audit of its operations by an independent certified public accountant.

(3) Nothing in this section shall be construed to require or authorize the adoption of rules under chapter 34.05 RCW.

Sec. 3. RCW 48.41.100 and 2011 c 315 s 5 and 2011 c 314 s 15 are each reenacted and amended to read as follows:

(1)(a) The following persons who are residents of this state are eligible for pool coverage:

(i) ~~(Any person who provides evidence of a carrier's decision not to accept him or her for enrollment in an individual health benefit plan as defined in RCW 48.43.005 based upon, and within ninety days of the receipt of, the results of the standard health questionnaire designated by the board and administered by health carriers under RCW 48.43.018;~~

~~—(ii) Any person who continues to be eligible for pool coverage based upon the results of the standard health questionnaire designated by the board and administered by the pool administrator pursuant to subsection (3) of this section;~~

~~—(iii) Any person who resides in a county of the state where no carrier or insurer eligible under chapter 48.15 RCW offers to the public an individual health benefit plan other than a catastrophic health plan as defined in RCW 48.43.005 at the time of application to the pool, and who makes direct application to the pool.) Any resident of the state not eligible for medicare coverage or medicaid coverage, and residing in a county where an individual health plan other than a catastrophic health plan as defined in RCW 48.43.005 is not offered to the resident during defined open enrollment or special enrollment periods at the time of application to the pool, whether through the health benefit exchange operated pursuant to chapter 43.71 RCW or in the private insurance market, and who makes application to the pool for coverage prior to December 31, 2017;~~

~~(ii) Any resident of the state not eligible for medicare coverage, enrolled in the pool prior to December 31, 2013, shall remain eligible for pool coverage except as provided in subsections (2) and (3) of this section through December 31, 2017;~~

((k)) (iii) Any person becoming eligible for medicare before August 1, 2009, who provides evidence of (A) a rejection for medical reasons, (B) a requirement of restrictive riders, (C) an up-rated premium, (D) a preexisting conditions limitation, or (E) lack of access to or for a comprehensive medicare supplemental insurance policy under chapter 48.66 RCW, the effect of any of which is to substantially reduce coverage from that received by a person considered a standard risk by at least one member within six months of the date of application; and

~~((+))~~ (iv) Any person becoming eligible for medicare on or after August 1, 2009, who does not have access to a reasonable choice of comprehensive medicare part C plans, as defined in (b) of this subsection, and who provides evidence of (A) a rejection for medical reasons, (B) a requirement of restrictive riders, (C) an up-rated premium, (D) a preexisting conditions limitation, or (E) lack of access to or for a comprehensive medicare supplemental insurance policy under chapter 48.66 RCW, the effect of any of which is to substantially reduce coverage from that received by a person considered a standard risk by at least one member within six months of the date of application~~((+))~~

~~(vi) Any person under the age of nineteen who does not have access to individual plan open enrollment or special enrollment, as defined in RCW 48.43.005, or the federal preexisting condition insurance pool, at the time of application to the pool is eligible for the pool coverage).~~

(b) For purposes of (a)(i) of this subsection, by December 1, 2013, the board shall develop and implement a process to determine an applicant's eligibility based on the criteria specified in (a)(i) of this subsection.

(c) For purposes of ~~((+))~~(iv) of this subsection (1), a person does not have access to a reasonable choice of plans unless the person has a choice of health maintenance organization or preferred provider organization medicare part C plans offered by at least three different carriers that have had provider networks in the person's county of residence for at least five years. The plan options must include coverage at least as comprehensive as a plan F medicare supplement plan combined with medicare parts A and B. The plan options must also provide access to adequate and stable provider networks that make up-to-date provider directories easily accessible on the carrier web site, and will provide them in hard copy, if requested. In addition, if no health maintenance organization or preferred provider organization plan includes the health care provider with whom the person has an established care relationship and from whom he or she has received treatment within the past twelve months, the person does not have reasonable access.

(2) The following persons are not eligible for coverage by the pool:

(a) Any person having terminated coverage in the pool unless (i) twelve months have lapsed since termination, or (ii) that person can show continuous other coverage which has been involuntarily terminated for any reason other than nonpayment of premiums. However, these exclusions do not apply to eligible individuals as defined in section 2741(b) of the federal health insurance portability and accountability act of 1996 (42 U.S.C. Sec. 300gg-41(b));

(b) Inmates of public institutions and those persons who become eligible for medical assistance after June 30, 2008, as defined in RCW 74.09.010. However, these exclusions do not apply to eligible individuals as defined in section 2741(b) of the federal health insurance portability and accountability act of 1996 (42 U.S.C. Sec. 300gg-41(b))~~((+))~~

~~(c) Any person who resides in a county of the state where any carrier or insurer regulated under chapter 48.15 RCW offers to the public an individual health benefit plan other than a catastrophic health plan as defined in RCW 48.43.005 at the time of application to the pool and who does not qualify for pool coverage based upon the results of the standard health questionnaire, or pursuant to subsection (1)(a)(iv) of this section).~~

(3) When a carrier or insurer regulated under chapter 48.15 RCW begins to offer an individual health benefit plan in a county where no carrier had been offering an individual health benefit plan:

(a) If the health benefit plan offered is other than a catastrophic health plan as defined in RCW 48.43.005, any person enrolled in a pool plan pursuant to subsection (1)(a)~~((+))~~ (i) of this section in that county shall no longer be eligible for coverage under that plan pursuant to subsection (1)(a)~~((+))~~ (i) of this section~~((+))~~ but may

~~continue to be eligible for pool coverage based upon the results of the standard health questionnaire designated by the board and administered by the pool administrator. The pool administrator shall offer to administer the questionnaire to each person no longer eligible for coverage under subsection (1)(a)(iii) of this section within thirty days of determining that he or she is no longer eligible;~~

~~(b) Losing eligibility for pool coverage under this subsection (3) does not affect a person's eligibility for pool coverage under subsection (1)(a)(i), (ii), or (iv) of this section); and~~

~~((+)) (b) The pool administrator shall provide written notice to any person who is no longer eligible for coverage under a pool plan under this subsection (3) within thirty days of the administrator's determination that the person is no longer eligible. The notice shall: (i) Indicate that coverage under the plan will cease ninety days from the date that the notice is dated; (ii) describe any other coverage options, either in or outside of the pool, available to the person; and (iii) describe the ((procedures for the administration of the standard health questionnaire to determine the person's continued eligibility for coverage under subsection (1)(a)(ii) of this section; and (iv) describe the)) enrollment process for the available options outside of the pool.~~

~~((4) The board shall ensure that an independent analysis of the eligibility standards for the pool coverage is conducted, including examining the eight percent eligibility threshold, eligibility for medicare enrollees and other publicly sponsored enrollees, and the impacts on the pool and the state budget. The board shall report the findings to the legislature by December 1, 2007.)~~

Sec. 4. RCW 48.41.160 and 2007 c 259 s 27 are each amended to read as follows:

(1) On or before December 31, 2007, the pool shall cancel all existing pool policies and replace them with policies that are identical to the existing policies except for the inclusion of a provision providing for a guarantee of the continuity of coverage consistent with this section. As a means to minimize the number of policy changes for enrollees, replacement policies provided under this subsection also may include the plan modifications authorized in RCW 48.41.100, 48.41.110, and 48.41.120.

(2) A pool policy shall contain a guarantee of the individual's right to continued coverage, subject to the provisions of subsections (4) ~~((and))~~, (5), (7), and (8) of this section.

(3) The guarantee of continuity of coverage required by this section shall not prevent the pool from canceling or nonrenewing a policy for:

- (a) Nonpayment of premium;
- (b) Violation of published policies of the pool;
- (c) Failure of a covered person who becomes eligible for medicare benefits by reason of age to apply for a pool medical supplement plan, or a medicare supplement plan or other similar plan offered by a carrier pursuant to federal laws and regulations;
- (d) Failure of a covered person to pay any deductible or copayment amount owed to the pool and not the provider of health care services;
- (e) Covered persons committing fraudulent acts as to the pool;
- (f) Covered persons materially breaching the pool policy; or
- (g) Changes adopted to federal or state laws when such changes no longer permit the continued offering of such coverage.

(4)(a) The guarantee of continuity of coverage provided by this section requires that if the pool replaces a plan, it must make the replacement plan available to all individuals in the plan being replaced. The replacement plan must include all of the services covered under the replaced plan, and must not significantly limit access to the kind of services covered under the replacement plan through unreasonable cost-sharing requirements or otherwise. The pool may also allow individuals who are covered by a plan that is being replaced an unrestricted right to transfer to a fully comparable plan.

(b) The guarantee of continuity of coverage provided by this section requires that if the pool discontinues offering a plan: (i) The pool must provide notice to each individual of the discontinuation at least ninety days prior to the date of the discontinuation; (ii) the pool must offer to each individual provided coverage under the discontinued plan the option to enroll in any other plan currently offered by the pool for which the individual is otherwise eligible; and (iii) in exercising the option to discontinue a plan and in offering the option of coverage under (b)(ii) of this subsection, the pool must act uniformly without regard to any health status-related factor of enrolled individuals or individuals who may become eligible for this coverage.

(c) The pool cannot replace or discontinue a plan under this subsection (4) until it has completed an evaluation of the impact of replacing the plan upon:

- (i) The cost and quality of care to pool enrollees;
- (ii) Pool financing and enrollment;
- (iii) The board's ability to offer comprehensive and other plans to its enrollees;
- (iv) Other items identified by the board.

In its evaluation, the board must request input from the constituents represented by the board members.

(d) The guarantee of continuity of coverage provided by this section does not apply if the pool has zero enrollment in a plan.

(5) The pool may not change the rates for pool policies except on a class basis, with a clear disclosure in the policy of the pool's right to do so.

(6) A pool policy offered under this chapter shall provide that, upon the death of the individual in whose name the policy is issued, every other individual then covered under the policy may elect, within a period specified in the policy, to continue coverage under the same or a different policy.

(7) All pool policies issued on or after January 1, 2014, must reflect the new eligibility requirements of RCW 48.41.100 and contain a statement of the intent to discontinue the pool coverage on December 31, 2017, under pool nonmedicare plans.

(8) Pool policies issued prior to January 1, 2014, shall be modified effective January 1, 2013, consistent with subsection (3)(g) of this section, and contain a statement of the intent to discontinue pool coverage on December 31, 2017, under pool nonmedicare plans.

(9) The pool shall discontinue all nonmedicare pool plans effective December 31, 2017.

Sec. 5. RCW 48.41.240 and 2012 c 87 s 17 are each amended to read as follows:

(1) The board shall review populations that may need ongoing access to coverage through the pool, with specific attention to those persons who may be excluded from or may receive inadequate coverage beginning January 1, 2014, such as persons with end-stage renal disease or HIV/AIDS, or persons not eligible for coverage in the exchange.

(2) If the review under subsection (1) of this section indicates a continued need for coverage through the pool after December 31, 2013, the board shall submit recommendations regarding any modifications to pool eligibility requirements for new and ongoing enrollment after December 31, 2013. The recommendations must address any needed modifications to the standard health questionnaire or other eligibility screening tool that could be used in a manner consistent with federal law to determine eligibility for enrollment in the pool.

(3) The board shall complete an analysis of current pool assessment requirements in relation to assessments that will fund the reinsurance program and recommend changes to pool assessments or any credits against assessments that may be considered for the reinsurance program. The analysis shall recommend whether the categories of members paying assessments should be adjusted to make the assessment fair and equitable among all payers.

(4) The board shall report its recommendations to the governor and the legislature by December 1, 2012.

(5) The board shall revisit the study of eligibility completed in 2012 with another review of the populations that may need ongoing access to coverage through the pool, to be submitted to the governor and legislature by November 1, 2015. The eligibility study shall include the nonmedicare populations scheduled to lose coverage and medicare populations, and consider whether the enrollees have access to comprehensive coverage alternatives that include appropriate pharmacy coverage. The study shall include recommendations to address any barriers in eligibility that remain in accessing other coverage such as medicare supplemental coverage or comprehensive pharmacy coverage, as well as suggestions for financing changes and recommendations on a future expiration of the pool.

NEW SECTION. Sec. 6. Sections 2 and 3 of this act take effect January 1, 2014."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 27, 2013

SB 5472 Prime Sponsor, Senator Bailey: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

March 27, 2013

ESSB 5480 Prime Sponsor, Committee on Human Services & Corrections: Accelerating changes to mental health involuntary commitment laws. (REVISED FOR ENGROSSED: Concerning mental health involuntary commitment laws.) Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** 2011 2nd sp.s. c 6 s 1 (uncodified) is amended to read as follows:

Sections 2 and 3 of this act take effect July 1, ((2015)) 2014.

Sec. 2. 2011 2nd sp.s. c 6 s 3 (uncodified) is amended to read as follows:

Section 2 of this act expires July 1, ((2015)) 2014."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations.

March 26, 2013

SSB 5524 Prime Sponsor, Committee on Health Care: Authorizing Washington pharmacies to fill prescriptions written by physician assistants in other states. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

2SSB 5540 Prime Sponsor, Committee on Ways & Means: Expanding opportunities to purchase health care coverage from out-of-state carriers. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Qualifying reciprocal insurer" means a foreign insurer that:

(a) Meets the definition of "issuer" pursuant to P.L. 111-148 of 2010, as amended;

(b) Is authorized in a state that is a member of the consortium authorized in section 4 of this act;

(c) Proposes to sell in Washington only a qualifying reciprocal plan;

(d) Has and maintains total adjusted capital that is greater than three times its authorized control level risk-based capital; and

(e) To the extent required by the reciprocity agreement between the primary state of issue and the commissioner, complies with state laws applicable to issuers in the state of Washington.

(2) "Qualifying reciprocal plan" means a plan that:

(a) Contains an essential health benefits package that is substantially equal to the essential health benefit benchmark plan designated pursuant to RCW 48.43.715 and provides minimum essential coverage as required by P.L. 111-148 of 2010, as amended;

(b) Has been approved by a state regulator for a state with which the commissioner has a reciprocity agreement;

(c) Is not a health savings account or qualified high deductible health plan; and

(d) Complies with the market rules established in RCW 48.43.700 and 48.43.705.

"NEW SECTION. Sec. 2. (1) Each qualifying reciprocal plan issued or renewed must contain the following declaration in bold face type at the beginning of the document:

"The benefits in this policy may not include each of the benefits required by the state of Washington. (Name of state) initially approved this policy for sale, and the benefit requirements of that state are reflected in the policy. The rates applied to calculate premium were not approved by the state of Washington, but by (Name of state). Those requirements may be different from the requirements for policies approved by Washington. Please consult your insurance agent or insurer to determine which health benefits are covered under the policy."

(2) Each qualifying reciprocal insurer offering a qualifying reciprocal plan must provide applicants with a written side by side comparison of health benefits under the plan, including differences in definition of each benefit between Washington law and the law of the

approving state, whether the benefit is required under Washington law, and the difference in the premium rate due to the difference in state laws. Where a producer is offering the plan to an applicant, the producer must provide the written comparison.

(3) A qualifying reciprocal insurer offering qualifying reciprocal plans must offer the plan through producers licensed under chapter 48.17 RCW. Electronic marketing and sales of out-of-state policies are permitted under this section.

"NEW SECTION. Sec. 3. (1) A qualifying reciprocal plan must use a premium rate schedule approved by its state of issue for the plan, and apply the standards for calculating the premium required by the United States department of health and human services for out-of-state coverage.

(2) The premium rate schedule for a qualifying reciprocal plan may not be adjusted more frequently than once a year.

(3) A qualifying reciprocal plan may only be offered in the small group market in Washington.

(4) A qualifying reciprocal plan is not required to include health benefit mandates required under this title that are not included in the qualifying reciprocal plan.

(5) A qualifying reciprocal plan must be filed with the commissioner for approval prior to use pursuant to RCW 48.18.100. The commissioner shall approve the plan for use in Washington state if the plan meets the requirements of this chapter and shall disapprove it if it does not. When determining whether the qualifying reciprocal plan contains an essential health benefits package that is substantially equal to the essential health benefit benchmark plan designated pursuant to RCW 48.43.715, the commissioner shall utilize the same standards and procedures applicable to carriers licensed in Washington. The commissioner may not rely upon the determination of a member consortium state as to whether the qualifying reciprocal plan contains an essential health benefits package substantially equal to the essential health benefit benchmark plan designated pursuant to RCW 48.43.715.

(6) Except as provided in this section, RCW 48.18.110 may not be grounds for disapproval of a qualifying reciprocal plan.

(7) To the extent consistent with federal law, and except as provided in this chapter, the requirements of chapter 48.43 RCW do not apply to a qualifying reciprocal plan.

"NEW SECTION. Sec. 4. (1) Beginning July 1, 2015, the commissioner is authorized to contract with other states to establish and operate a consortium formed through written agreement governing the sale to small groups of a qualifying reciprocal plan, by qualifying reciprocal insurers admitted in one of the states in the consortium. A reciprocity agreement must be executed between the commissioner and the appropriate entity in a participating state prior to the offer and issue of a qualifying reciprocal plan under this chapter. The consortium is not intended to operate as a compact.

(2) The commissioner may not enter into a reciprocity agreement until the commissioner has identified a minimum of five states whose regulatory requirements for the offer and issue of health benefit plans meets or exceeds those of Washington in the areas of network adequacy, consumer protection, marketing requirements, and claims adjudication and processing. The consortium may commence with a reciprocity agreement with just one of the states.

(3) A state may not join the consortium if it has admitted two or more issuers domiciled in Washington that offer health benefit plans, unless five or more other states have joined the consortium.

(4) The commissioner may enter into separate reciprocity agreements, or one uniform agreement. Each reciprocity agreement must establish rules for the management of consumer questions and complaints related to health benefit plans approved by one member state but sold in another. The commissioner may adopt rules to implement consortium rules as necessary to comply with the consortium agreement.

(5) Consortium member states must agree to provide the commissioner with a list of approved qualifying reciprocal plans that meet the standards under this chapter, and their premium rate schedules as they are approved. If a qualifying reciprocity plan is disapproved or otherwise removed from the market pursuant to regulatory action or order, the primary state of issue must notify the commissioner of this action.

(6) The reciprocity agreement must establish a mechanism for payment of premium tax pursuant to chapter 48.14 RCW, payment of regulatory surcharge pursuant to RCW 48.02.190, and collection of any reinsurance or risk adjustment assessments that would otherwise be applicable but for the domicile of the selling insurer.

(7) Qualifying reciprocal insurers must inform each consortium state in writing of the intent to offer a qualifying reciprocal policy in a state not less than sixty days prior to the first date of offer. Reciprocity consortium member states may establish additional requirements for notification and offer applicable to that state.

(8) The commissioner may enter into one or more personal services contracts with third-party contractors to provide services necessary to accomplish the commissioner's responsibilities under this act.

NEW SECTION. Sec. 5. A qualifying reciprocal plan may be certified as a qualified health plan through the exchange only if it, and its qualifying reciprocal insurer, meet the requirements of the exchange for certification as a qualified health plan, and if the plan follows the market rules established in RCW 48.43.700.

NEW SECTION. Sec. 6. (1) By January 1, 2015, the commissioner must report to the legislature which states have been identified under section 4(2) of this act, and include a plan for seeking a reciprocity agreement with at least one state.

(2) The commissioner must report to the legislature by December 1, 2016, and December 1st of each year following, the status of the reciprocity consortium's formation, membership, the number of qualifying reciprocal plans offered in Washington through the consortium, the effect on the marketplace in Washington, including the health benefits exchange, and must recommend whether continuing reciprocity sales serves the public health and welfare.

Sec. 7. RCW 48.05.070 and 1947 c 79 s .05.07 are each amended to read as follows:

To apply for an original certificate of authority an insurer shall:

(1) File with the commissioner its request therefor showing:

(a) Its name, home office location, type of insurer, organization date, and state or country of its domicile.

(b) The kinds of insurance it proposes to transact.

(c) Additional information as the commissioner may reasonably require.

(2) File with the commissioner:

(a) A copy of its charter as amended, certified, if a foreign or alien insurer, by the proper public officer of the state or country of domicile.

(b) A copy of its bylaws, certified by its proper officer.

(c) A statement of its financial condition, management, and affairs on a form satisfactory to or furnished by the commissioner.

(d) If a foreign or alien insurer, or a domestic reciprocal insurer, an appointment of the commissioner as its attorney to receive service of legal process.

(e) If an alien insurer, a copy of the appointment and authority of its United States manager, certified by its proper officer.

(f) If a foreign or alien insurer, a certificate from the proper public official of its state or country of domicile showing that it is duly organized and is authorized to transact the kinds of insurance proposed to be transacted.

(g) If a domestic reciprocal insurer, the declaration required by RCW 48.10.090 of this code.

(h) Other documents or stipulations as the commissioner may reasonably require to evidence compliance with the provisions of this code.

(3) A qualifying reciprocal insurer, as defined in section 1 of this act, is not required to comply with subsection (2)(a), (b), (c), (e), or (g) of this section.

(4) Deposit with the commissioner the fees required by this code to be paid for filing the accompanying documents, and for the certificate of authority, if granted.

Sec. 8. RCW 48.21.047 and 2010 c 292 s 8 are each amended to read as follows:

(1) An insurer may not offer any health benefit plan to any small employer without complying with RCW 48.21.045(3).

(2) Employers purchasing health plans provided through associations or through member-governed groups formed specifically for the purpose of purchasing health care are not small employers and the plans are not subject to RCW 48.21.045(3).

(3) A qualifying reciprocal plan as defined in section 1 of this act, is not subject to RCW 48.21.045.

(4) For purposes of this section, "health benefit plan," "health plan," and "small employer" mean the same as defined in RCW 48.43.005.

((4)) (5) For purposes of this section, "census date" has the same meaning as defined in RCW 48.44.010.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act constitute a new chapter in Title 48 RCW.

NEW SECTION. Sec. 10. If specific funding for the purposes of section 6 of this act, referencing section 6 of this act by bill or chapter number and section number, is not provided by June 30, 2013, in the omnibus appropriations act, section 6 of this act is null and void."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations Subcommittee on General Government.

March 26, 2013

ESSB 5681 Prime Sponsor, Committee on Human Services & Corrections: Facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 26, 2013

2SSB 5732 Prime Sponsor, Committee on Ways & Means: Concerning the adult behavioral health system in Washington state. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.20A RCW to read as follows:

(1) The systems responsible for financing, administration, and delivery of publicly funded mental health and chemical dependency services to adults must be designed and administered to achieve improved outcomes for adult clients served by those systems through increased use and development of evidence-based, research-based, and promising practices, as defined in RCW 71.24.025. For purposes of this section, client outcomes include: Improved health status; increased participation in employment and education; reduced involvement with the criminal justice system; enhanced safety and access to treatment for forensic patients; reduction in avoidable utilization of and costs associated with hospital, emergency room, and crisis services; increased housing stability; improved quality of life, including measures of recovery and resilience; and decreased population level disparities in access to treatment and treatment outcomes.

(2) To implement a strategy for the improvement of the adult behavioral health system:

(a) The department must establish a steering committee that includes at least the following members: Behavioral health service recipients and their families; local government; representatives of regional support networks; representatives of county coordinators; law enforcement; city and county jails; tribal representatives; behavioral health service providers, including at least one chemical dependency provider and at least one psychiatric advanced registered nurse practitioner; housing providers; medicaid managed care plan representatives; long-term care service providers; organizations representing health care professionals providing services in mental health settings; the Washington state hospital association; the Washington state medical association; individuals with expertise in evidence-based and research-based behavioral health service practices; and the health care authority.

(b) The adult behavioral health system improvement strategy must include:

(i) An assessment of the capacity of the current publicly funded behavioral health services system to provide evidence-based, research-based, and promising practices;

(ii) Identification, development, and increased use of evidence-based, research-based, and promising practices;

(iii) Design and implementation of a transparent quality management system, including analysis of current system capacity to implement outcomes reporting and development of baseline and improvement targets for each outcome measure provided in this section;

(iv) Identification of behavioral health services delivery and financing mechanisms that will best promote improvement of the behavioral health system described in this section; and

(v) Identification of effective methods for promoting workforce capacity, efficiency, and safety.

(c) The department must seek private foundation and federal grant funding to support the adult behavioral health system improvement strategy.

(d) By May 15, 2014, the Washington state institute for public policy, in consultation with the department, the University of Washington evidence-based practice institute, the University of Washington alcohol and drug abuse institute, and the Washington institute for mental health research and training, shall prepare an inventory of evidence-based, research-based, and promising practices for prevention and intervention services pursuant to subsection (1) of this section. The department shall use the inventory in preparing the behavioral health improvement strategy. The department shall provide the institute with data necessary to complete the inventory.

(e) By August 1, 2014, the department must report to the governor and the relevant fiscal and policy committees of the legislature on the status of implementation of the behavioral health

improvement strategy, including strategies developed or implemented to date, timelines, and costs to accomplish phased implementation of the adult behavioral health system improvement strategy.

(3) The department must contract for the services of an independent consultant to review the provision of forensic mental health services in Washington state and provide recommendations as to whether and how the state's forensic mental health system should be modified to provide an appropriate treatment environment for individuals with mental disorders who have been charged with a crime while enhancing the safety and security of the public and other patients and staff at forensic treatment facilities. By August 1, 2014, the department must submit a report regarding the recommendations of the independent consultant to the governor and the relevant fiscal and policy committees of the legislature.

"NEW SECTION. Sec. 2. A new section is added to chapter 70.97 RCW to read as follows:

To the extent that funds are specifically appropriated for this purpose, the department must issue a request for a proposal for enhanced services facility services by June 1, 2014, and complete the procurement process by January 1, 2015.

"NEW SECTION. Sec. 3. A new section is added to chapter 71.05 RCW to read as follows:

When a person has been involuntarily committed for treatment to a hospital for a period of ninety or one hundred eighty days, and the superintendent or professional person in charge of the hospital determines that the person no longer requires active psychiatric treatment at an inpatient level of care, the regional support network responsible for resource management services for the person must work with the hospital to develop an individualized discharge plan and arrange for a transition to the community in accordance with the person's individualized discharge plan within twenty-one days of the determination.

Sec. 4. RCW 71.24.025 and 2012 c 10 s 59 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Available resources" means funds appropriated for the purpose of providing community mental health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other mental health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(3) "Child" means a person under the age of eighteen years.

(4) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity"

shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(5) "Clubhouse" means a community-based program that provides rehabilitation services and is certified by the department of social and health services.

(6) "Community mental health program" means all mental health services, activities, or programs using available resources.

(7) "Community mental health service delivery system" means public or private agencies that provide services specifically to persons with mental disorders as defined under RCW 71.05.020 and receive funding from public sources.

(8) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by regional support networks.

(9) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(10) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(11) "Department" means the department of social and health services.

(12) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(13) "Emerging best practice" or "promising practice" means a ~~((practice that presents, based on preliminary information, potential for becoming a research-based or consensus-based practice))~~ program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (14) of this section.

(14) "Evidence-based" means a program or practice that has ~~((had multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population))~~ been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(15) "Licensed service provider" means an entity licensed according to this chapter or chapter 71.05 RCW or an entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having

a current agreement with the department, that meets state minimum standards or persons licensed under chapter 18.57, 18.71, 18.83, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(16) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW.

"Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(17) "Mental health services" means all services provided by regional support networks and other services provided by the state for persons who are mentally ill.

(18) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (4), (27), and (28) of this section.

(19) "Recovery" means the process in which people are able to live, work, learn, and participate fully in their communities.

(20) "Regional support network" means a county authority or group of county authorities or other entity recognized by the secretary in contract in a defined region.

(21) "Registration records" include all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(22) "Research-based" means a program or practice that has ~~((some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices))~~ been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (14) of this section but does not meet the full criteria for evidence-based.

(23) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the regional support network to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(24) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(25) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined solely by a regional support network to be at risk of

becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated mental health professionals, evaluation and treatment facilities, and others as determined by the regional support network.

(26) "Secretary" means the secretary of social and health services.

(27) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(28) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the regional support network to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(29) "State minimum standards" means minimum requirements established by rules adopted by the secretary and necessary to implement this chapter for: (a) Delivery of mental health services; (b) licensed service providers for the provision of mental health services; (c) residential services; and (d) community support services and resource management services.

(30) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others.

(31) "Tribal authority," for the purposes of this section and RCW 71.24.300 only, means: The federally recognized Indian tribes and the major Indian organizations recognized by the secretary insofar as these organizations do not have a financial relationship with any regional support network that would present a conflict of interest.

Sec. 5. RCW 18.19.210 and 2008 c 135 s 9 are each amended to read as follows:

(1)(a) An applicant for registration as an agency affiliated counselor who applies to the department within seven days of employment by an agency may work as an agency affiliated counselor for up to sixty days while the application is processed. The applicant must stop working on the sixtieth day of employment if the registration has not been granted for any reason.

(b) The applicant may not provide unsupervised counseling prior to completion of a criminal background check performed by either the employer or the secretary. For purposes of this subsection, "unsupervised" means the supervisor is not physically present at the location where the counseling occurs.

(2) Agency affiliated counselors shall notify the department if they are either no longer employed by the agency identified on their application or are now employed with another agency, or both. Agency affiliated counselors may not engage in the practice of counseling unless they are currently affiliated with an agency.

NEW SECTION. Sec. 6. A new section is added to chapter 43.20A RCW to read as follows:

(1) By November 30, 2013, the department and the health care authority must report to the governor and the relevant fiscal and policy committees of the legislature, consistent with RCW 43.01.036, a plan that establishes a tribal-centric behavioral health system incorporating both mental health and chemical dependency services. The plan must assure that child, adult, and older adult American Indians and Alaskan Natives eligible for medicaid have increased access to culturally appropriate mental health and chemical dependency services. The plan must:

(a) Include implementation dates, major milestones, and fiscal estimates as needed;

(b) Emphasize the use of culturally appropriate evidence-based and promising practices;

(c) Address equitable access to crisis services, outpatient care, voluntary and involuntary hospitalization, and behavioral health care coordination;

(d) Identify statutory changes necessary to implement the tribal-centric behavioral health system; and

(e) Be developed with the department's Indian policy advisory committee and the American Indian health commission, in consultation with Washington's federally recognized tribes.

(2) The department shall enter into agreements with the tribes and urban Indian health programs and modify regional support network contracts as necessary to develop a tribal-centric behavioral health system that better serves the needs of the tribes.

NEW SECTION. Sec. 7. Section 3 of this act takes effect July 1, 2018."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations.

March 26, 2013

SB 5824

Prime Sponsor, Senator Honeyford: Regarding the financing of irrigation district improvements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 87.03 RCW to read as follows:

Any local improvement district bonds, and interest thereon, issued against a bond redemption fund of a local improvement district pursuant to RCW 87.03.485 shall be a valid claim of the owner thereof only as against the local improvement guarantee fund, the local improvement district redemption fund, and the assessments or revenues pledged to such fund or funds and do not constitute a general indebtedness against the issuing irrigation district unless the board of directors by resolution expressly provides for a pledge of general indebtedness. Except where the board provides for a pledge of general indebtedness, each such bond must state upon its face that it is payable from the local improvement district redemption fund and the local improvement guarantee fund only.

Sec. 2. RCW 84.34.310 and 1999 c 153 s 71 are each amended to read as follows:

As used in RCW 84.34.300 through 84.34.380, unless a different meaning is required, the words defined in this section shall have the meanings indicated.

(1) "Farm and agricultural land" shall mean the same as defined in RCW 84.34.020(2).

(2) "Timber land" shall mean the same as defined in RCW 84.34.020(3).

(3) "Local government" shall mean any city, town, county, water-sewer district, public utility district, port district, ~~((irrigation district))~~ flood control district, or any other municipal corporation, quasi-municipal corporation, or other political subdivision authorized to levy special benefit assessments for sanitary and/or storm sewerage systems, domestic water supply and/or distribution systems, or road construction or improvement purposes. "Local government" does not include an irrigation district with respect to any local improvement district created or local improvement assessment levied by that irrigation district.

(4) "Local improvement district" shall mean any local improvement district, utility local improvement district, local utility district, road improvement district, or any similar unit created by a local government for the purpose of levying special benefit assessments against property specially benefited by improvements relating to such districts.

(5) "Owner" shall mean the same as defined in RCW 84.34.020(5) or the applicable statutes relating to special benefit assessments.

(6) The term "average rate of inflation" shall mean the annual rate of inflation as determined by the department of revenue averaged over the period of time as provided in RCW 84.34.330 (1) and (2). Such determination shall be published not later than January 1 of each year for use in that assessment year.

(7) "Special benefit assessments" shall mean special assessments levied or capable of being levied in any local improvement district or otherwise levied or capable of being levied by a local government to pay for all or part of the costs of a local improvement and which may be levied only for the special benefits to be realized by property by reason of that local improvement.

Sec. 3. RCW 87.03.480 and 1959 c 75 s 9 are each amended to read as follows:

Any desired special construction, reconstruction, betterment or improvement or purchase or acquisition of improvements already constructed, for any authorized district service, including but not limited to the safeguarding of open canals or ditches for the protection of the public therefrom, which are for the special benefit of the lands tributary thereto and within an irrigation district may be constructed or acquired and provision made to meet the cost thereof as follows:

The holders of title or evidence of title to one-quarter of the acreage proposed to be assessed, may file with the district board their petition reciting the nature and general plan of the desired improvement and specifying the lands proposed to be specially assessed therefor. ~~((The petition shall be accompanied by a bond in the sum of one hundred dollars with surety to be approved by the board, conditioned that the petitioners will pay the cost of an investigation of the project and of the hearing thereon if it is not established. The board may at any time require a bond in an additional sum.))~~ A local improvement district may include adjoining, vicinal, or neighboring improvements even though the improvements and the properties benefited are not connected or continuous. Such improvements may be owned by the United States, the state of Washington, the irrigation district, or another local government. Upon approval of the board of an adjoining irrigation district, an irrigation district may form local improvement districts or utility local improvement districts that are composed entirely or in part of territory within that adjoining district. Upon the filing of the petition the board, with the assistance of a competent engineer, shall make an investigation of the feasibility, cost, and need of the proposed local improvement together with the ability of the lands to pay the cost, and if it appears feasible, they ~~((shall))~~ may elect to have plans and an estimate of the cost prepared. If a protest against the establishment of the proposed improvement signed by a majority of the holders of title in the proposed local district is presented at or before the hearing, or if the proposed improvement should be found not feasible, too expensive, or not in the best interest of the district, or the lands to be benefited insufficient security for the costs, they shall dismiss the petition ~~((at the expense of the petitioners)).~~

Sec. 4. RCW 87.03.485 and 1983 c 167 s 222 are each amended to read as follows:

In the event that the ~~((said))~~ board ~~((shall))~~ approves ((said)) the petition, the board shall fix a time and place for the hearing thereof and shall publish a notice once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date and shall mail such a notice on or before the second publication date by first-class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed. Such notice must be published in a newspaper of general circulation in each county in which any portion of the land proposed to be included in such local improvement district lies. Such notice shall state that the lands within ~~((said))~~ the described boundaries are proposed to be organized as a local improvement district, stating generally the nature of the proposed improvement; that bonds for such local improvement district are proposed to be issued as the bonds of the irrigation district, or that a contract is proposed to be entered into between the district and the United States or the state of Washington, or both, that the lands within ~~((said))~~ the local improvement district are to be assessed for such improvement, that such bonds or contract will be ~~((a primary))~~ the obligation of such local improvement district ~~((and a general obligation of the irrigation district))~~ and stating a time and place of hearing thereon. At the time and place of hearing named in ~~((said))~~ the notice, all persons interested may appear before the board and show cause for or against the formation of the proposed improvement district and the issuance of bonds or the entering into of a contract as aforesaid. The board may designate a hearing officer to conduct the hearing, and the hearing officer shall report recommendations on the establishment of the local improvement district to the board for final action. Upon the hearing the board shall determine as to the establishment of the proposed local improvement district. Any landowner whose lands can be served or will be benefited by the proposed improvement, may make application to the board at the time of hearing to include such land and the board of

directors in such cases shall, at its discretion, include such lands within such district. The board of directors may exclude any land specified in ~~((said))~~ the notice from ~~((said))~~ the district provided, that in the judgment of the board, the inclusion thereof will not be practicable.

As an alternative plan and subject to all of the provisions of this chapter, the board of directors may initiate the organization of a local improvement district as herein provided. To so organize a local improvement district the board shall adopt and record in its minutes a resolution specifying the lands proposed to be included in such local improvement district or by describing the exterior boundaries of such proposed district or by both. ~~((Said))~~ The resolution shall state generally the plan, character and extent of the proposed improvements, that the land proposed to be included in such improvement district will be assessed for such improvements; and that local improvement district bonds of the irrigation district will be issued or a contract entered into as hereinabove in this section provided to meet the cost thereof and that such bonds or contract will be ~~((a primary))~~ the obligation of such local improvement district ~~((and a general obligation of the irrigation district))~~. ~~((Said))~~ The resolution shall fix a time and place of hearing thereon and shall state that unless a majority of the holders of title or of evidence of title to lands within the proposed local improvement district file their written protest at or before ~~((said))~~ the hearing, consent to the improvement will be implied.

A notice containing a copy of ~~((said))~~ the resolution must be published once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date, and shall be mailed on or before the second publication date by first-class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed, and the hearing thereon shall not be held in less than twenty days from the adoption of such resolution. Such notice must be published in one newspaper, of general circulation, in each county in which any portion of the land proposed to be included in such local improvement district lies. ~~((Said))~~ The hearing shall be held and all subsequent proceedings conducted in accordance with the provisions of this act relating to the organization of local improvement districts initiated upon petition.

Sec. 5. RCW 87.03.490 and 2003 c 53 s 412 are each amended to read as follows:

(1) If decision shall be rendered in favor of the improvement, the board shall enter an order establishing the boundaries of the improvement district and shall adopt plans for the proposed improvement and determine the number of annual installments not exceeding fifty in which the cost of the improvement shall be paid. The cost of the improvement shall be provided for by the issuance of local improvement district bonds of the district from time to time, therefor, either directly for the payment of the labor and material or for the securing of funds for such purpose, or by the irrigation district entering into a contract with the United States or the state of Washington, or both, to repay the cost of the improvement. The bonds shall bear interest at a rate or rates determined by the board, payable semiannually, and shall state upon their face that they are issued as bonds of the irrigation district; that all lands within the local improvement district shall be ~~((primarily))~~ liable to assessment for the principal and interest of the local improvement district bonds ~~((and that the bonds are also a general obligation of the district))~~. The bonds may be in such denominations as the board of directors may in its discretion determine, except that bonds other than bond number one of any issue shall be in a denomination that is a multiple of one ~~((hundred))~~ thousand dollars ~~((and no bond shall be sold for less than par. Any contract entered into for the local improvement by the district with the United States or the state of Washington, or both~~

~~although all the lands within the local improvement district shall be primarily liable to assessment for the principal and interest thereon, shall be a general obligation of the irrigation district))~~. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(2) No election shall be necessary to authorize the issuance of such local improvement bonds or the entering into of such a contract. ~~((Such bonds, when issued, shall be signed by the president and secretary of the irrigation district with the seal of the district affixed. The printed, engraved, or lithographed facsimile signatures of the president and secretary of the district's board of directors shall be sufficient signatures on the bonds or any coupons: PROVIDED, That such facsimile signatures on the bonds may be used only after the filing, by the officer whose facsimile signature is to be used, with the secretary of state of his or her manual signature certified by him or her under oath, whereupon that officer's facsimile signature has the same legal effect as his or her manual signature: PROVIDED, FURTHER, That either the president of the board of directors' or the secretary's signature on the bonds shall be manually subscribed: AND PROVIDED FURTHER, That whenever such facsimile reproduction of the signature of any officer is used in place of the manual signature of such officer, the district's board of directors shall specify in a written order or requisition to the printer, engraver, or lithographer the number of bonds or any coupons upon which such facsimile signature is to be printed, engraved, or lithographed and the manner of numbering the bonds or any coupons upon which such signature shall be placed. Within ninety days after the completion of the printing, engraving, or lithographing of such bonds or any coupons, the plate or plates used for the purpose of affixing the facsimile signature shall be destroyed, and it shall be the duty of the district's board of directors, within ninety days after receipt of the completed bonds or any coupons, to ascertain that such plate or plates have been destroyed. Every printer, engraver, or lithographer who, with the intent to defraud, prints, engraves, or lithographs a facsimile signature upon any bond or coupon without written order of the district's board of directors, or fails to destroy such plate or plates containing the facsimile signature upon direction of such issuing authority, is guilty of a class B felony punishable according to chapter 9A.20 RCW.))~~

(3) The proceeds from the sale of such bonds shall be deposited with the treasurer of the district, who shall place them in a special fund designated "Construction fund of local improvement district number"

(4) Whenever such improvement district has been organized, the ~~((boundaries thereof may be enlarged))~~ board may enlarge the boundaries of the improvement district to include other lands which can be served or will be benefited by the proposed improvement upon petition of the owners thereof and the consent of the United States or the state of Washington, or both, in the event the irrigation district has contracted with the United States or the state of Washington, or both, to repay the cost of the improvement: PROVIDED, That at such time the lands so included shall pay their equitable proportion upon the basis of benefits of the improvement theretofore made by the local improvement district and shall be liable for the indebtedness of the local improvement district in the same proportion and same manner and subject to assessment as if the lands had been incorporated in the improvement district at the beginning of its organization.

(5) Notwithstanding this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 6. RCW 87.03.495 and 1988 c 127 s 45 are each amended to read as follows:

(1)(a) The cost of the improvement and of the operation and maintenance thereof, if any, shall be especially assessed against the lands within such local improvement district in proportion to the benefits accruing thereto, and shall be levied and collected in the

manner provided by law for the levy and collection of land assessments or toll assessments or both such form of assessments.

(b) The costs of the improvement must include, but not be limited to:

(i) The cost of all of the construction or improvement authorized for the district;

(ii) The estimated cost and expense of all engineering and surveying necessary for the improvement done under the supervision of the irrigation district engineer;

(iii) The estimated cost and expense of ascertaining the ownership of the lots or parcels of land included in the assessment district;

(iv) The estimated cost and expense of advertising, mailing, and publishing all necessary notices;

(v) The estimated cost and expense of accounting and clerical labor, and of books and blanks extended or used on the part of the irrigation district treasurer in connection with the improvement;

(vi) All cost of the acquisition of rights-of-way, property, easements, or other facilities or rights, including without limitation rights to use property, facilities, or other improvements appurtenant, related to, or useful in connection with the local improvement, whether by eminent domain, purchase, gift, payment of connection charges, capacity charges, or other similar charges or in any other manner; and

(vii) The cost for legal, financial, and appraisal services and any other expenses incurred by the irrigation district for the district or in the formation thereof, or by irrigation district in connection with such construction or improvement and in the financing thereof, including the issuance of any bonds and the cost of providing for increases in the local improvement guaranty fund, or providing for a separate reserve fund or other security for the payment of principal of and interest on such bonds.

(c) Any of the costs set forth in this section may be excluded from the cost and expense to be assessed against the property in the local improvement district and may be paid from any other moneys available therefor if the board of directors so designates by resolution at any time.

(d) The board may give credit for all or any portion of any property or other donation against an assessment, charge, or other required financial contribution for improvements within a local improvement district.

(2) All provisions for the assessment, equalization, levy, and collection of assessments for irrigation district purposes shall be applicable to assessments for local improvements except that no election shall be required to authorize ~~((said))~~ the improvement or the expenditures therefor or the bonds issued to meet the cost thereof or the contract authorized in RCW 87.03.485 to repay the cost thereof. In addition or as an alternative, an irrigation district may elect to apply all or a portion of the provisions for the assessment, equalization, levy, and collection of assessments applicable to city or town local improvement districts; however any duties of the city or town treasurer shall be the duties of the treasurer of the county in which the office of the district is located or other treasurer of the district if appointed pursuant to RCW 87.03.440. In connection with a hearing on the assessment roll, the board may designate a hearing officer to conduct the hearing, and the hearing officer must report recommendations on the assessment roll to the board for final action. Assessments when collected by the county treasurer for the payment for the improvement of any local improvement district shall constitute a special fund to be called "bond redemption or contract repayment fund of local improvement district No."

(3) Bonds issued under this chapter shall be eligible for disposal to and purchase by the director of ecology under the provisions of the state reclamation act.

(4) The cost or any unpaid portion thereof, of any such improvement, charged or to be charged or assessed against any tract of land may be paid in one payment under and pursuant to such rules as the board of directors may adopt, and all such amounts shall be paid over to the

county treasurer who shall place the same in the appropriate fund. No such payment shall thereby release such tract from liability to assessment for deficiencies or delinquencies of the levies in such improvement district until all of the bonds or the contract, both principal and interest, issued or entered into for such local improvement district have been paid in full. The receipt given for any such payment shall have the foregoing provision printed thereon. The amount so paid shall be included on the annual assessment roll for the current year, provided, such roll has not then been delivered to the treasurer, with an appropriate notation by the secretary that the amount has been paid. If the roll for that year has been delivered to the treasurer then the payment so made shall be added to the next annual assessment roll with appropriate notation that the amount has been paid.

Sec. 7. RCW 87.03.510 and 1983 c 167 s 224 are each amended to read as follows:

There is hereby established for each irrigation district in this state having local improvement districts therein a fund for the purpose of guaranteeing to the extent of such fund and in the manner herein provided, the payment of its local improvement bonds and warrants issued or contract entered into to pay for the improvements provided for in this act. Such fund shall be designated "local improvement guarantee fund" and for the purpose of maintaining the same, every irrigation district shall hereafter levy from time to time, as other assessments authorized by RCW 87.03.240 are levied, such sums as may be necessary to meet the financial requirements thereof: PROVIDED, That such sums so assessed pursuant to RCW 87.03.240 in any year shall not be more than sufficient to pay the outstanding warrants or contract indebtedness on ~~((said))~~ the fund and to establish therein a balance which shall not exceed ~~((five))~~ ten percent of the outstanding obligations thereby guaranteed. The balance may also be established from the deposit of prepaid local improvement assessments or proceeds of local improvement district bonds. Whenever any bond redemption payment, interest payment, or contract payment of any local improvement district shall become due and there is insufficient funds in the local improvement district fund for the payment thereof, there shall be paid from ~~((said))~~ the local improvement district guarantee fund, by warrant or by such other means as is called for in the contract, a sufficient amount, which together with the balance in the local improvement district fund shall be sufficient to redeem and pay ~~((said))~~ the bond or coupon or contract payment in full. ~~((Said))~~ The warrants against ~~((said))~~ the guarantee fund shall draw interest at a rate determined by the board and ~~((said))~~ the bonds and interest payments shall be paid in their order of presentation or serial order. Whenever there shall be paid out of the guarantee fund any sum on account of principal or interest of a local improvement bond or warrant or contract the irrigation district, as trustee for the fund, shall be subrogated to all of the rights of the owner of the bond or contract amount so paid, and the proceeds thereof, or of the assessment underlying the same shall become part of the guarantee fund. There shall also be paid into such guarantee fund any interest received from bank deposits of the fund, as well as any surplus remaining in any local improvement district fund, after the payment of all of its outstanding bonds or warrants or contract indebtedness which are payable primarily out of such local improvement district fund.

Sec. 8. RCW 87.03.515 and 1983 c 167 s 225 are each amended to read as follows:

It shall be lawful for any irrigation district which has issued local improvement district bonds for ~~((said))~~ the improvements, as in this chapter provided, to issue in place thereof an amount of ~~((general))~~ local improvement district or revenue refunding bonds of the irrigation district ~~((not in excess of such issue of local improvement district bonds, and to sell the same, or any part thereof, or exchange the same, or any part thereof, with the owners of such previously issued local improvement district bonds for the purpose of redeeming~~

~~said bonds~~) in accordance with chapter 39.53 RCW: PROVIDED, HOWEVER, ~~((That all the provisions of this chapter regarding the authorization and issuing of bonds shall apply, and: PROVIDING, FURTHER,))~~ That the issuance of ~~((said))~~ the bonds shall not release the lands of the local improvement district or districts from liability for special assessments for the payment thereof: AND PROVIDED FURTHER, That the lien of any issue of bonds of the district prior in point of time to the issue of bonds or local improvement district bonds herein provided for~~(:)~~ shall be deemed a prior lien.

Sec. 9. RCW 87.03.527 and 1959 c 104 s 7 are each amended to read as follows:

Whenever ~~((a local improvement district is sought to be established within an irrigation))~~ the board establishes a local improvement district, in addition or as an alternative to the procedures provided in RCW 87.03.480 through 87.03.525, there may be employed any method authorized by law for the formation of ~~((districts or))~~ improvement districts ~~((so that when formed it will qualify under the provisions of chapter 89.16 RCW))~~ and the levying, collection, and enforcement by foreclosure of assessments therein, including without limitation the formation method employed by cities or towns.

Sec. 10. RCW 87.06.020 and 1988 c 134 s 2 are each amended to read as follows:

(1) After thirty-six calendar months from the month of the date of delinquency, or twenty-four months from the month of the date of delinquency with respect to any local improvement district assessment, the treasurer shall prepare certificates of delinquency on the property for the unpaid irrigation district assessments, and for costs and interest. An individual certificate of delinquency may be prepared for each property or the individual certificates may be compiled and issued in one general certificate including all delinquent properties. Each certificate shall contain the following information:

- (a) Description of the property assessed;
- (b) Street address of property, if available;
- (c) Years for which assessed;
- (d) Amount of delinquent assessments, costs, and interest;
- (e) Name appearing on the treasurer's most current assessment roll for the property; and

(f) A statement that interest will be charged on the amount listed in (d) of this subsection at a rate of twelve percent per year, computed monthly and without compounding, from the date of the issuance of the certificate and that additional costs, incurred as a result of the delinquency, will be imposed, including the costs of a title search~~((:))~~.

(2) The treasurer may provide for the posting of the certificates or other measures designed to advertise the certificates and encourage the payment of the amounts due.

Sec. 11. RCW 87.28.103 and 1979 ex.s. c 185 s 14 are each amended to read as follows:

When the directors of the district have decided to issue revenue bonds as herein provided, they shall call a special election in the irrigation district at which election shall be submitted to the electors thereof possessing the qualifications prescribed by law the question whether revenue bonds of the district in the amount and payable according to the plan of payment adopted by the board and for the purposes therein stated shall be issued. ~~((Said))~~ The election shall be called, noticed, conducted, and canvassed in the same manner as provided by law for irrigation district elections to authorize an original issue of bonds payable from revenues derived from annual assessments upon the real property in the district: PROVIDED, That the board of directors shall have full authority to issue revenue bonds as herein provided payable within a maximum period of forty years without a special election~~((: AND PROVIDED, FURTHER, That any irrigation district indebted to the state of Washington shall get the written consent of the director of the department of ecology prior to the issuance of said revenue bonds))~~.

Sec. 12. RCW 87.28.200 and 1979 ex.s. c 185 s 19 are each amended to read as follows:

Any irrigation district shall have the power to establish utility local improvement districts within its territory and to levy special assessments within such utility local improvement districts in the same manner as provided for irrigation district local improvement districts: PROVIDED, That it must be specified in any petition for the establishment of a utility local improvement district that the sole purpose of the assessments levied against the real property located within the utility local improvement district shall be the payment of the proceeds of those assessments into ~~((the))~~ a revenue bond fund for the payment of revenue bonds, that no warrants or bonds shall be issued in any such utility local improvement district, and that the collection of interest and principal on all assessments in such utility local improvement district, when collected, shall be paid into ~~((the))~~ that revenue bond fund, except that special assessments paid before the issuance and sale of bonds may be deposited in a fund for the payment of costs of improvements in the utility local improvement district.

Sec. 13. RCW 89.12.050 and 2009 c 145 s 3 are each amended to read as follows:

(1) A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

(a) The district will not deliver water by means of the project works provided by the United States to or for excess lands not eligible therefor under applicable federal law.

(b) As a condition to receiving water by means of the project works, each excess landowner in the district, unless his excess lands are otherwise eligible to receive water under applicable federal law, shall be required to execute a recordable contract covering all of his excess lands within the district.

(c) All excess lands within the district not eligible to receive water by means of the project works shall be subject to assessment in the same manner and to the same extent as lands eligible to receive water, subject to such provisions as the secretary may prescribe for postponement in payment of all or part of the assessment but not beyond a date five years from the time water would have become available for such lands had they been eligible therefor.

(d) The secretary is authorized to amend any existing contract, deed, or other document to conform to the provisions of applicable federal law as it now exists. Any such amendment may be filed for record under RCW 89.12.080.

(2) A district may enter into a contract with the United States for the transfer of operations and maintenance of the works of a federal reclamation project, but the contract does not impute to the district negligence for design or construction defects or deficiencies of the transferred works. Any contract, covenant, promise, agreement, or understanding purporting to indemnify against liability for damages caused by or resulting from the negligent acts or omissions of the United States, its employees, or agents is not enforceable unless expressly authorized by state law.

NEW SECTION. **Sec. 14.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Takko, Chair; Fitzgibbon, Vice Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Referred to Committee on Finance.

March 26, 2013

ESSCR 8401 Prime Sponsor, Committee on Health Care:
Creating a joint select committee on health care
oversight. Reported by Committee on Health
Care & Wellness

MAJORITY recommendation: Do pass as amended.

On page 2, line 25, after "savings;" strike "and"

On page 2, line 27, after "2017" insert "; and

BE IT FURTHER RESOLVED, That the joint select committee
on health reform implementation created under Engrossed Substitute
House Concurrent Resolution No. 4404 in 2011 is hereby abolished"

Signed by Representatives Cody, Chair; Jenkins, Vice Chair;
Schmick, Ranking Minority Member; Angel; Clibborn; Green;
Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross;
Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills and concurrent resolution
listed on the day's committee reports under the fifth order of
business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh
order of business.

There being no objection, the House adjourned until 10:00
a.m., April 1, 2013, the 78th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY EIGHTH DAY

House Chamber, Olympia, Monday, April 1, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2013

HB 2018 Prime Sponsor, Representative Hunter: Regarding additional contribution rates for employers of the Washington state retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 27, 2013

SB 5052 Prime Sponsor, Senator Ericksen: Increasing the number of superior court judges in Whatcom county. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

March 27, 2013

SB 5069 Prime Sponsor, Senator Schoesler: Increasing the number of superior court judges in Benton and Franklin counties jointly. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5092 Prime Sponsor, Senator Benton: Providing an exemption from continuing competency requirements for registered nurses who seek advanced nursing degrees. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.79.110 and 1994 sp.s. c 9 s 411 are each amended to read as follows:

(1) The commission shall keep a record of all of its proceedings and make such reports to the governor as may be required. The commission shall define by rules what constitutes specialized and advanced levels of nursing practice as recognized by the medical and nursing profession. The commission may adopt rules or issue advisory opinions in response to questions put to it by professional health associations, nursing practitioners, and consumers in this state concerning the authority of various categories of nursing practitioners to perform particular acts.

(2) The commission shall approve curricula and shall establish criteria for minimum standards for schools preparing persons for licensing as registered nurses, advanced registered nurse practitioners, and licensed practical nurses under this chapter. The commission shall approve such schools of nursing as meet the requirements of this chapter and the commission, and the commission shall approve establishment of basic nursing education programs and shall establish criteria as to the need for and the size of a program and the type of program and the geographical location. The commission shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years' inactive or lapsed status. The commission shall establish criteria for licensing by endorsement. The commission shall determine examination requirements for applicants for licensing as registered nurses, advanced registered nurse practitioners, and licensed practical nurses under this chapter, and shall certify to the secretary for licensing duly qualified applicants.

(3) The commission shall adopt rules on continuing competency. The rules must include exemptions from the continuing competency requirements for registered nurses seeking advanced nursing degrees. Nothing in this subsection prohibits the commission from providing additional exemptions for any person credentialed under this chapter who is enrolled in an advanced education program.

(4) The commission shall adopt such rules under chapter 34.05 RCW as are necessary to fulfill the purposes of this chapter.

(5) The commission is the successor in interest of the board of nursing and the board of practical nursing. All contracts, undertakings, agreements, rules, regulations, decisions, orders, and policies of the former board of nursing or the board of practical

nursing continue in full force and effect under the commission until the commission amends or rescinds those rules, regulations, decisions, orders, or policies.

(6) The members of the commission are immune from suit in an action, civil or criminal, based on its disciplinary proceedings or other official acts performed in good faith as members of the commission.

(7) Whenever the workload of the commission requires, the commission may request that the secretary appoint pro tempore members of the commission. When serving, pro tempore members of the commission have all of the powers, duties, and immunities, and are entitled to all of the emoluments, including travel expenses, of regularly appointed members of the commission."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013

ESB 5099 Prime Sponsor, Senator Rivers: Concerning fuel usage of publicly owned vehicles, vessels, and construction equipment. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.19.648 and 2012 c 171 s 1 are each amended to read as follows:

(1) Effective June 1, 2015, all state agencies, to the extent determined practicable by the rules adopted by the department of commerce pursuant to RCW 43.325.080, are required to satisfy one hundred percent of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department of commerce determines that electricity and biofuel are not reasonably available.

(2)(a) Effective June 1, 2018, all local government subdivisions of the state, to the extent determined practicable by the rules adopted by the department of commerce pursuant to RCW 43.325.080, are required to satisfy one hundred percent of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel. The department of commerce shall convene an advisory committee of representatives of local government subdivisions, representatives from organizations representing each local government subdivision, and either (i) an electric utility or (ii) a natural gas utility, or both, to work with the department to develop the rules. The department may invite additional stakeholders to participate in the advisory committee as needed and determined by the department.

(b) The following are exempt from this requirement: (i) Transit agencies using compressed natural gas on June 1, 2018(~~are exempt from this requirement~~), and (ii) engine retrofits that would void warranties. Nothing in this section is intended to require the replacement of equipment before the end of its useful life. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department of commerce determines that electricity and biofuel are not reasonably available. (c)(i) Rules adopted pursuant to RCW 43.325.080 must provide the authority for local government subdivisions to elect to exempt police,

fire, and other emergency response vehicles, including utility vehicles frequently used for emergency response, from the fuel usage requirement in (a) of this subsection.

(ii) Prior to executing its authority under (c)(i) of this subsection, a local government subdivision must provide notice to the department of commerce of the exemption. The notice must include the rationale for the exemption and an explanation of how the exemption is consistent with rules adopted by the department of commerce.

(d) Before June 1, 2018, local government subdivisions purchasing vessels, vehicles, and construction equipment capable of using biodiesel must request warranty protection for the highest level of biodiesel the vessel, vehicle, or construction equipment is capable of using, up to one hundred percent biodiesel, as long as the costs are reasonably equal to a vessel, vehicle, or construction equipment that is not warranted to use up to one hundred percent biodiesel.

(3) In order to phase in this transition for the state, all state agencies, to the extent determined practicable by the department of commerce by rules adopted pursuant to RCW 43.325.080, are required to achieve forty percent fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel by June 1, 2013. Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department of commerce determines that electricity and biofuel are not reasonably available. The department of enterprise services, in consultation with the department of commerce, shall report to the governor and the legislature by December 1, 2013, on what percentage of the state's fuel usage is from electricity or biofuel.

(4) Except for cars owned or operated by the Washington state patrol, when tires on vehicles in the state's motor vehicle fleet are replaced, they must be replaced with tires that have the same or better rolling resistance as the original tires.

(5) By December 31, 2015, the state must, to the extent practicable, install electrical outlets capable of charging electric vehicles in each of the state's fleet parking and maintenance facilities.

(6) The department of transportation's obligations under subsection (3) of this section are subject to the availability of amounts appropriated for the specific purpose identified in subsection (3) of this section.

(7) The department of transportation's obligations under subsection (5) of this section are subject to the availability of amounts appropriated for the specific purpose identified in subsection (5) of this section unless the department receives federal or private funds for the specific purpose identified in subsection (5) of this section.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540."

Correct the title.

Signed by Representatives Upthegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Kagi; Liias; Morris; Nealey; Overstreet and Tharinger.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5148 Prime Sponsor, Committee on Health Care: Allowing for redistribution of medications under certain conditions. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Drug manufacturer" means a facility licensed by the board of pharmacy under chapter 18.64 RCW that engages in the manufacture of drugs or devices.

(3) "Drug wholesaler" means a facility licensed by the board of pharmacy under chapter 18.64 RCW that buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

(4) "Medical facility" means a hospital, pharmacy, nursing home, boarding home, adult family home, or medical clinic where the prescription drugs are under the control of a practitioner.

(5) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

(6) "Pharmacist" means a person licensed by the board of pharmacy under chapter 18.64 RCW to practice pharmacy.

(7) "Pharmacy" means a facility licensed by the board of pharmacy under chapter 18.64 RCW in which the practice of pharmacy is conducted.

(8) "Practitioner" has the same meaning as in RCW 69.41.010.

(9) "Prescribing practitioner" means a person authorized to issue orders or prescriptions for legend drugs as listed in RCW 69.41.030.

(10) "Prescription drugs" has the same meaning as "legend drugs" as defined in RCW 69.41.010. The term includes cancer drugs and antineoplastic drugs. The term does not include controlled substances.

(11) "Supplies" means the supplies necessary to administer prescription drugs that are donated under the prescription drug redistribution program.

NEW SECTION. Sec. 2. Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation or the expectation of compensation to individuals who meet the prioritization criteria established in section 4 of this act. Donations of prescription drugs and supplies may be made on the premises of a pharmacy that elects to participate in the provisions of this chapter. A pharmacy that receives prescription drugs or supplies may distribute the prescription drugs or supplies to another pharmacy, pharmacist, or prescribing practitioner for use pursuant to the program.

NEW SECTION. Sec. 3. To be eligible for the immunity in section 7 of this act, a person distributing donated prescription drugs under this chapter must:

(1) Meet all requirements in section 5 of this act and any applicable rules related to the return or exchange of prescription drugs or supplies adopted by the board of pharmacy;

(2) Maintain records of any prescription drugs and supplies donated to the pharmacy and subsequently dispensed by the pharmacy; and

(3) Identify itself to the public as participating in this chapter.

NEW SECTION. Sec. 4. Pharmacies, pharmacists, and prescribing practitioners that elect to dispense donated prescription drugs and supplies under this chapter shall give priority to individuals who are uninsured and at or below two hundred percent of the federal poverty level. If an uninsured and low-income individual has not

been identified as in need of available prescription drugs and supplies, those prescription drugs and supplies may be dispensed to other individuals expressing need.

NEW SECTION. Sec. 5. (1) Prescription drugs or supplies may be accepted and dispensed under this chapter if all of the following conditions are met:

(a) The prescription drug is in:

(i) Its original sealed and tamper evident packaging; or

(ii) An opened package if it contains single unit doses that remain intact;

(b) The prescription drug bears an expiration date that is more than six months after the date the prescription drug was donated;

(c) The prescription drug or supplies are inspected before the prescription drug or supplies are dispensed by a pharmacist employed by or under contract with the pharmacy, and the pharmacist determines that the prescription drug or supplies are not adulterated or misbranded;

(d) The prescription drug or supplies are prescribed by a practitioner for use by an eligible individual and are dispensed by a pharmacist; and

(e) Any other safety precautions established by the department have been satisfied.

(2)(a) If a person who donates prescription drugs or supplies to a pharmacy under this chapter receives a notice that the donated prescription drugs or supplies have been recalled, the person shall notify the pharmacy of the recall.

(b) If a pharmacy that receives and distributes donated prescription drugs to another pharmacy, pharmacist, or prescribing practitioner under this chapter receives notice that the donated prescription drugs or supplies have been recalled, the pharmacy shall notify the other pharmacy, pharmacist, or prescribing practitioner of the recall.

(c) If a person collecting or distributing donated prescription drugs or supplies under this chapter receives a recall notice from the drug manufacturer or the federal food and drug administration for donated prescription drugs or supplies, the person shall immediately remove all recalled medications from stock and comply with the instructions in the recall notice.

(3) Prescription drugs and supplies donated under this chapter may not be resold.

(4) Prescription drugs and supplies dispensed under this chapter shall not be eligible for reimbursement of the prescription drug or any related dispensing fees by any public or private health care payer.

(5) A prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration, may not be accepted or distributed under the program.

NEW SECTION. Sec. 6. (1) The department must adopt rules establishing forms and procedures to: Reasonably verify eligibility and prioritize patients seeking to receive donated prescription drugs and supplies; and inform a person receiving prescription drugs donated under this program that the prescription drugs have been donated for the purposes of redistribution. A patient's eligibility may be determined by a form signed by the patient certifying that the patient is uninsured and at or below two hundred percent of the federal poverty level.

(2) The department may establish any other rules necessary to implement this chapter.

NEW SECTION. Sec. 7. (1) A drug manufacturer acting in good faith may not, in the absence of a finding of gross negligence, be subject to criminal prosecution or liability in tort or other civil action, for injury, death, or loss to person or property for matters relating to the donation, acceptance, or dispensing of a drug manufactured by the drug manufacturer that is donated by any person under the program including, but not limited to, liability for failure to transfer or

communicate product or consumer information or the expiration date of the donated prescription drug.

(2) Any person or entity, other than a drug manufacturer subject to subsection (1) of this section, acting in good faith in donating, accepting, or distributing prescription drugs under this chapter is immune from criminal prosecution, professional discipline, or civil liability of any kind for any injury, death, or loss to any person or property relating to such activities other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(3) The immunity provided under subsection (1) of this section does not absolve a drug manufacturer of a criminal or civil liability that would have existed but for the donation, nor does such donation increase the liability of the drug manufacturer in such an action.

NEW SECTION. Sec. 8. Access to prescription drugs and supplies under this chapter is subject to availability. Nothing in this chapter establishes an entitlement to receive prescription drugs and supplies through the program.

NEW SECTION. Sec. 9. Nothing in this chapter restricts the use of samples by a practitioner during the course of the practitioner's duties at a medical facility or pharmacy.

NEW SECTION. Sec. 10. Nothing in this chapter authorizes the resale of prescription drugs by any person.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act constitute a new chapter in Title 69 RCW.

NEW SECTION. Sec. 12. This act takes effect July 1, 2014." Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member Hope, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 27, 2013

ESSB 5176 Prime Sponsor, Committee on Human Services & Corrections: Addressing criminal incompetency and civil commitment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that persons with a mental illness or developmental disability are more likely to be victimized by crime than to be perpetrators of crime. The legislature further finds that there are a small number of individuals who commit repeated violent acts against others while suffering from the effects of a mental illness and/or developmental disability that both contributes to their criminal behaviors and renders them legally incompetent to be held accountable for those behaviors. The legislature further finds that the primary statutory mechanisms designed to protect the public from violent behavior, either criminal commitment to a corrections institution, or long-term commitment as not guilty by reason of insanity, are unavailable due to the legal incompetence of these individuals to stand trial. The legislature further finds that the existing civil system of short-term commitments under the Washington's involuntary treatment act is insufficient to protect the public from these violent acts. Finally, the legislature finds that changes to the involuntary treatment act to account for this small number of individuals is necessary in order to serve Washington's

compelling interest in public safety and to provide for the proper care of these individuals.

Sec. 2. RCW 10.77.086 and 2012 c 256 s 6 are each amended to read as follows:

(1)(a) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, or has been determined unlikely to regain competency pursuant to RCW 10.77.084(1)(b), but in any event for a period of no longer than ninety days, the court:

(i) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of commitment for competency restoration is forty-five days.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period or at the end of the first restoration period, in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, the charges shall be dismissed without prejudice, and the court shall ~~((either order the release of the defendant or))~~ order the defendant be committed to a state hospital ~~((or secure mental health facility))~~ as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months.

Sec. 3. RCW 10.77.270 and 2010 c 263 s 1 are each amended to read as follows:

(1) The secretary shall establish an independent public safety review panel for the purpose of advising the secretary and the courts with respect to persons who have been found not guilty by reason of insanity, or persons committed under the involuntary treatment act where the court has made a special finding under RCW 71.05.280(3)(b). The panel shall provide advice regarding all recommendations to the secretary, decisions by the secretary, or actions pending in court: (a) For a change in commitment status; (b) to allow furloughs or temporary leaves accompanied by staff; (c)

whether to seek a commitment term under RCW 71.05.320; or ((~~e~~)) (d) to permit movement about the grounds of the treatment facility, with or without the accompaniment of staff.

(2) The members of the public safety review panel shall be appointed by the governor for a renewable term of three years and shall include the following:

- (a) A psychiatrist;
- (b) A licensed clinical psychologist;
- (c) A representative of the department of corrections;
- (d) A prosecutor or a representative of a prosecutor's association;
- (e) A representative of law enforcement or a law enforcement association;
- (f) A consumer and family advocate representative; and
- (g) A public defender or a representative of a defender's association.

(3) Thirty days prior to issuing a recommendation for conditional release under RCW 10.77.150 or forty-five days prior to issuing a recommendation for release under RCW 10.77.200, the secretary shall submit its recommendation with the committed person's application and the department's risk assessment to the public safety review panel. The public safety review panel shall complete an independent assessment of the public safety risk entailed by the secretary's proposed conditional release recommendation or release recommendation and provide this assessment in writing to the secretary. The public safety review panel may, within funds appropriated for this purpose, request additional evaluations of the committed person. The public safety review panel may indicate whether it is in agreement with the secretary's recommendation, or whether it would issue a different recommendation. The secretary shall provide the panel's assessment when it is received along with any supporting documentation, including all previous reports of evaluations of the committed person in the person's hospital record, to the court, prosecutor in the county that ordered the person's commitment, and counsel for the committed person.

(4) The secretary shall notify the public safety review panel at appropriate intervals concerning any changes in the commitment or custody status of persons found not guilty by reason of insanity, or persons committed under the involuntary treatment act where the court has made a special finding under RCW 71.05.280(3)(b). The panel shall have access, upon request, to a committed person's complete hospital record, and any other records deemed necessary by the public safety review panel.

(5) The department shall provide administrative and financial support to the public safety review panel. The department, in consultation with the public safety review panel, may adopt rules to implement this section.

(6) By December 1, 2014, the public safety review panel shall report to the appropriate legislative committees the following:

- (a) Whether the public safety review panel has observed a change in statewide consistency of evaluations and decisions concerning changes in the commitment status of persons found not guilty by reason of insanity;
- (b) Whether the public safety review panel should be given the authority to make release decisions and monitor release conditions;
- (c) Whether further changes in the law are necessary to enhance public safety in cases where incompetency prevents operation of the criminal justice system and/or long-term commitment of the criminally insane; and
- (d) Any other issues the public safety review panel deems relevant.

Sec. 4. RCW 71.05.280 and 2008 c 213 s 6 are each amended to read as follows:

At the expiration of the fourteen-day period of intensive treatment or a restoration period under RCW 10.77.086, a person may be confined for further treatment pursuant to RCW 71.05.320 if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself or herself, or substantial damage upon the property of another, and (b) as a result of mental disorder presents a likelihood of serious harm; or

(2) Such person was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm upon the person of another or himself or herself, or substantial damage upon the property of others, and continues to present, as a result of mental disorder, a likelihood of serious harm; or

(3) Such person has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.086(4), and has committed acts constituting a felony, and as a result of a mental disorder or developmental disability, presents a substantial likelihood of repeating similar acts.

(a) In any proceeding pursuant to this subsection it shall not be necessary to show intent, willfulness, or state of mind as an element of the crime;

(b) For any person subject to commitment under this subsection where the charge underlying the finding of incompetence is for a felony classified as violent under RCW 9.94A.030, the court shall determine whether the acts the person committed constitute a violent offense under RCW 9.94A.030; or

(4) Such person is gravely disabled.

Sec. 5. RCW 71.05.320 and 2009 c 323 s 2 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment in a facility certified for one hundred eighty day treatment by the department.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment.

(3) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated mental health professional, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of mental disorder or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder or developmental disability a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder or developmental disability continues to present((s)) a substantial likelihood of repeating ((similar)) acts

~~((considering))~~ similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety. (ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty day period whenever the petition presents prima facie evidence that the person continues to suffer from a mental disorder or developmental disability that results in a substantial likelihood that the person will commit acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the mental disorder or developmental disability no longer presents a substantial likelihood that the person will commit acts similar to the charged criminal behavior. The additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after release from the state hospital; or

(d) Continues to be gravely disabled.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

(4) For a person committed under subsection (2) of this section who has been remanded to a period of less restrictive treatment, in addition to the grounds specified in subsection (3) of this section, the designated mental health professional may file a new petition for continued less restrictive treatment if:

(a) The person was previously committed by a court to detention for involuntary mental health treatment during the thirty-six months that preceded the person's initial detention date during the current involuntary commitment cycle, excluding any time spent in a mental health facility or in confinement as a result of a criminal conviction;

(b) In view of the person's treatment history or current behavior, the person is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment; and

(c) Outpatient treatment that would be provided under a less restrictive treatment order is necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.

(5) A new petition for involuntary treatment filed under subsection (3) or (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment. At the end of the one hundred eighty day period of commitment, the committed person shall be released unless a petition for another one hundred eighty day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment. However, a commitment is not permissible under subsection (4) of this section if thirty-six months have passed since the last date of discharge from detention for inpatient treatment that preceded the current less restrictive alternative order, nor shall a commitment under subsection (4) of this section be permissible if the likelihood of serious harm in subsection (4)(c) of this section is based solely on harm to the property of others.

(7) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length.

Sec. 6. RCW 71.05.425 and 2011 c 305 s 5 are each amended to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than thirty days before conditional release, final release, authorized leave under RCW 71.05.325(2), or transfer to a facility other than a state mental hospital, the superintendent shall send written notice of conditional release, release, authorized leave, or transfer of a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) to the following:

(i) The chief of police of the city, if any, in which the person will reside; ~~((and))~~

(ii) The sheriff of the county in which the person will reside; and

(iii) The prosecuting attorney of the county in which the criminal charges against the committed person were dismissed.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4):

(i) The victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3)(c) or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings;

(iii) Any person specified in writing by the prosecuting attorney. Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter; and

(iv) The chief of police of the city, if any, and the sheriff of the county, if any, which had jurisdiction of the person on the date of the applicable offense.

(c) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical transfers.

(d) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.

(2) If a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person escaped and in which the person resided immediately before the person's arrest and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3) or the victim's next of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to RCW 71.05.390(18). If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.

(4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) "Violent offense" means a violent offense under RCW 9.94A.030;

(b) "Sex offense" means a sex offense under RCW 9.94A.030;

(c) "Next of kin" means a person's spouse, state registered domestic partner, parents, siblings, and children;

(d) "Felony harassment offense" means a crime of harassment as defined in RCW 9A.46.060 that is a felony.

Sec. 7. RCW 10.77.200 and 2010 c 263 s 8 are each amended to read as follows:

(1) Upon application by the committed or conditionally released person, the secretary shall determine whether or not reasonable grounds exist for release. In making this determination, the secretary may consider the reports filed under RCW 10.77.060, 10.77.110, 10.77.140, and 10.77.160, and other reports and evaluations provided by professionals familiar with the case. If the secretary approves the release he or she then shall authorize the person to petition the court.

(2) In instances in which persons have not made application for release, but the secretary believes, after consideration of the reports filed under RCW 10.77.060, 10.77.110, 10.77.140, and 10.77.160, and other reports and evaluations provided by professionals familiar with the case, that reasonable grounds exist for release, the secretary may petition the court. If the secretary petitions the court for release under this subsection, notice of the petition must be provided to the person who is the subject of the petition and to his or her attorney.

(3) The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the petition for release, shall within forty-five days order a hearing. Continuance of the hearing date shall only be allowed for good cause shown. The prosecuting attorney shall represent the state, and shall have the right to have the ~~((petitioner))~~ person who is the subject of the petition examined by an expert or professional person of the prosecuting attorney's choice. If the secretary is the petitioner, the attorney general shall represent the secretary. If the ~~((petitioner))~~ person who is the subject of the petition is indigent, and the person so requests, the court shall appoint a qualified expert or professional person to examine him or her. If the ~~((petitioner))~~ person who is the subject of the petition has a developmental disability, the examination shall be performed by a developmental disabilities professional. The hearing shall be before a jury if demanded by either the petitioner or the prosecuting attorney. The burden of proof shall be upon the petitioner to show by a preponderance of the evidence that the ~~((petitioner))~~ person who is the subject of the petition no longer presents, as a result of a mental disease or defect, a substantial danger to other persons, or a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions. If the person who is the subject of the petition will be transferred to a state correctional institution or facility upon release to serve a sentence for any class A felony, the petitioner must show that the person's mental disease or defect is manageable within a state correctional institution or facility, but must not be required to prove that the person does not present either a substantial danger to other persons, or a substantial likelihood of committing criminal acts jeopardizing public safety or security, if released.

(4) For purposes of this section, a person affected by a mental disease or defect in a state of remission is considered to have a mental disease or defect requiring supervision when the disease may, with reasonable medical probability, occasionally become active and, when active, render the person a danger to others. Upon a finding that the ~~((petitioner))~~ person who is the subject of the petition has a mental disease or defect in a state of remission under this subsection, the court may deny release, or place or continue such a person on conditional release.

(5) Nothing contained in this chapter shall prohibit the patient from petitioning the court for release or conditional release from the

institution in which he or she is committed. The petition shall be served upon the court, the prosecuting attorney, and the secretary. Upon receipt of such petition, the secretary shall develop a recommendation as provided in subsection (1) of this section and provide the secretary's recommendation to all parties and the court. The issue to be determined on such proceeding is whether the ~~((petitioner))~~ patient, as a result of a mental disease or defect, is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.

(6) Nothing contained in this chapter shall prohibit the committed person from petitioning for release by writ of habeas corpus.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Goodman and Shea.

Referred to Committee on Appropriations.

March 28, 2013

2SSB 5199

Prime Sponsor, Committee on Ways & Means: Concerning de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 90.03 RCW to read as follows:

(1) The department must initiate a process to enable water right holders to change the current status of water rights that are currently being put to a different or additional place of use or acreage than is indicated on the associated water right certificate, permit, or claim when that change was done prior to formal approval being granted by the department and only if the following conditions are met:

(a) The water right is located in a county that has at least six thousand acres in raspberry production as of the effective date of this section;

(b) The water right holder has implemented a change from overhead irrigation technology prior to January 1, 2010, to microirrigation technology;

(c) The water right holder has beneficially used the water right for irrigation purposes using microirrigation technology since implementing the change;

(d) Before the effective date of this section, the water right holder filed a water right change application or new water right application for the different or additional place of use or acreage but has not yet received approval for that application from the department; and

(e) The water right holder submits the following to the department:

(i) Information indicating the date or dates on which the actual changes in water use occurred, water use before and after the changes,

the points of diversion or withdrawal and any reductions in direct impact on instream resources, place of use and area actually irrigated both before and after the changes, and any improvements in water use efficiency;

(ii) Payment for the appropriate fee under RCW 90.03.470(3).

(2) For purposes of this section, "microirrigation technology" means a conservation irrigation method, such as drip or trickle irrigation, that delivers water to the base of the plant and allows additional production of crops without increasing the total amount of water consumptively used as compared to the prior overhead sprinkler system.

(3) The department may accept as evidence under this section crop receipts, seed receipts, harvest-related receipts, aerial and other photographs showing land in agricultural production or showing irrigation facilities, irrigation equipment receipts, metering records, or any other form of data acceptable to the department.

(4) If the department finds that the water right holder satisfies the requirements of this section, the department shall complete the analysis required by RCW 90.03.380(1) and issue appropriate superseding water right documents, except that the department shall use the time period prior to the implementation of the associated change to determine beneficial and consumptive use of the water right.

(5) To participate in the process authorized by this section, an applicant must, if requested by the department, utilize the cost-reimbursement process in this chapter.

(6) This section expires June 30, 2020."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Referred to Committee on Appropriations Subcommittee on General Government.

March 28, 2013

2SSB 5213 Prime Sponsor, Committee on Ways & Means: Concerning prescription review for medicaid managed care enrollees. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.09 RCW to read as follows:

The legislature finds that chronic care management, including comprehensive medication management services, provided by licensed pharmacists and qualified providers is a critical component of a collaborative, multidisciplinary, inter-professional approach to the treatment of chronic diseases for targeted individuals, to improve the quality of care and reduce overall cost in the treatment of such diseases.

Sec. 2. RCW 74.09.522 and 2011 1st sp.s. c 15 s 29, 2011 1st sp.s. c 9 s 2, and 2011 c 316 s 4 are each reenacted and amended to read as follows:

(1) For the purposes of this section:

(a) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered

by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(b) "Nonparticipating provider" means a person, health care provider, practitioner, facility, or entity, acting within their scope of practice, that does not have a written contract to participate in a managed health care system's provider network, but provides health care services to enrollees of programs authorized under this chapter whose health care services are provided by the managed health care system.

(2) The authority shall enter into agreements with managed health care systems to provide health care services to recipients of temporary assistance for needy families under the following conditions:

(a) Agreements shall be made for at least thirty thousand recipients statewide;

(b) Agreements in at least one county shall include enrollment of all recipients of temporary assistance for needy families;

(c) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act, recipients shall have a choice of systems in which to enroll and shall have the right to terminate their enrollment in a system: PROVIDED, That the authority may limit recipient termination of enrollment without cause to the first month of a period of enrollment, which period shall not exceed twelve months: AND PROVIDED FURTHER, That the authority shall not restrict a recipient's right to terminate enrollment in a system for good cause as established by the authority by rule;

(d) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act, participating managed health care systems shall not enroll a disproportionate number of medical assistance recipients within the total numbers of persons served by the managed health care systems, except as authorized by the authority under federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(e)(i) In negotiating with managed health care systems the authority shall adopt a uniform procedure to enter into contractual arrangements, to be included in contracts issued or renewed on or after January 1, ~~((2012))~~ 2014, unless a state plan amendment is required to implement subsections (C) and (F) of this section, including:

(A) Standards regarding the quality of services to be provided;

(B) The financial integrity of the responding system;

(C) Provider reimbursement methods that incentivize chronic care management within health homes, including comprehensive medication management services for patients with multiple chronic conditions, provided by a licensed pharmacist or other qualified provider consistent with the findings and goals established in section 1 of this act and in alignment with medication management services as described in section 3503(c) and (d) of P.L. 111-148 of 2010, as amended;

(D) Provider reimbursement methods that reward health homes that, by using chronic care management, reduce emergency department and inpatient use; ~~((and))~~

(E) Promoting provider participation in the program of training and technical assistance regarding care of people with chronic conditions described in RCW 43.70.533, including allocation of funds to support provider participation in the training, unless the managed care system is an integrated health delivery system that has programs in place for chronic care management; and

(F) Provider reimbursement methods within the medical billing processes that incentivize pharmacists or other qualified providers licensed in Washington state to provide comprehensive medication management services consistent with the findings and goals

established in section 1 of this act and in alignment with section 3503(c) and (d) of P.L. 111-148 of 2010, as amended. If comprehensive medication management services are performed at the same time that a medication is dispensed, the pharmacist shall forego reimbursement of the dispensing fee for payment for the review related to that encounter.

(ii)(A) Health home services contracted for under this subsection may be prioritized to enrollees with complex, high cost, or multiple chronic conditions.

(B) Contracts that include the items in (e)(i)(C) through (E) of this subsection must not exceed the rates that would be paid in the absence of these provisions;

(f) The authority shall seek waivers from federal requirements as necessary to implement this chapter;

(g) The authority shall, wherever possible, enter into prepaid capitation contracts that include inpatient care. However, if this is not possible or feasible, the authority may enter into prepaid capitation contracts that do not include inpatient care;

(h) The authority shall define those circumstances under which a managed health care system is responsible for out-of-plan services and assure that recipients shall not be charged for such services;

(i) Nothing in this section prevents the authority from entering into similar agreements for other groups of people eligible to receive services under this chapter; and

(j) The ~~((department))~~ authority must consult with the federal center for medicare and medicaid innovation and seek funding opportunities to support health homes.

(3) The authority shall ensure that publicly supported community health centers and providers in rural areas, who show serious intent and apparent capability to participate as managed health care systems are seriously considered as contractors. The authority shall coordinate its managed care activities with activities under chapter 70.47 RCW.

(4) The authority shall work jointly with the state of Oregon and other states in this geographical region in order to develop recommendations to be presented to the appropriate federal agencies and the United States congress for improving health care of the poor, while controlling related costs.

(5) The legislature finds that competition in the managed health care marketplace is enhanced, in the long term, by the existence of a large number of managed health care system options for medicaid clients. In a managed care delivery system, whose goal is to focus on prevention, primary care, and improved enrollee health status, continuity in care relationships is of substantial importance, and disruption to clients and health care providers should be minimized. To help ensure these goals are met, the following principles shall guide the authority in its healthy options managed health care purchasing efforts:

(a) All managed health care systems should have an opportunity to contract with the authority to the extent that minimum contracting requirements defined by the authority are met, at payment rates that enable the authority to operate as far below appropriated spending levels as possible, consistent with the principles established in this section.

(b) Managed health care systems should compete for the award of contracts and assignment of medicaid beneficiaries who do not voluntarily select a contracting system, based upon:

(i) Demonstrated commitment to or experience in serving low-income populations;

(ii) Quality of services provided to enrollees;

(iii) Accessibility, including appropriate utilization, of services offered to enrollees;

(iv) Demonstrated capability to perform contracted services, including ability to supply an adequate provider network;

(v) Payment rates; and

(vi) The ability to meet other specifically defined contract requirements established by the authority, including consideration of past and current performance and participation in other state or federal health programs as a contractor.

(c) Consideration should be given to using multiple year contracting periods.

(d) Quality, accessibility, and demonstrated commitment to serving low-income populations shall be given significant weight in the contracting, evaluation, and assignment process.

(e) All contractors that are regulated health carriers must meet state minimum net worth requirements as defined in applicable state laws. The authority shall adopt rules establishing the minimum net worth requirements for contractors that are not regulated health carriers. This subsection does not limit the authority of the Washington state health care authority to take action under a contract upon finding that a contractor's financial status seriously jeopardizes the contractor's ability to meet its contract obligations.

(f) Procedures for resolution of disputes between the authority and contract bidders or the authority and contracting carriers related to the award of, or failure to award, a managed care contract must be clearly set out in the procurement document.

(6) The authority may apply the principles set forth in subsection (5) of this section to its managed health care purchasing efforts on behalf of clients receiving supplemental security income benefits to the extent appropriate.

(7) A managed health care system shall pay a nonparticipating provider that provides a service covered under this chapter to the system's enrollee no more than the lowest amount paid for that service under the managed health care system's contracts with similar providers in the state.

(8) For services covered under this chapter to medical assistance or medical care services enrollees and provided on or after August 24, 2011, nonparticipating providers must accept as payment in full the amount paid by the managed health care system under subsection (7) of this section in addition to any deductible, coinsurance, or copayment that is due from the enrollee for the service provided. An enrollee is not liable to any nonparticipating provider for covered services, except for amounts due for any deductible, coinsurance, or copayment under the terms and conditions set forth in the managed health care system contract to provide services under this section.

(9) Pursuant to federal managed care access standards, 42 C.F.R. Sec. 438, managed health care systems must maintain a network of appropriate providers that is supported by written agreements sufficient to provide adequate access to all services covered under the contract with the ~~((department))~~ authority, including hospital-based physician services. The ~~((department))~~ authority will monitor and periodically report on the proportion of services provided by contracted providers and nonparticipating providers, by county, for each managed health care system to ensure that managed health care systems are meeting network adequacy requirements. No later than January 1st of each year, the ~~((department))~~ authority will review and report its findings to the appropriate policy and fiscal committees of the legislature for the preceding state fiscal year.

(10) Subsections (7) through (9) of this section expire July 1, 2016."

Correct the title.

On page 1, line 8 of the striking amendment, after "pharmacists" strike "and" and insert "or other"

On page 3, beginning on line 11 of the striking amendment, after "services" strike all material through "amended" on line 16 and insert "as described in section 3503(c) and (d) of P.L. 111-148 of 2010, as amended, provided by a licensed pharmacist or other qualified provider to patients with multiple chronic conditions as part of a collaborative, multidisciplinary, interprofessional approach to the treatment of chronic diseases for targeted individuals to improve the

quality of care and reduce the overall cost in the treatment of such diseases"

Signed by Representatives Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Riccelli; Rodne; Ross; Short and Tharinger.

MINORITY recommendation: Without recommendation. Signed by Representatives Cody, Chair; Morrell and Van De Wege.

Referred to Committee on Appropriations.

March 28, 2013

E2SSB 5215 Prime Sponsor, Committee on Ways & Means: Concerning health care professionals contracting with public and private payors. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that Washington state is a provider friendly state within which to practice medicine. As part of health care reform, Washington state endeavors to establish and operate a state-based health benefits exchange wherein insurance products will be offered for sale and add potentially three hundred thousand patients to commercial insurance, and to expand access to medicaid for potentially three hundred thousand new enrollees. Such a successful and new insurance market in Washington state will require the willing participation of all categories of health care providers. The legislature further finds that principles of fair contracting apply to all contracts between health care providers and health insurance carriers offering insurance within Washington state and that fair dealings and transparency in expectations should be present in interactions between all third-party payors and health care providers.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Health care provider" or "provider" has the same meaning as in RCW 48.43.005 and, for the purposes of this chapter, includes facilities licensed under chapter 70.41 RCW.

(2) "Payor" or "third-party payor" means carriers licensed under chapters 48.20, 48.21, 48.44, and 48.46 RCW, and managed health care systems as defined in RCW 74.09.522.

(3) "Material amendment" means an amendment to a contract between a payor and health care provider that would result in requiring a health care provider to participate in a health plan, product, or line of business with a lower fee schedule in order to continue to participate in a health plan, product, or line of business with a higher fee schedule. A material amendment does not include any of the following:

(a) A decrease in payment or compensation resulting from a change in a fee schedule published by the payor upon which the payment or compensation is based and the date of applicability is clearly identified in the contract, compensation addendum, or fee schedule notice;

(b) A decrease in payment or compensation that was anticipated under the terms of the contract, if the amount and date of applicability of the decrease is clearly identified in the contract; or

(c) Changes unrelated to compensation so long as reasonable notice of not less than sixty days is provided.

NEW SECTION. Sec. 3. (1) A third-party payor shall provide no less than sixty days' notice to the health care provider of any

proposed material amendments to a health care provider's contract with the third-party payor.

(2) Any material amendment to a contract must be clearly defined in a notice to the provider from the third-party payor as being a material change to the contract before the provider's notice period begins. The notice must also inform the providers that they may choose to reject the terms of the proposed material amendment through written or electronic means at any time during the notice period and that such rejection may not affect the terms of the health care provider's existing contract with the third-party payor.

(3) A health care provider's rejection of the material amendment does not affect the terms of the health care provider's existing contract with the third-party payor.

(4) A failure to comply with the terms of subsections (1), (2), and (3) of this section shall void the effectiveness of the material amendment.

NEW SECTION. Sec. 4. A payor may require a health care provider to extend the payor's medicaid rates, or some percentage above the payor's medicaid rates, that govern a health benefit program administered by a public purchaser to a commercial plan or line of business offered by a payor that is not administered by a public purchaser only if the health care provider has expressly agreed in writing to the extension. For the purposes of this section, "administered by a public purchaser" does not include commercial coverage offered through the Washington health benefit exchange. Nothing in this section prohibits a payor from utilizing medicaid rates, or some percentage above medicaid rates, as a base when negotiating payment rates with a health care provider.

NEW SECTION. Sec. 5. A new section is added to chapter 18.130 RCW to read as follows:

No licensee subject to this chapter may be required to participate in any public or private third-party reimbursement program or any plans or products offered by a payor as a condition of licensure.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute a new chapter in Title 48 RCW."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013

E2SSB 5267 Prime Sponsor, Committee on Ways & Means: Developing standardized prior authorization for medical and pharmacy management. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A work group is formed to develop criteria to streamline the prior authorization process for prescription drugs, medical procedures, and medical tests, with the goal of simplification and uniformity.

(2) The work group shall be cochaired by the chair of the senate health care committee and the chair of the house of representatives health care committee, and membership of the work group shall be determined by the cochairs, not to exceed eleven participants.

(3) The work group shall examine elements that may include the following:

(a) National standard transaction information, such as HIPAA 278 standards, for sending or receiving authorizations electronically;

(b) Standard transaction information and uniform prior authorization forms;

(c) Clean, uniform, and readily accessible forms for prior authorization including determining the appropriate number of forms;

(d) A core set of common data requirements for nonclinical information for prior authorization and electronic prescriptions, or both;

(e) The prior authorization process, which considers electronic forms and allows for flexibility for carriers to develop electronic forms; and

(f) Existing prior authorization forms by insurance carriers and by state agencies, in developing the uniform prior authorization forms.

(4) The work group must:

(a) Establish timelines for urgent requests and timeliness for nonurgent requests;

(b) Work on a receipt and missing information time frame;

(c) Determine time limits for a response of acknowledgment of receipts or requests of missing information;

(d) Establish when an authorization request will be deemed as granted when there is no response.

(5) The work group must submit their recommendations to the appropriate committees of the legislature by November 15, 2013.

(6) This section expires January 1, 2014.

NEW SECTION. Sec. 2. The insurance commissioner shall adopt rules implementing the recommendations of the work group established in section 1 of this act. The rules must take effect no later than July 1, 2014."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 25, 2013

SSB 5287 Prime Sponsor, Committee on Ways & Means: Eliminating accounts and funds. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 41.06.280 and 2011 1st sp.s. c 43 s 419 are each amended to read as follows:

There is hereby created a fund within the state treasury, designated as the "personnel service fund," to be used by the office of financial management (~~and the department of enterprise services~~) as a revolving fund for the payment of salaries, wages, and operations required for the administration of the provisions of this chapter, applicable provisions of chapter 41.04 RCW, and chapter 41.60 RCW. An amount not to exceed one and one-half percent of the salaries and wages for all positions in the classified service in each of the agencies subject to this chapter, except the institutions of higher education, shall be charged to the operations appropriations of each agency and credited to the personnel service fund as the allotments are approved pursuant to chapter 43.88 RCW. Subject to the above limitations, the amount shall be charged against the allotments pro rata, at a rate to be fixed by the director from time to time which, together with income derived from services rendered under RCW 41.06.080, will provide the office of financial management (~~and the~~

~~department of enterprise services~~) with funds to meet its anticipated expenditures during the allotment period, including the training requirements in RCW 41.06.50041.06.530. All revenues, net of expenditures, previously derived from services provided by the department of enterprise services under RCW 41.06.080 must be transferred to the enterprise services account.

The director shall fix the terms and charges for services rendered by (~~the department of enterprise services and~~) the office of financial management pursuant to RCW 41.06.080, which amounts shall be credited to the personnel service fund and charged against the proper fund or appropriation of the recipient of such services on a monthly basis. Payment for services so rendered under RCW 41.06.080 shall be made on a monthly basis to the state treasurer and deposited in the personnel service fund.

Moneys from the personnel service fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the office of financial management (~~and the department of enterprise services~~).

Sec. 2. RCW 43.19.025 and 2011 1st sp.s. c 43 s 202 are each amended to read as follows:

The enterprise services account is created in the custody of the state treasurer and shall be used for all activities (~~previously budgeted and accounted for in the following internal service funds: The motor transport account, the enterprise services management fund, the enterprise services facilities and services revolving fund, the central stores revolving fund, the surplus property purchase revolving fund, and the energy efficiency services account~~) conducted by the department, except information technology services. Only the director or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW.

Sec. 3. RCW 43.84.092 and 2012 c 198 s 2, 2012 c 196 s 7, 2012 c 187 s 14, and 2012 c 83 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, ~~((the freight congestion relief account,))~~ the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety ~~((account [fund]))~~ fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, ~~((the public transportation systems account,))~~ the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, ~~((the Puyallup tribal settlement account,))~~ the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system

plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 4. RCW 43.84.092 and 2012 c 198 s 2, 2012 c 196 s 7, 2012 c 187 s 14, 2012 c 83 s 4, and 2012 c 36 s 5 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is

required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, ~~((the freight congestion relief account,))~~ the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety ~~((account fund))~~ fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, ~~((the public transportation systems account,))~~ the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, ~~((the Puyallup tribal settlement account,))~~ the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the

special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 5. RCW 43.79A.040 and 2012 c 198 s 8, 2012 c 196 s 6, 2012 c 187 s 13, and 2012 c 114 s 3 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The Washington promise scholarship account, the Washington advanced college tuition payment program account, the accessible communities account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, ~~((the basic health plan self insurance reserve account,))~~ the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account (earnings from the Washington horse racing commission operating account must be credited to the Washington horse racing commission class C purse fund account), the life sciences discovery fund, the Washington state heritage center account, ~~((and))~~ the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, ~~((and))~~ the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 6. RCW 64.44.060 and 2006 c 339 s 206 are each amended to read as follows:

(1) A contractor, supervisor, or worker may not perform decontamination, demolition, or disposal work unless issued a certificate by the state department of health. The department shall establish performance standards for contractors, supervisors, and workers by rule in accordance with chapter 34.05 RCW, the

administrative procedure act. The department shall train and test, or may approve courses to train and test, contractors, supervisors, and workers on the essential elements in assessing property used as an illegal controlled substances manufacturing or storage site to determine hazard reduction measures needed, techniques for adequately reducing contaminants, use of personal protective equipment, methods for proper decontamination, demolition, removal, and disposal of contaminated property, and relevant federal and state regulations. Upon successful completion of the training, and after a background check, the contractor, supervisor, or worker shall be certified.

(2) The department may require the successful completion of annual refresher courses provided or approved by the department for the continued certification of the contractor or employee.

(3) The department shall provide for reciprocal certification of any individual trained to engage in decontamination, demolition, or disposal work in another state when the prior training is shown to be substantially similar to the training required by the department. The department may require such individuals to take an examination or refresher course before certification.

(4) The department may deny, suspend, revoke, or place restrictions on a certificate for failure to comply with the requirements of this chapter or any rule adopted pursuant to this chapter. A certificate may be denied, suspended, revoked, or have restrictions placed on it on any of the following grounds:

(a) Failing to perform decontamination, demolition, or disposal work under the supervision of trained personnel;

(b) Failing to perform decontamination, demolition, or disposal work using department of health certified decontamination personnel;

(c) Failing to file a work plan;

(d) Failing to perform work pursuant to the work plan;

(e) Failing to perform work that meets the requirements of the department and the requirements of the local health officers;

(f) Failing to properly dispose of contaminated property;

(g) Committing fraud or misrepresentation in: (i) Applying for or obtaining a certification, recertification, or reinstatement; (ii) seeking approval of a work plan; and (iii) documenting completion of work to the department or local health officer;

(h) Failing the evaluation and inspection of decontamination projects pursuant to RCW 64.44.075; or

(i) If the person has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order or a residential or visitation order. If the person has continued to meet all other requirements for reinstatement during the suspension, reissuance of the license or certificate shall be automatic upon the department's receipt of a release issued by the department of social and health services stating that the person is in compliance with the order.

(5) A contractor, supervisor, or worker who violates any provision of this chapter may be assessed a fine not to exceed five hundred dollars for each violation.

(6) The department of health shall prescribe fees as provided for in RCW 43.70.250 for: The issuance and renewal of certificates, conducting background checks of applicants, the administration of examinations, and the review of training courses.

~~((7))~~ The decontamination account is hereby established in the state treasury. All fees collected under this chapter shall be deposited in this account. Moneys in the account may only be spent after appropriation for costs incurred by the department in the administration and enforcement of this chapter.)

Sec. 7. RCW 70.47.100 and 2011 1st sp.s. c 9 s 4 and 2011 c 316 s 5 are each reenacted and amended to read as follows:

(1) A managed health care system participating in the plan shall do so by contract with the ~~((administrator))~~ director and shall provide, directly or by contract with other health care providers, covered basic health care services to each enrollee covered by its contract with the

~~((administrator))~~ director as long as payments from the ~~((administrator))~~ director on behalf of the enrollee are current. A participating managed health care system may offer, without additional cost, health care benefits or services not included in the schedule of covered services under the plan. A participating managed health care system shall not give preference in enrollment to enrollees who accept such additional health care benefits or services. Managed health care systems participating in the plan shall not discriminate against any potential or current enrollee based upon health status, sex, race, ethnicity, or religion. The ~~((administrator))~~ director may receive and act upon complaints from enrollees regarding failure to provide covered services or efforts to obtain payment, other than authorized copayments, for covered services directly from enrollees, but nothing in this chapter empowers the ~~((administrator))~~ director to impose any sanctions under Title 18 RCW or any other professional or facility licensing statute.

(2) A managed health care system shall pay a nonparticipating provider that provides a service covered under this chapter to the system's enrollee no more than the lowest amount paid for that service under the managed health care system's contracts with similar providers in the state.

(3) Pursuant to federal managed care access standards, 42 C.F.R. Sec. 438, managed health care systems must maintain a network of appropriate providers that is supported by written agreements sufficient to provide adequate access to all services covered under the contract with the authority, including hospital-based physician services. The authority will monitor and periodically report on the proportion of services provided by contracted providers and nonparticipating providers, by county, for each managed health care system to ensure that managed health care systems are meeting network adequacy requirements. No later than January 1st of each year, the authority will review and report its findings to the appropriate policy and fiscal committees of the legislature for the preceding state fiscal year.

(4) The plan shall allow, at least annually, an opportunity for enrollees to transfer their enrollments among participating managed health care systems serving their respective areas. The ~~((administrator))~~ director shall establish a period of at least twenty days in a given year when this opportunity is afforded enrollees, and in those areas served by more than one participating managed health care system the ~~((administrator))~~ director shall endeavor to establish a uniform period for such opportunity. The plan shall allow enrollees to transfer their enrollment to another participating managed health care system at any time upon a showing of good cause for the transfer.

(5) Prior to negotiating with any managed health care system, the ~~((administrator))~~ director shall determine, on an actuarially sound basis, the reasonable cost of providing the schedule of basic health care services, expressed in terms of upper and lower limits, and recognizing variations in the cost of providing the services through the various systems and in different areas of the state.

(6) In negotiating with managed health care systems for participation in the plan, the ~~((administrator))~~ director shall adopt a uniform procedure that includes at least the following:

(a) The ~~((administrator))~~ director shall issue a request for proposals, including standards regarding the quality of services to be provided; financial integrity of the responding systems; and responsiveness to the unmet health care needs of the local communities or populations that may be served;

(b) The ~~((administrator))~~ director shall then review responsive proposals and may negotiate with respondents to the extent necessary to refine any proposals;

(c) The ~~((administrator))~~ director may then select one or more systems to provide the covered services within a local area; and

(d) The ~~((administrator))~~ director may adopt a policy that gives preference to respondents, such as nonprofit community health

clinics, that have a history of providing quality health care services to low-income persons.

(7)(a) The ~~((administrator))~~ director may contract with a managed health care system to provide covered basic health care services to subsidized enrollees, nonsubsidized enrollees, health coverage tax credit eligible enrollees, or any combination thereof. At a minimum, such contracts issued on or after January 1, 2012, must include:

(i) Provider reimbursement methods that incentivize chronic care management within health homes;

(ii) Provider reimbursement methods that reward health homes that, by using chronic care management, reduce emergency department and inpatient use; and

(iii) Promoting provider participation in the program of training and technical assistance regarding care of people with chronic conditions described in RCW 43.70.533, including allocation of funds to support provider participation in the training unless the managed care system is an integrated health delivery system that has programs in place for chronic care management.

(b) Health home services contracted for under this subsection may be prioritized to enrollees with complex, high cost, or multiple chronic conditions.

(c) For the purposes of this subsection, "chronic care management," "chronic condition," and "health home" have the same meaning as in RCW 74.09.010.

(d) Contracts that include the items in (a)(i) through (iii) of this subsection must not exceed the rates that would be paid in the absence of these provisions.

(8) The ~~((administrator))~~ director may establish procedures and policies to further negotiate and contract with managed health care systems following completion of the request for proposal process in subsection (6) of this section, upon a determination by the ~~((administrator))~~ director that it is necessary to provide access, as defined in the request for proposal documents, to covered basic health care services for enrollees.

(9) ~~((The administrator may implement a self-funded or self-insured method of providing insurance coverage to subsidized enrollees, as provided under RCW 41.05.140. Prior to implementing a self-funded or self-insured method, the administrator shall ensure that funding available in the basic health plan self-insurance reserve account is sufficient for the self-funded or self-insured risk assumed, or expected to be assumed, by the administrator. If implementing a self-funded or self-insured method, the administrator may request funds to be moved from the basic health plan trust account or the basic health plan subscription account to the basic health plan self-insurance reserve account established in RCW 41.05.140.~~

(10)) Subsections (2) and (3) of this section expire July 1, 2016.

Sec. 8. RCW 70.116.134 and 1991 c 18 s 1 are each amended to read as follows:

(1) The secretary shall adopt rules pursuant to chapter 34.05 RCW establishing criteria for designating individuals or water purveyors as qualified satellite system management agencies. The criteria shall set forth minimum standards for designation as a satellite system management agency qualified to assume ownership, operation, or both, of an existing or proposed public water system. The criteria shall include demonstration of financial integrity and operational capability, and may require demonstration of previous experience in successful operation and management of a public water system.

(2) Each county shall identify potential satellite system management agencies to the secretary for areas where: (a) No purveyor has been designated a future service area pursuant to this chapter, or (b) an existing purveyor is unable or unwilling to provide service. Preference shall be given to public utilities or utility districts or to investor-owned utilities under the jurisdiction of the utilities and transportation commission.

(3) The secretary shall approve satellite system management agencies meeting the established criteria and shall maintain and make available to counties a list of approved agencies. Prior to the construction of a new public water system, the individual(s) proposing the new system or requesting service shall first be directed by the local agency responsible for issuing the construction or building permit to one or more qualified satellite system management agencies designated for the service area where the new system is proposed for the purpose of exploring the possibility of a satellite agency either owning or operating the proposed new water system.

(4) Approved satellite system management agencies shall be reviewed periodically by the secretary for continued compliance with established criteria. The secretary may require status reports and other information necessary for such review. Satellite system management agencies shall be subject to reapproval at the discretion of the secretary but not less than once every five years.

(5) The secretary may assess reasonable fees to process applications for initial approval and for periodic review of satellite system management agencies. ~~((A satellite system management account is hereby created in the custody of the state treasurer. All receipts from satellite system management agencies or applicants under subsection (4) of this section shall be deposited into the account. Funds in this account may be used only for administration of the satellite system management program. Expenditures from the account shall be authorized by the secretary or the secretary's designee. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.))~~

(6) For purposes of this section, "satellite system management agency" and "satellite agency" shall mean a person or entity that is certified by the secretary to own or operate more than one public water system on a regional or countywide basis, without the necessity for a physical connection between such systems.

Sec. 9. RCW 82.44.180 and 1999 c 402 s 5 and 1999 c 94 s 31 are each reenacted and amended to read as follows:

~~((4))~~ The transportation fund is created in the state treasury. Revenues under RCW ~~((82.44.110 and))~~ 82.50.510 shall be deposited into the fund as provided in ~~((those))~~ that section(s).

Moneys in the fund may be spent only after appropriation. Expenditures from the fund may be used only for transportation purposes and activities and operations of the Washington state patrol not directly related to the policing of public highways and that are not authorized under Article II, section 40 of the state Constitution.

~~((2))~~ There is hereby created the public transportation systems account within the transportation fund. Moneys deposited into the account under RCW 82.44.150(2) (b) and (c) shall be appropriated to the transportation improvement board and allocated by the transportation improvement board to public transportation projects submitted by the public transportation systems as defined by chapters 36.56, 36.57, and 36.57A RCW and RCW 35.84.060 and 81.112.030, and the Washington state ferry system, solely for:

- (a) Planning;
- (b) Development of capital projects;
- (c) Development of high capacity transportation systems as defined in RCW 81.104.015;
- (d) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020;
- (e) Other public transportation system-related roadway projects on state highways, county roads, or city streets;
- (f) Public transportation system contributions required to fund projects under federal programs and those approved by the transportation improvement board from other fund sources; and
- (g) Reimbursement to the general fund of tax credits authorized under RCW 82.04.4453 and 82.16.048, subject to appropriation.)

Sec. 10. RCW 41.05.140 and 2012 c 187 s 10 are each amended to read as follows:

(1) Except for property and casualty insurance, the authority may self-fund, self-insure, or enter into other methods of providing insurance coverage for insurance programs under its jurisdiction, including the basic health plan as provided in chapter 70.47 RCW. The authority shall contract for payment of claims or other administrative services for programs under its jurisdiction. If a program does not require the prepayment of reserves, the authority shall establish such reserves within a reasonable period of time for the payment of claims as are normally required for that type of insurance under an insured program. The authority shall endeavor to reimburse basic health plan health care providers under this section at rates similar to the average reimbursement rates offered by the statewide benchmark plan determined through the request for proposal process.

(2) Reserves established by the authority for employee and retiree benefit programs shall be held in a separate account in the custody of the state treasurer and shall be known as the public employees' and retirees' insurance reserve fund. The state treasurer may invest the moneys in the reserve fund pursuant to RCW 43.79A.040.

(3) Any savings realized as a result of a program created for employees and retirees under this section shall not be used to increase benefits unless such use is authorized by statute.

(4) ~~((Reserves established by the authority to provide insurance coverage for the basic health plan under chapter 70.47 RCW shall be held in a separate trust account in the custody of the state treasurer and shall be known as the basic health plan self-insurance reserve account. The state treasurer may invest the moneys in the reserve fund pursuant to RCW 43.79A.040.~~

~~((5))~~ Any program created under this section shall be subject to the examination requirements of chapter 48.03 RCW as if the program were a domestic insurer. In conducting an examination, the commissioner shall determine the adequacy of the reserves established for the program.

~~((6))~~ ~~((5))~~ The authority shall keep full and adequate accounts and records of the assets, obligations, transactions, and affairs of any program created under this section.

~~((7))~~ ~~((6))~~ The authority shall file a quarterly statement of the financial condition, transactions, and affairs of any program created under this section in a form and manner prescribed by the insurance commissioner. The statement shall contain information as required by the commissioner for the type of insurance being offered under the program. A copy of the annual statement shall be filed with the speaker of the house of representatives and the president of the senate.

~~((8))~~ ~~((7))~~ The provisions of this section do not apply to the administration of chapter 74.09 RCW.

Sec. 11. RCW 82.45.180 and 2010 1st sp.s. c 26 s 9 are each amended to read as follows:

(1)(a) For taxes collected by the county under this chapter, the county treasurer shall collect a five dollar fee on all transactions required by this chapter where the transaction does not require the payment of tax. A total of five dollars shall be collected in the form of a tax and fee, where the calculated tax payment is less than five dollars. Through June 30, 2006, the county treasurer shall place one percent of the taxes collected by the county under this chapter and the treasurer's fee in the county current expense fund to defray costs of collection. After June 30, 2006, the county treasurer shall place one and three-tenths percent of the taxes collected by the county under this chapter and the treasurer's fee in the county current expense fund to defray costs of collection. For taxes collected by the county under this chapter before July 1, 2006, the county treasurer shall pay over to the state treasurer and account to the department of revenue for the proceeds at the same time the county treasurer remits funds to the state under RCW 84.56.280. For taxes collected by the county under this chapter after June 30, 2006, on a monthly basis the county treasurer shall pay over to the state treasurer the month's transmittal. The month's transmittal must be received by the state treasurer by 12:00 p.m. on the last working day of each month. The county

treasurer shall account to the department for the month's transmittal by the twentieth day of the month following the month in which the month's transmittal was paid over to the state treasurer. The state treasurer shall deposit the proceeds in the general fund.

(b) For purposes of this subsection, the definitions in this subsection apply.

(i) "Close of business" means the time when the county treasurer makes his or her daily deposit of proceeds.

(ii) "Month's transmittal" means all proceeds deposited by the county through the close of business of the day that is two working days before the last working day of the month. This definition of "month's transmittal" shall not be construed as requiring any change in a county's practices regarding the timing of its daily deposits of proceeds.

(iii) "Proceeds" means moneys collected and received by the county from the taxes imposed by this chapter, less the county's share of the proceeds used to defray the county's costs of collection allowable in (a) of this subsection.

(iv) "Working day" means a calendar day, except Saturdays, Sundays, and all legal holidays as provided in RCW 1.16.050.

(2) For taxes collected by the department of revenue under this chapter, the department shall remit the tax to the state treasurer who shall deposit the proceeds of any state tax in the general fund. The state treasurer shall deposit the proceeds of any local taxes imposed under chapter 82.46 RCW in the local real estate excise tax account hereby created in the state treasury. Moneys in the local real estate excise tax account may be spent only for distribution to counties, cities, and towns imposing a tax under chapter 82.46 RCW. Except as provided in RCW 43.08.190, all earnings of investments of balances in the local real estate excise tax account shall be credited to the local real estate excise tax account and distributed to the counties, cities, and towns monthly. Monthly the state treasurer shall make distribution from the local real estate excise tax account to the counties, cities, and towns the amount of tax collected on behalf of each taxing authority. The state treasurer shall make the distribution under this subsection without appropriation.

(3)(a) ((The real estate excise tax electronic technology account is created in the custody of the state treasurer. An appropriation is not required for expenditures and the account is not subject to allotment procedures under chapter 43.88 RCW.

(b))) Through June 30, 2010, the county treasurer shall collect an additional five dollar fee on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. The county treasurer shall remit this fee to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer shall place money from this fee in the ((real estate excise tax electronic technology account)) general fund. By the twentieth day of the subsequent month, the state treasurer shall distribute to each county treasurer according to the following formula: Three-quarters of the funds available shall be equally distributed among the thirty-nine counties; and the balance shall be ratably distributed among the counties in direct proportion to their population as it relates to the total state's population based on most recent statistics by the office of financial management.

((=)) (b) When received by the county treasurer, the funds shall be placed in a special real estate excise tax electronic technology fund held by the county treasurer to be used exclusively for the development, implementation, and maintenance of an electronic processing and reporting system for real estate excise tax affidavits. Funds may be expended to make the system compatible with the automated real estate excise tax system developed by the department and compatible with the processes used in the offices of the county assessor and county auditor. Any funds held in the account that are not expended by the earlier of: July 1, 2015, or at such time that the county treasurer is utilizing an electronic processing and reporting

system for real estate excise tax affidavits compatible with the department and compatible with the processes used in the offices of the county assessor and county auditor, revert to the special real estate and property tax administration assistance account in accordance with subsection (5)(c) of this section.

(4) Beginning July 1, 2010, through December 31, 2013, the county treasurer shall continue to collect the additional five dollar fee in subsection (3) of this section on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. During this period, the county treasurer shall remit this fee to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer shall place money from this fee in the annual property revaluation grant account created in RCW 84.41.170.

(5)(a) The real estate and property tax administration assistance account is created in the custody of the state treasurer. An appropriation is not required for expenditures and the account is not subject to allotment procedures under chapter 43.88 RCW.

(b) Beginning January 1, 2014, the county treasurer must continue to collect the additional five dollar fee in subsection (3) of this section on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. The county treasurer shall deposit one-half of this fee in the special real estate and property tax administration assistance account in accordance with (c) of this subsection and remit the balance to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer must place money from this fee in the real estate and property tax administration assistance account. By the twentieth day of the subsequent month, the state treasurer must distribute the funds to each county treasurer according to the following formula: One-half of the funds available must be equally distributed among the thirty-nine counties; and the balance must be ratably distributed among the counties in direct proportion to their population as it relates to the total state's population based on most recent statistics by the office of financial management.

(c) When received by the county treasurer, the funds must be placed in a special real estate and property tax administration assistance account held by the county treasurer to be used for:

(i) Maintenance and operation of an annual revaluation system for property tax valuation; and

(ii) Maintenance and operation of an electronic processing and reporting system for real estate excise tax affidavits.

Sec. 12. RCW 70.122.130 and 2006 c 108 s 2 are each amended to read as follows:

(1) The department of health shall establish and maintain a statewide health care declarations registry containing the health care declarations identified in subsection (2) of this section as submitted by residents of Washington. The department shall digitally reproduce and store health care declarations in the registry. The department may establish standards for individuals to submit digitally reproduced health care declarations directly to the registry, but is not required to review the health care declarations that it receives to ensure they comply with the particular statutory requirements applicable to the document. The department may contract with an organization that meets the standards identified in this section.

(2)(a) An individual may submit any of the following health care declarations to the department of health to be digitally reproduced and stored in the registry:

(i) A directive, as defined by this chapter;

(ii) A durable power of attorney for health care, as authorized in chapter 11.94 RCW;

(iii) A mental health advance directive, as defined by chapter 71.32 RCW; or

(iv) A form adopted pursuant to the department of health's authority in RCW 43.70.480.

- (b) Failure to submit a health care declaration to the department of health does not affect the validity of the declaration.
- (c) Failure to notify the department of health of a valid revocation of a health care declaration does not affect the validity of the revocation.
- (d) The entry of a health care directive in the registry under this section does not:
- Affect the validity of the document;
 - Take the place of any requirements in law necessary to make the submitted document legal; or
 - Create a presumption regarding the validity of the document.
- (3) The department of health shall prescribe a procedure for an individual to revoke a health care declaration contained in the registry.
- (4) The registry must:
- Be maintained in a secure database that is accessible through a web site maintained by the department of health;
 - Send annual electronic messages to individuals that have submitted health care declarations to request that they review the registry materials to ensure that it is current;
 - Provide individuals who have submitted one or more health care declarations with access to their documents and the ability to revoke their documents at all times; and
 - Provide the personal representatives of individuals who have submitted one or more health care declarations to the registry, attending physicians, advanced registered nurse practitioners, health care providers licensed by a disciplining authority identified in RCW 18.130.040 who is acting under the direction of a physician or an advanced registered nurse practitioner, and health care facilities, as defined in this chapter or in chapter 71.32 RCW, access to the registry at all times.
- (5) In designing the registry and web site, the department of health shall ensure compliance with state and federal requirements related to patient confidentiality.
- (6) The department shall provide information to health care providers and health care facilities on the registry web site regarding the different federal and Washington state requirements to ascertain and document whether a patient has an advance directive.
- (7) The department of health may accept donations, grants, gifts, or other forms of voluntary contributions to support activities related to the creation and maintenance of the health care declarations registry and statewide public education campaigns related to the existence of the registry. ~~((All funds received shall be transferred to the health care declarations registry account, created in RCW 70.122.140.))~~ All receipts from donations made under this section, and other contributions and appropriations specifically made for the purposes of creating and maintaining the registry established under this section and statewide public education campaigns related to the existence of the registry, shall be deposited into the general fund. These moneys in the general fund may be spent only after appropriation.
- (8) The department of health may adopt rules as necessary to implement chapter 108, Laws of 2006.
- (9) By December 1, 2008, the department shall report to the house and senate committees on health care the following information:
- Number of participants in the registry;
 - Number of health care declarations submitted by type of declaration as defined in this section;
 - Number of health care declarations revoked and the method of revocation;
 - Number of providers and facilities, by type, that have been provided access to the registry;
 - Actual costs of operation of the registry(;
 - Donations received by the department for deposit into the

health care declarations registry account, created in RCW 70.122.140 by type of donor)).

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

- RCW 43.19.730 (Public printing revolving account) and 2011 1st sp.s. c 43 s 307;
- RCW 43.70.325 (Rural health access account) and 1992 c 120 s 1;
- RCW 43.338.030 (Manufacturing innovation and modernization account) and 2008 c 315 s 5;
- RCW 46.68.210 (Puyallup tribal settlement account) and 1991 sp.s. c 13 s 104 & 1990 c 42 s 411;
- RCW 46.68.330 (Freight congestion relief account) and 2007 c 514 s 2;
- RCW 70.122.140 (Health care declarations registry account) and 2006 c 108 s 3; and
- 2006 c 372 s 715 (uncodified).

NEW SECTION. Sec. 14. The office of the state treasurer, the office of financial management, and the code reviser shall review state statutes relating to state capital construction funds and accounts and bond authorizations and submit to the appropriate fiscal committees of the 2015 legislature recommended legislation for the amendment, repeal, or decodification of those statutes that are inactive, obsolete, or no longer necessary for continued publication in the Revised Code of Washington.

NEW SECTION. Sec. 15. Section 3 of this act expires if the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 16. Section 4 of this act takes effect if the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 17. Any residual balance of funds remaining in the public printing revolving account repealed by section 13 of this act on the effective date of this section shall be transferred to the enterprise services account. Any residual balance of funds remaining in the Puyallup tribal settlement account repealed by section 13 of this act on the effective date of this section shall be transferred to the motor vehicle fund. Any residual balance of funds remaining in any other account abolished in this act on June 30, 2013, shall be transferred by the state treasurer to the state general fund.

NEW SECTION. Sec. 18. Except for section 4 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2013."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 28, 2013

ESB 5305 Prime Sponsor, Senator Becker: Requiring hospitals to report when providing treatment for bullet wounds, gunshot wounds, and stab wounds to all patients. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Harris; Manweller; Moeller; Riccelli; Rodne; Short and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Hope, Assistant Ranking Minority Member; Green; Morrell; Ross and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5315 Prime Sponsor, Committee on Human Services & Corrections: Implementing the recommendations made by the Powell fatality team. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.34.130 and 2011 c 309 s 27 and 2011 c 292 s 1 are each reenacted and amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030 after consideration of the social study prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition that maintains the child in his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In determining the disposition, the court should choose services to assist the parents in maintaining the child in the home, including housing assistance, if appropriate, that least interfere with family autonomy and are adequate to protect the child.

(b)(i) Order the child to be removed from his or her home and into the custody, control, and care of a relative or other suitable person, the department, or a supervising agency for supervision of the child's placement. If the court orders that the child be placed with a caregiver over the objections of the parent or the department, the court shall articulate, on the record, his or her reasons for ordering the placement. The court may not order an Indian child, as defined in RCW 13.38.040, to be removed from his or her home unless the court finds, by clear and convincing evidence including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(ii) The department or supervising agency has the authority to place the child, subject to review and approval by the court (A) with a relative as defined in RCW 74.15.020(2)(a), (B) in the home of another suitable person if the child or family has a preexisting relationship with that person, and the person has completed all required criminal history background checks and otherwise appears to the department or supervising agency to be suitable and competent to provide care for the child, or (C) in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW.

(iii) The department may also consider placing the child, subject to review and approval by the court, with a person with whom the child's sibling or half-sibling is residing or a person who has adopted the sibling or half-sibling of the child being placed as long as the person has completed all required criminal history background checks and otherwise appears to the department or supervising agency to be competent to provide care for the child.

(2) Absent good cause, the department or supervising agency shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

(3) The department or supervising agency may only place a child with a person not related to the child as defined in RCW 74.15.020(2)(a), including a placement provided for in subsection (1)(b)(iii) of this section, when the court finds that such placement is in the best interest of the child. Unless there is reasonable cause to believe that the health, safety, or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, the child shall be placed with a person who is willing, appropriate, and available to care for the child, and who is: (I) Related to the child as defined in RCW 74.15.020(2)(a) with whom the child has a relationship and is comfortable; or (II) a suitable person as described in subsection (1)(b) of this section. The court shall consider the child's existing relationships and attachments when determining placement.

(4) When placing an Indian child in out-of-home care, the department or supervising agency shall follow the placement preference characteristics in RCW 13.38.180.

(5) Placement of the child with a relative or other suitable person as described in subsection (1)(b) of this section shall be given preference by the court. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services, including housing assistance, that have been provided to the child and the child's parent, guardian, or legal custodian, and that preventive services have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home, and that:

(a) There is no parent or guardian available to care for such child;

(b) The parent, guardian, or legal custodian is not willing to take custody of the child; or

(c) The court finds, by clear, cogent, and convincing evidence, a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger.

(6) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court shall consider whether it is in a child's best interest to be placed with, have contact with, or have visits with siblings.

(a) There shall be a presumption that such placement, contact, or visits are in the best interests of the child provided that:

(i) The court has jurisdiction over all siblings subject to the order of placement, contact, or visitation pursuant to petitions filed under this chapter or the parents of a child for whom there is no jurisdiction are willing to agree; and

(ii) There is no reasonable cause to believe that the health, safety, or welfare of any child subject to the order of placement, contact, or visitation would be jeopardized or that efforts to reunite the parent and child would be hindered by such placement, contact, or visitation. In no event shall parental visitation time be reduced in order to provide sibling visitation.

(b) The court may also order placement, contact, or visitation of a child with a stepbrother or stepsister provided that in addition to the factors in (a) of this subsection, the child has a relationship and is comfortable with the stepsibling.

(7) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section and placed into nonparental or nonrelative care, the court shall order a placement that allows the child to remain in the same school he or she attended prior to the initiation of the dependency proceeding when such a placement is practical and in the child's best interest.

(8) If the court has ordered a child removed from his or her home pursuant to subsection (1)(b) of this section, the court may order that a petition seeking termination of the parent and child relationship be filed if the requirements of RCW 13.34.132 are met.

(9) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative or other suitable person, the child shall remain in foster care and the court shall direct the department or supervising agency to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative or other person appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives or other suitable persons, pursuant to this section, shall be contingent upon cooperation by the relative or other suitable person with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's or other suitable person's home, subject to review by the court.

Sec. 2. RCW 13.34.136 and 2011 c 309 s 29 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(~~(6)~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii)(A) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement.

(B) Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation.

(C) Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. When a parent or sibling has been identified as a suspect in an active criminal investigation for a violent crime that, if the allegations are true, would impact the safety of the child, the department shall make a concerted effort to consult with the assigned law enforcement officer in the criminal case before recommending any changes in parent/child or child/sibling contact. In the event that the law enforcement officer has information pertaining to the criminal case that may have serious implications for child safety or well-being, the law enforcement officer shall provide this information to the department during the consultation. The department may only use the information provided by law enforcement during the consultation to inform family visitation plans and may not share or otherwise distribute the information to any person or entity. Any information provided to the department by law enforcement during the consultation is considered investigative information and is exempt from public inspection pursuant to RCW 42.56.240. The results of the consultation shall be communicated to the court.

(D) The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

(v) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vi) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(~~(6)~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of

the most recent twenty-two months, the court shall require the department or supervising agency to file a petition seeking termination of parental rights in accordance with RCW 13.34.145(3)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130((4)) (6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings. To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department of social and health services or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

Sec. 3. RCW 13.34.380 and 2009 c 520 s 45 are each amended to read as follows:

The department shall develop consistent policies and protocols, based on current relevant research, concerning visitation for dependent children to be implemented consistently throughout the state. The department shall develop the policies and protocols in consultation with researchers in the field, community-based agencies, court-appointed special advocates, parents' representatives, and court representatives. The policies and protocols shall include, but not be limited to: The structure and quality of visitations; consultation with the assigned law enforcement officer in the event the parent or sibling of the child is identified as a suspect in an active criminal investigation for a violent crime that, if the allegations are true, would impact the safety of the child; and training for department and supervising agency caseworkers, visitation supervisors, and foster parents related to visitation.

The policies and protocols shall be consistent with the provisions of this chapter and implementation of the policies and protocols shall be consistent with relevant orders of the court.

NEW SECTION. Sec. 4. A new section is added to chapter 13.34 RCW to read as follows:

In the event a judge orders a parent to undergo a psychosexual evaluation, and pending the outcome of the evaluation, the department, subject to the approval of the court, may reassess visitation duration, supervision, and location, if appropriate. If the assessment indicates the current visitation plan is contrary to the child's health, safety, or welfare, the department, subject to approval by the court, may alter the visitation plan pending the outcome of the investigation.

Sec. 5. RCW 74.14B.010 and 1999 c 389 s 5 are each amended to read as follows:

(1) Caseworkers employed in children services shall meet minimum standards established by the department of social and health services. Comprehensive training for caseworkers shall be completed before such caseworkers are assigned to case-carrying responsibilities without direct supervision. Intermittent, part-time, and standby workers shall be subject to the same minimum standards and training.

(2) Ongoing specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.

(3) The department, the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children, including law enforcement, prosecution, and child protective services.

(4) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews.

(5) The identification of domestic violence is critical in ensuring the safety of children in the child welfare system. As a result, ongoing domestic violence training and consultation shall be provided to caseworkers, including how to use the children's administration's practice guide to domestic violence."

Correct the title.

Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 28, 2013

SSB 5316

Prime Sponsor, Committee on Human Services & Corrections: Adopting a model policy to require a third person to be present during interviews. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

March 27, 2013

SB 5344 Prime Sponsor, Senator Mullet: Revising state statutes concerning trusts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 11.36.010 and 1983 c 51 s 1 are each amended to read as follows:

(1) Except as provided in subsections (2), (3), and (4) of this section, the following persons are not qualified to act as personal representatives: Corporations, limited liability companies, limited liability partnerships, minors, persons of unsound mind, or persons who have been convicted of (a) any felony or ~~((of a misdemeanor))~~ (b) any crime involving moral turpitude ~~((PROVIDED, That))~~.

(2) Trust companies regularly organized under the laws of this state and national banks when authorized so to do may act as the personal representative of ~~((decedents' or incompetents' estates))~~ an individual's estate or of the estate of an incapacitated person upon petition of any person having a right to such appointment and may act as ~~((executors))~~ personal representatives or guardians when so appointed by will ~~((PROVIDED FURTHER, That professional service corporations regularly organized under the laws of this state whose shareholder or shareholders are exclusively attorneys may act as personal representatives))~~. No trust company or national bank may qualify as such ~~((executor))~~ personal representative or guardian under any will hereafter drawn by it or its agents or employees, and no salaried attorney of any such company may be allowed any attorney fee for probating any such will or in relation to the administration or settlement of any such estate, and no part of any attorney fee may inure, directly or indirectly, to the benefit of any trust company or national bank.

(3) Professional service corporations, professional limited liability companies, or limited liability partnerships, that are duly organized under the laws of this state and whose shareholders, members, or partners, respectively, are exclusively attorneys, may act as personal representatives.

(4) Any nonprofit corporation may act as personal representative if the articles of incorporation or bylaws of that corporation permit the action and the corporation is in compliance with all applicable provisions of Title 24 RCW.

(5) When any person to whom letters testamentary or of administration have been issued becomes disqualified to act because of becoming of unsound mind or being convicted of (a) any felony or (b) any crime ~~((or misdemeanor))~~ involving moral turpitude, the court having jurisdiction ~~((shall))~~ must revoke his or her letters.

(6) A nonresident may be appointed to act as personal representative if the nonresident appoints an agent who is a resident of the county where such estate is being probated or who is an attorney of record of the estate, upon whom service of all papers may be made; such appointment to be made in writing and filed by the clerk with other papers of such estate; and, unless bond has been waived as provided by RCW 11.28.185, such nonresident personal representative ~~((shall))~~ must file a bond to be approved by the court.

Sec. 2. RCW 11.36.021 and 1991 c 72 s 1 are each amended to read as follows:

(1) The following may serve as trustees:

(a) Any suitable persons over the age of eighteen years, if not otherwise disqualified;

(b) Any trust company regularly organized under the laws of this state and national banks when authorized to do so;

(c) Any nonprofit corporation, if the articles of incorporation or bylaws of that corporation permit the action and if the corporation is in compliance with all applicable provisions of Title 24 RCW;

(d) Any professional service corporations ~~((regularly))~~, professional limited liability companies, or limited liability partnerships, that are duly organized under the laws of this state and whose ~~((shareholder or))~~ shareholders, members, or partners, respectively, are exclusively attorneys; ~~((and))~~

(e) Any state or regional college or university, as those institutions are defined in RCW 28B.10.016;

(f) Any community or technical college, as those institutions are defined in RCW 28B.50.030; and

(g) Any other entity so authorized under the laws of the state of Washington.

(2) The following are disqualified to serve as trustees:

(a) Minors, persons of unsound mind, or persons who have been convicted of (i) any felony or ~~((a misdemeanor))~~ (ii) any crime involving moral turpitude; and

(b) A corporation organized under Title 23B RCW that is not authorized under the laws of the state of Washington to act as a fiduciary.

Sec. 3. RCW 11.96A.050 and 2011 c 327 s 6 are each amended to read as follows:

(1) Venue for proceedings pertaining to trusts ~~((shall be))~~ is:

(a) For testamentary trusts established under wills probated in the state of Washington, in the superior court of the county where the probate of the will is being administered or was completed or, in the alternative, the superior court of the county where any qualified beneficiary of the trust ~~((entitled to notice under RCW 11.97.010))~~ as defined in section 8 of this act resides, the county where any trustee resides or has a place of business, or the county where any real property that is an asset of the trust is located; and

(b) For all other trusts, in the superior court of the county where any qualified beneficiary of the trust ~~((entitled to notice under RCW 11.97.010))~~ as defined in section 8 of this act resides, the county where any trustee resides or has a place of business, or the county where any real property that is an asset of the trust is located. If no county has venue for proceedings pertaining to a trust under the preceding sentence, then in any county.

(2) A party to a proceeding pertaining to a trust may request that venue be changed. If the request is made within four months of the giving of the first notice of a proceeding pertaining to the trust, except for good cause shown, venue must be moved to the county with the strongest connection to the trust as determined by the court, considering such factors as the residence of a qualified beneficiary of the trust ~~((entitled to notice under RCW 11.97.010))~~ as defined in section 8 of this act, the residence or place of business of a trustee, and the location of any real property that is an asset of the trust.

(3) Venue for proceedings subject to chapter 11.88 or 11.92 RCW ~~((shall))~~ must be determined under the provisions of those chapters.

(4) Venue for proceedings pertaining to the probate of wills, the administration and disposition of a decedent's property, including nonprobate assets, and any other matter not identified in subsection (1), (2), or (3) of this section, ~~((shall))~~ must be in any county in the state of Washington that the petitioner selects. A party to a proceeding may request that venue be changed if the request is made within four months of the mailing of the notice of appointment and pendency of probate required by RCW 11.28.237, and except for good cause shown, venue must be moved as follows:

(a) If the decedent was a resident of the state of Washington at the time of death, to the county of the decedent's residence; or

(b) If the decedent was not a resident of the state of Washington at the time of death, to any of the following:

- (i) Any county in which any part of the probate estate might be;
- (ii) If there are no probate assets, any county where any nonprobate asset might be; or
- (iii) The county in which the decedent died.

(5) Once letters testamentary or of administration have been granted in the state of Washington, all orders, settlements, trials, and other proceedings under this title ~~((shall))~~ must be had or made in the county in which such letters have been granted unless venue is moved as provided in subsection (4) of this section.

(6) Venue for proceedings pertaining to powers of attorney ~~((shall))~~ must be in the superior court of the county of the principal's residence, except for good cause shown.

(7) If venue is moved, an action taken before venue is changed is not invalid because of the venue.

(8) Any request to change venue that is made more than four months after the commencement of the action may be granted in the discretion of the court.

Sec. 4. RCW 11.96A.070 and 2011 c 327 s 7 are each amended to read as follows:

(1)(a) A beneficiary of an express trust may not commence a proceeding against a trustee for breach of trust more than three years after the date a report was delivered in the manner provided in RCW 11.96A.110 to the beneficiary or to a representative of the beneficiary ~~((was sent a report that))~~ if the report adequately disclosed the existence of a potential claim for breach of trust and informed the beneficiary of the time allowed for commencing a proceeding.

(b) A report adequately discloses the existence of a potential claim for breach of trust if it provides sufficient information so that the beneficiary or representative knows or should have known of the potential claim ~~((or should have inquired into its existence))~~. A report that includes ~~((the following information))~~ all of the items described in this subsection (b) that are relevant for the reporting period is presumed to have provided such sufficient information regarding the existence of potential claims for breach of trust for such period:

- (i) A statement of receipts and disbursements of principal and income that have occurred during the accounting period;
- (ii) A statement of the assets and liabilities of the trust and their values at the beginning and end of the period;
- (iii) The trustee's compensation for the period;
- (iv) The agents hired by the trustee, their relationship to the trustee, if any, and their compensation, for the period;
- (v) Disclosure of any pledge, mortgage, option, or lease of trust property, or other agreement affecting trust property binding for a period of five years or more that was granted or entered into during the accounting period;
- (vi) Disclosure of all transactions during the period that are equivalent to one of the types of transactions described in RCW 11.98.078 or otherwise could have been affected by a conflict between the trustee's fiduciary and personal interests;
- (vii) A statement that the recipient of the account information may petition the superior court pursuant to chapter 11.106 RCW to obtain review of the statement and of acts of the trustee disclosed in the statement; and
- (viii) A statement that claims against the trustee for breach of trust may not be made after the expiration of three years from the date ~~the ((beneficiary receives the statement))~~ trustee delivers the report in the manner provided in RCW 11.96A.110.

(c) If (a) of this subsection does not apply, a judicial proceeding by a beneficiary against a trustee for breach of trust must be commenced within three years after the first to occur of:

- (i) The removal, resignation, or death of the trustee;
- (ii) The termination of the beneficiary's interest in the trust; or
- (iii) The termination of the trust.

(d) For purposes of this section, "express trust" does not include resulting trusts, constructive trusts, business trusts in which certificates of beneficial interest are issued to the beneficiary, investment trusts, voting trusts, trusts in the nature of mortgages or pledges, liquidation trusts, or trusts for the sole purpose of paying dividends, interest, interest coupons, salaries, wages, pensions, or profits, trusts created in deposits in any financial institution under chapter 30.22 RCW, unless any such trust that is created in writing specifically incorporates this chapter in whole or in part.

(2) Except as provided in RCW 11.96A.250 with respect to special representatives, an action against a personal representative for alleged breach of fiduciary duty by an heir, legatee, or other interested party must be brought before discharge of the personal representative.

(3) The legislature hereby confirms the long standing public policy of promoting the prompt and efficient resolution of matters involving trusts and estates. To further implement this policy, the legislature adopts the following statutory provisions in order to:

- (a) Encourage and facilitate the participation of qualified individuals as special representatives;
- (b) Serve the public's interest in having a prompt and efficient resolution of matters involving trusts or estates; and
- (c) Promote complete and final resolution of proceedings involving trusts and estates.

(i) Actions against a special representative must be brought before the earlier of:

(A) Three years from the discharge of the special representative as provided in RCW 11.96A.250; or

(B) The entry of an order by a court of competent jurisdiction under RCW 11.96A.240 approving the written agreement executed by all interested parties in accord with the provisions of RCW 11.96A.220.

(ii) If a legal action is commenced against the special representative after the expiration of the period during which claims may be brought against the special representative as provided in (c)(i) of this subsection, alleging property damage, property loss, or other civil liability caused by or resulting from an alleged act or omission of the special representative arising out of or by reason of the special representative's duties or actions as special representative, the special representative ~~((shall))~~ must be indemnified: (A) From the assets held in the trust or comprising the estate involved in the dispute; and (B) by the persons bringing the legal action, for all expenses, attorneys' fees, judgments, settlements, decrees, or amounts due and owing or paid in satisfaction of or incurred in the defense of the legal action. To the extent possible, indemnification must be made first by the persons bringing the legal action, second from that portion of the trust or estate that is held for the benefit of, or has been distributed or applied to, the persons bringing the legal action, and third from the other assets held in the trust or comprising the estate involved in the dispute.

(4) The tolling provisions of RCW 4.16.190 apply to this chapter except that the running of a statute of limitations under subsection (1) or (2) of this section, or any other applicable statute of limitations for any matter that is the subject of dispute under this chapter, is not tolled as to an individual who had a guardian ad litem, limited or general guardian of the estate, or a special representative to represent the person during the probate or dispute resolution proceeding.

Sec. 5. RCW 11.96A.120 and 2011 c 327 s 9 are each amended to read as follows:

(1) ~~((With respect to a particular matter that affects a trust, probate estate, guardianship estate, or property subject to a power of attorney, in which the interests of such fiduciary estate and the beneficiaries are not in conflict:))~~ Notice to a person who may represent and bind another person under this section has the same effect as if notice were given directly to the other person.

(2) The consent of a person who may represent and bind another person under this section is binding on the person represented unless

the person represented objects to the representation before the consent would otherwise have become effective.

(3) The following limitations on the ability to serve as a virtual representative apply:

(a) A trustor may not represent and bind a beneficiary under this section with respect to the termination and modification of an irrevocable trust; and

(b) Representation of an incapacitated trustor with respect to his or her powers over a trust is subject to the provisions of RCW 11.103.030, and chapters 11.96A, 11.88, and 11.92 RCW.

(4) To the extent there is no conflict of interest between the representative and the person represented or among those being represented with respect to the particular question or dispute:

(a) A guardian may represent and bind the estate that the guardian controls, subject to chapters 11.96A, 11.88, and 11.92 RCW;

(b) A guardian of the person may represent and bind the incapacitated person if a guardian of the incapacitated person's estate has not been appointed;

(c) An agent having authority to act with respect to the particular question or dispute may represent and bind the principal;

~~((e))~~ (d) A trustee may represent and bind the beneficiaries of the trust; ~~(and~~

~~(d))~~ (e) A personal representative of a decedent's estate may represent and bind persons interested in the estate~~(:~~

~~(2) This section is intended to adopt the common law concept of virtual representation. This section supplements the common law relating to the doctrine of virtual representation and shall not be construed as limiting the application of that common law doctrine.~~

~~(3) Any notice requirement in this title is satisfied if:~~

~~(a)); and~~

(f) A parent may represent and bind the parent's minor or unborn child or children if a guardian for the child or children has not been appointed.

(5) Unless otherwise represented, a minor, incapacitated, or unborn individual, or a person whose identity or location is unknown and not reasonably ascertainable, may be represented by and bound by another having a substantially identical interest with respect to the particular question or dispute, but only to the extent there is no conflict of interest between the representative and the person represented with regard to the particular question or dispute.

(6) Where an interest ~~((in an estate, trust, or nonprobate asset or an interest that may be affected by a power of attorney))~~ has been given to persons who comprise a certain class upon the happening of a certain event, ~~((notice may be given to the living persons who would constitute the class if the event had happened immediately before the commencement of the proceeding requiring notice, and the persons shall virtually represent all other members of the class;~~

~~(b)) the living persons who would constitute the class as of the date the representation is to be determined may virtually represent all other members of the class as of that date, but only to the extent that there is no conflict of interest between the representative and the person(s) represented with regard to the particular question or dispute.~~

(7) Where an interest ~~((in an estate, trust, or nonprobate asset or an interest that may be affected by a power of attorney))~~ has been given to a living person, and the same interest, or a share in it, is to pass to the surviving spouse or surviving domestic partner or to persons who are, or might be, the ~~((distributees;))~~ heirs, issue, or other kindred of that living person ~~((upon the happening of a future event, notice may be given to that living person, and the living person shall virtually represent the surviving spouse or surviving domestic partner, distributees, heirs, issue, or other kindred of the person;~~

~~(e)) or the distributees of the estate of that living person upon the happening of a future event, that living person may virtually represent the surviving spouse or surviving domestic partner, heirs, issue, or other kindred of the person, and the distributees of the estate of the person, but only to the extent that there is no conflict of interest~~

between the representative and the person(s) represented with regard to the particular question or dispute.

(8) Except as otherwise provided in ~~((this))~~ subsection (7) of this section, where an interest ~~((in an estate, trust, or nonprobate asset or an interest that may be affected by a power of attorney))~~ has been given to a person or a class of persons, or both, upon the happening of any future event, and the same interest or a share of the interest is to pass to another person or class of persons, or both, upon the happening of an additional future event, ~~((notice may be given to))~~ the living person or persons who would take the interest upon the happening of the first event~~((, and the living person or persons shall))~~ may virtually represent the persons and classes of persons who might take on the happening of the additional future event~~((, and~~

~~(d) The holder of a general power of appointment, exercisable either during the power holder's life or by will, or a limited power of appointment, exercisable either during the power holder's life or by will, that excludes as possible appointees only the power holder, his or her estate, his or her creditors, and the creditors of his or her estate, may accept notice and virtually represent and bind persons whose interests, as permissible appointees, takers in default, or otherwise, are subject to the power, to the extent there is no conflict of interest between the holder of the power of appointment and the persons represented with respect to the particular question or dispute.~~

~~(4) A party is not virtually represented by a person receiving notice if a conflict of interest involving the matter is known to exist between the notified person and the party), but only to the extent that there is no conflict of interest between the representative and the person(s) represented with regard to the particular question or dispute.~~

~~((5))~~ (9) To the extent there is no conflict of interest between the holder of the power of appointment and the persons represented with respect to the particular question or dispute, the holder of a lifetime or testamentary power of appointment may virtually represent and bind persons who are permissible appointees or takers in default (but only to the extent that they are permissible appointees in the case of a limited power of appointment) under the power, and who are not permissible distributees as defined in section 8 of this act.

(10) The attorney general may virtually represent and bind a charitable organization if:

(a) The charitable organization is not a qualified beneficiary as defined in section 8 of this act specified in the trust instrument or acting as trustee; or

(b) The charitable organization is a qualified beneficiary, but is not a permissible distributee, as those terms are defined in section 8 of this act, and its beneficial interest in the trust is subject to change by the trustor or by a person designated by the trustor.

(11) An action taken by the court is conclusive and binding upon each person receiving actual or constructive notice or who is otherwise represented under this section.

(12) This section is intended to adopt the common law concept of virtual representation. This section supplements the common law relating to the doctrine of virtual representation and may not be construed as limiting the application of that common law doctrine.

Sec. 6. RCW 11.96A.125 and 2011 c 327 s 11 are each amended to read as follows:

The terms of a will or trust, even if unambiguous, may be reformed by judicial proceedings ~~((or binding nonjudicial procedure))~~ under this chapter to conform the terms to the intention of the testator or trustor if it is proved by clear, cogent, and convincing evidence~~((; or the parties to a binding nonjudicial agreement agree that there is clear, cogent, and convincing evidence.))~~ that both the intent of the testator or trustor and the terms of the will or trust were affected by a mistake of fact or law, whether in expression or inducement. This does not limit the ability to reform the will or trust using the binding nonjudicial procedures of RCW 11.96A.220.

Sec. 7. RCW 11.97.010 and 2011 c 327 s 12 are each amended to read as follows:

~~((+))~~ The trustor of a trust may by the provisions of the trust relieve the trustee from any or all of the duties, restrictions, and liabilities which would otherwise be imposed by chapters 11.95, 11.98, 11.100, and 11.104A RCW and RCW 11.106.020, or may alter or deny any or all of the privileges and powers conferred by those provisions; or may add duties, restrictions, liabilities, privileges, or powers to those imposed or granted by those provisions. If any specific provision of those chapters is in conflict with the provisions of a trust, the provisions of the trust control whether or not specific reference is made in the trust to any of those chapters, except as provided in RCW 6.32.250, 11.96A.190, 19.36.020, section 8 of this act, 11.98.200 through 11.98.240, section 16(1) of this act, 11.95.100 through 11.95.150, and chapter 11.103 RCW. In no event may a trustee be relieved of the duty to act in good faith and with honest judgment ~~((or the duty to provide information to beneficiaries as required in this section))~~. Notwithstanding the breadth of discretion granted to a trustee in the terms of the trust, including the use of such terms as "absolute," "sole," or "uncontrolled," the trustee ~~((shall))~~ must exercise a discretionary power in good faith and in accordance with the terms and purposes of the trust and the interests of the beneficiaries.

((2)) Within sixty days after the date of acceptance of the position of trustee of an irrevocable trust, or the date the trustee of a formerly revocable trust acquires knowledge that the trust has become irrevocable, whether by the death of the trustor or otherwise, the trustee shall give notice of: (a) The existence of the trust, (b) the identity of the trustor or trustors, (c) the trustee's name, address, and telephone number, and (d) the right to request such information as is reasonably necessary to enable the notified person to enforce his or her rights under the trust, to all persons interested in the trust, as defined in RCW 11.96A.030, and who would be entitled to notice under RCW 11.96A.110 and 11.96A.120 if they were a party to judicial proceedings regarding the trust. If any such person is a minor and no guardian has been appointed for such person by any court, then such notice may be given to a parent of the person. If a person otherwise entitled to notice under this section is a charitable organization, and the charitable organization's only interest in the trust is a future interest that may be revoked, then such notice shall instead be given to the attorney general. A trustee who gives notice pursuant to this section satisfies the duty to inform the beneficiaries of the existence of the trust. The notice required under this subsection (2) applies only to irrevocable trusts created after December 31, 2011, and revocable trusts that become irrevocable after December 31, 2011, provided that all common law duties of a trustee to notify beneficiaries applicable to trusts created or that became irrevocable before such date are not affected.

(3) A trustee shall keep all persons interested in the trust, as defined in RCW 11.96A.030, and who would be entitled to notice under RCW 11.96A.110 and 11.96A.120 if they were a party to judicial proceedings regarding the trust, reasonably informed about the administration of the trust and of the material facts necessary for them to protect their interests. A report that contains the following is presumed to satisfy the trustee's duty to keep such persons reasonably informed for the relevant period of trust administration:

- (a) A statement of receipts and disbursements of principal and income that have occurred during the accounting period;
- (b) A statement of the assets and liabilities of the trust and their values at the beginning and end of the period;
- (c) The trustee's compensation for the period;
- (d) The agents hired by the trustee, their relationship to the trustee, if any, and their compensation, for the period;
- (e) Disclosure of any pledge, mortgage, option, or lease of trust property, or other agreement affecting trust property binding for a period of five years or more that was granted or entered into during the accounting period;
- (f) Disclosure of all transactions during the period that are

equivalent to one of the types of transactions described in RCW 11.98.078 or otherwise could have been affected by a conflict between the trustee's fiduciary and personal interests;

(g) A statement that the recipient of the account information may petition the superior court pursuant to chapter 11.106 RCW to obtain review of the statement and of acts of the trustee disclosed in the statement; and

(h) A statement that claims against the trustee for breach of trust may not be made after the expiration of three years from the date the beneficiary receives the statement.

(4) Unless unreasonable under the circumstances, a trustee shall promptly respond to any beneficiary's request for information related to the administration of the trust.

(5) If a person entitled to notice under this section requests information reasonably necessary to enable the notified person to enforce his or her rights under the trust, then the trustee must provide such information within sixty days of receipt of such request. Delivery of the entire trust instrument to the persons entitled to notice under this section who request information concerning the terms of the trust reasonably necessary to enable the notified person to enforce his or her rights under the trust is deemed to satisfy the trustee's obligations under this subsection.)

NEW SECTION. Sec. 8. A new section is added to chapter 11.98 RCW to be codified before RCW 11.98.005 to read as follows:

The definitions in this section apply throughout this chapter, and throughout this title where specifically referenced, unless the context clearly requires otherwise.

(1) "Permissible distributee" means a trust beneficiary who is currently eligible to receive distributions of trust income or principal, whether the distribution is mandatory or discretionary.

(2) "Qualified beneficiary" means a trust beneficiary who, on the date that such beneficiary's qualification is determined:

- (a) Is a permissible distributee;
- (b) Would be a permissible distributee if the interests of the distributees described in (a) of this subsection terminated on that date; or
- (c) Would be a permissible distributee if the trust terminated on that date.

Sec. 9. RCW 11.98.005 and 2011 c 327 s 22 are each amended to read as follows:

(1) If provisions of a trust instrument designate Washington as the situs of the trust or designate Washington law to govern the trust or any of its terms, then the situs of the trust is Washington provided that one of the following conditions is met:

- (a) A trustee has a place of business in or a trustee is a resident of Washington; or
- (b) More than an insignificant part of the trust administration occurs in Washington; or
- (c) The trustor resides in Washington at the time situs is being established, or resided in Washington at the time the trust became irrevocable; or
- (d) One or more of the qualified beneficiaries resides in Washington; or
- (e) An interest in real property located in Washington is an asset of the trust.

(2)(a) Unless the trust instrument designates a state other than Washington as the situs of the trust and does not expressly authorize transfer of situs, the trustee may register the trust as a Washington trust if any of the factors in subsection (1)(a) through (e) of this section are present. The trustee ~~((shall))~~ must register the trust by filing with the clerk of the court in any county where venue lies for the trust under RCW 11.96A.050, a statement including the following information:

- (i) The name and address of the trustee;
- (ii) The date of the trust, name of the trustor, and name of the trust, if any;

(iii) The factor or factors listed in subsection (1)(a) through (e) of this section that are present for the trust and which qualify the trust for registration.

(b) Within five days of filing the registration with the court, the trustee ~~((shall))~~ must mail a copy of the registration to each ~~((person who would be entitled to notice under RCW 11.97.010 and))~~ qualified beneficiary who has not waived notice of the registration, in writing, filed in the cause, together with a notice that must be in substantially the same form as set forth in this section. Persons receiving such notice ~~((shall))~~ have thirty days from the date of filing the registration to file a petition in the court objecting to such registration and requesting the court to issue an order that Washington is not the proper situs of the trust, and to serve a copy of such petition upon the trustee or the trustee's lawyer. If a petition objecting to the registration is filed within thirty days of the date of filing the registration, the trustee must request the court to fix a time and place for the hearing of the petition and notify by mail, personal service or electronic transmission, if a valid consent to electronic transmission is in effect under the terms of RCW 11.96A.110, all ~~((persons who were entitled to notice of the registration))~~ qualified beneficiaries of the time and place of the hearing, not less than ten days before the hearing on the petition.

(c) Unless a person receiving notice of the registration files a petition with the court objecting to the registration within thirty days of the date of filing the registration, the registration ~~((shall))~~ will be deemed the equivalent of an order entered by the court declaring that the situs of the trust is Washington. After expiration of the thirty-day period following filing of the registration, the trustee may obtain a certificate of registration signed by the clerk, and issued under the seal of the court, which may be in the form specified in (d) of this subsection.

(d) Notice of registration and certificates of registration may be in the following form:

(i) Notice form:

NOTICE OF FILING OF REGISTRATION OF [NAME AND DATE OF TRUST] AS A WASHINGTON TRUST

NOTICE IS GIVEN that the attached Registration of Trust was filed by the undersigned in the above-entitled court on the day of, 20. . . ; unless you file a petition in the above-entitled court objecting to such registration and requesting the court to issue an order that Washington is not the proper situs of the trust, and serve a copy thereof upon the trustee or the trustee's lawyer, within thirty days after the date of the filing, the registration will be deemed the equivalent of an order entered by the court declaring that the situs of the trust is Washington.

If you file and serve a petition within the period specified, the undersigned will request the court to fix a time and place for the hearing of your petition, and you will be notified of the time and place thereof, by mail, or personal service, not less than ten days before the hearing on the petition.

(ii) Certificate of Registration:

State of Washington, County of

In the superior court of the county of

Whereas, the attached Registration of Trust was filed with this court on , the attached Notice of Filing Registration of Trust and Affidavit of Mailing Notice of Filing Registration of Trust were filed with this court on , and no objections to such Registration have been filed with this court, the trust known as , under trust agreement dated , between as Trustor and as Trustee, is hereby registered as a Washington trust.

Witness my hand and the seal of said court this . . . day of, 20

(3) If the instrument establishing a trust does not designate ~~((Washington as the situs or designate Washington))~~ any jurisdiction as the situs or designate any jurisdiction's governing law to apply to the trust, and the trustee of the trust has not registered the trust as allowed in subsection (2) of this section, the situs of the trust is Washington if ~~((the))~~ situs has not previously been established by any court proceeding and the additional conditions specified in this subsection (3) are met.

(a) For a testamentary trust, the situs of the trust is Washington if:

(i) The will was admitted to probate in Washington; or

(ii) The will has not been admitted to probate in Washington, but any trustee of the trust resides or has a place of business in Washington, any qualified beneficiary ~~((entitled to notice under RCW 11.97.010))~~ resides in Washington, or any real property that is an asset of the trust is located in Washington.

(b) For an inter vivos trust ~~((where the trustor is domiciled in Washington either when the trust becomes irrevocable or, in the case of a revocable trust, when judicial proceedings under chapter 11.96A RCW are commenced))~~, the situs of the trust is Washington if:

(i) The trustor is living and Washington is the trustor's domicile or any of the trustees reside in or have a place of business in Washington; or

(ii) The trustor is deceased ~~((, situs has not previously been established by any court proceeding.))~~; and:

(A) The trustor's will was admitted to probate in Washington; or

(B) The trustor's will was not admitted to probate in Washington, but any ~~((person entitled to notice under RCW 11.97.010))~~ qualified beneficiary resides in Washington, any trustee resides or has a place of business in Washington, or any real property that is an asset of the trust is located in Washington.

(c) If the situs of the trust is not determined under (a) or (b) of this subsection, the determination regarding the situs of the trust is a matter for purposes of RCW 11.96A.030. Whether Washington is the situs ~~((shall))~~ must be determined by a court in a judicial proceeding conducted under RCW 11.96A.080 if:

(i) A trustee has a place of business in or a trustee is a resident of Washington; or

(ii) More than an insignificant part of the trust administration occurs in Washington; or

(iii) One or more of the qualified beneficiaries resides in Washington; or

(iv) An interest in real property located in Washington is an asset of the trust.

(d) Determination of situs under (c) of this subsection (3) cannot be made by nonjudicial agreement under RCW 11.96A.220.

NEW SECTION. Sec. 10. A new section is added to chapter 11.98 RCW to be codified between RCW 11.98.016 and 11.98.019 to read as follows:

(1) Except as otherwise provided in subsection (3) of this section, a person designated as trustee accepts the trusteeship:

(a) By substantially complying with a method of acceptance provided in the terms of the trust; or

(b) If the terms of the trust do not provide a method of acceptance or the method provided in the terms is not expressly made exclusive, by accepting delivery of the trust property, exercising powers or performing duties as trustee, or otherwise indicating acceptance of the trusteeship.

(2) A person designated as trustee who has not yet accepted the trusteeship may decline the trusteeship by delivering a written declination of the trusteeship to the trustor or, if the trustor is deceased or is incapacitated, to a successor trustee, if any, and if none, to a qualified beneficiary.

(3) A person designated as trustee, without accepting the trusteeship, may:

(a) Act to preserve the trust property if, within a reasonable time after acting, the person sends a written declination of the trusteeship

to the trustor or, if the trustor is dead or is incapacitated, to a successor trustee, if any, and if none, to a qualified beneficiary; and

(b) Inspect or investigate trust property to determine potential liability under environmental or other law or for any other purpose.

Sec. 11. RCW 11.98.019 and 1985 c 30 s 42 are each amended to read as follows:

Any trustee may, by written instrument delivered to any then acting co-trustee and to the ~~((current adult income beneficiaries))~~ permissible distributees of the trust, relinquish to any extent and upon any terms any or all of the trustee's powers, rights, authorities, or discretions that are or may be tax sensitive in that they cause or may cause adverse tax consequences to the trustee or the trust. Any trustee not relinquishing such a power, right, authority, or discretion and upon whom it is conferred continues to have full power to exercise it.

Sec. 12. RCW 11.98.039 and 2011 c 327 s 21 are each amended to read as follows:

(1) Where a vacancy occurs in the office of the trustee and there is a successor trustee who is willing to serve as trustee and (a) is named in the governing instrument as successor trustee or (b) has been selected to serve as successor trustee under the procedure established in the governing instrument for the selection of a successor trustee, the outgoing trustee, or any other interested party, ~~((shall))~~ must give notice of such vacancy, whether arising because of the trustee's resignation or because of any other reason, and of the successor trustee's agreement to serve as trustee, to each ((adult distributee or permissible distributee of trust income or of trust principal or of both trust income and trust principal. If there are no such adults, no notice need be given)) permissible distributee. The successor trustee named in the governing instrument or selected pursuant to the procedure therefor established in the governing instrument ~~((shall be))~~ is entitled to act as trustee except for good cause or disqualification. The successor trustee ((shall serve)) is deemed to have accepted the trusteeship as of the effective date of the discharge of the predecessor trustee as provided in RCW 11.98.041.

(2) Where a vacancy exists or occurs in the office of the trustee and there is no successor trustee who is named in the governing instrument or who has been selected to serve as successor trustee under the procedure established in the governing instrument for the selection of a successor trustee, and who is willing to serve as trustee, then all parties with an interest in the trust may agree to a nonjudicial change of the trustee under RCW 11.96A.220. The successor trustee ~~((shall serve))~~ is deemed to have accepted the trusteeship as of the effective date of the discharge of the predecessor trustee as provided in RCW 11.98.041 or, in circumstances where there is no predecessor trustee, as of the effective date of the trustee's appointment.

(3) When there is a desire to name one or more cotrustees to serve with the existing trustee, then all parties with an interest in the trust may agree to the nonjudicial addition of one or more cotrustees under RCW 11.96A.220. The additional cotrustee ~~((shall serve))~~ is deemed to have accepted the trusteeship as of the effective date of the cotrustee's appointment.

(4) Unless subsection (1), (2), or (3) of this section applies, any beneficiary of a trust, the trustor, if alive, or the trustee may petition the superior court having jurisdiction for the appointment or change of a trustee or cotrustee under the procedures provided in RCW 11.96A.080 through 11.96A.200: (a) Whenever the office of trustee becomes vacant; (b) upon filing of a petition of resignation by a trustee; or (c) for any other reasonable cause.

(5) For purposes of this subsection, the term fiduciary includes both trustee and personal representative.

(a) Except as otherwise provided in the governing instrument, a successor fiduciary, absent actual knowledge of a breach of fiduciary duty: (i) Is not liable for any act or omission of a predecessor fiduciary and is not obligated to inquire into the validity or propriety of any such act or omission; (ii) is authorized to accept as conclusively accurate any accounting or statement of assets tendered

to the successor fiduciary by a predecessor fiduciary; and (iii) is authorized to receipt only for assets actually delivered and has no duty to make further inquiry as to undisclosed assets of the trust or estate.

(b) Nothing in this section relieves a successor fiduciary from liability for retaining improper investments, nor does this section in any way bar the successor fiduciary, trust beneficiaries, or other party in interest from bringing an action against a predecessor fiduciary arising out of the acts or omissions of the predecessor fiduciary, nor does it relieve the successor fiduciary of liability for its own acts or omissions except as specifically stated or authorized in this section.

(6) A change of trustee to a foreign trustee does not change the situs of the trust. Transfer of situs of a trust to another jurisdiction requires compliance with RCW 11.98.005 and RCW 11.98.045 through 11.98.055.

Sec. 13. RCW 11.98.041 and 1985 c 30 s 141 are each amended to read as follows:

Where a vacancy occurs in the office of trustee under the circumstances described in RCW 11.98.039 (1) or (2), the outgoing trustee ~~((shall be))~~ is discharged upon the agreement of all parties entitled to notice or upon the expiration of thirty days after notice is given of such vacancy as required by the applicable subsection of RCW 11.98.039, whichever occurs first, or if no notice is required under RCW 11.98.039(1), upon the date the vacancy occurs, unless before the effective date of such discharge a petition is filed under RCW 11.98.039((3)) (4) regarding the appointment or change of a trustee of the trust. Where a petition is filed under RCW 11.98.039((3)) (4) regarding the appointment or change of a trustee, the superior court having jurisdiction may discharge the trustee from the trust and may appoint a successor trustee upon such terms as the court may require.

Sec. 14. RCW 11.98.045 and 2011 c 327 s 23 are each amended to read as follows:

(1) If a trust is a Washington trust under RCW 11.98.005, a trustee may transfer the situs of the trust to a jurisdiction other than Washington if the trust instrument so provides or in accordance with RCW 11.98.051 or 11.98.055.

(2) Transfer under this section is permitted only if:

(a) The transfer would facilitate the economic and convenient administration of the trust;

(b) The transfer would not materially impair the interests of the qualified beneficiaries or others interested in the trust;

(c) The transfer does not violate the terms of the trust;

(d) The new trustee is qualified and able to administer the trust or such assets on the terms set forth in the trust; and

(e) The trust meets at least one condition for situs listed in RCW 11.98.005(1) with respect to the new jurisdiction.

(3) Acceptance of such transfer by a foreign corporate trustee or trust company under this section or RCW 11.98.051 or 11.98.055 ~~((shall))~~ may not be construed to be doing a "trust business" as described in RCW 30.08.150(9).

Sec. 15. RCW 11.98.051 and 2011 c 327 s 24 are each amended to read as follows:

(1) The trustee may transfer trust situs (a) in accordance with RCW 11.96A.220; or (b) by giving written notice to ~~((those persons entitled to notice as provided for under RCW 11.96A.110 and to))~~ the attorney general in the case of a charitable trust subject to chapter 11.110 RCW and to the qualified beneficiaries not less than sixty days before initiating the transfer. The notice must:

(a) State the name and mailing address of the trustee;

(b) Include a copy of the governing instrument of the trust;

(c) Include a statement of assets and liabilities of the trust dated within ninety days of the notice;

(d) State the name and mailing address of the trustee to whom the trust will be transferred together with evidence that the trustee has agreed to accept the trust in the manner provided by law of the new situs. The notice must also contain a statement of the trustee's

qualifications and the name of the court, if any, having jurisdiction of that trustee or in which a proceeding with respect to the administration of the trust may be heard;

(e) State the facts supporting the requirements of RCW 11.98.045(2);

(f) Advise the ~~((beneficiaries))~~ recipients of the notice of the date, not less than sixty days after the giving of the notice, by which ~~((the beneficiary))~~ such recipients must notify the trustee of an objection to the proposed transfer; and

(g) Include a form on which the recipient may ~~((indicate consent or objection))~~ object to the proposed transfer.

(2) If the date upon which the ~~((beneficiaries'))~~ right to object to the transfer expires without receipt by the trustee of any objection, the trustee may transfer the trust situs as provided in the notice. If the trust was registered under RCW 11.98.045(2), the trustee must file a notice of transfer of situs and termination of registration with the court of the county where the trust was registered.

(3) The authority of a trustee under this section to transfer a trust's situs terminates if a ~~((beneficiary))~~ recipient of the notice notifies the trustee of an objection to the proposed transfer on or before the date specified in the notice.

(4) A change of trust situs does not authorize a change of trustee. Change of trustee of a trust requires compliance with RCW 11.98.039.

NEW SECTION. Sec. 16. A new section is added to chapter 11.98 RCW between RCW 11.98.070 and 11.98.080 to read as follows:

(1) A trustee must keep all qualified beneficiaries of a trust reasonably informed about the administration of the trust and of the material facts necessary for them to protect their interests. Unless unreasonable under the circumstances, a trustee must promptly respond to any beneficiary's request for information related to the administration of the trust. The trustee is deemed to have satisfied the request of a qualified beneficiary who requests information concerning the terms of the trust reasonably necessary to enable such beneficiary to enforce his or her rights under the trust if the trustee provides a copy of the entire trust instrument. If a qualified beneficiary must compel production of information from the trustee by order of the court, then the court may order costs, including reasonable attorneys' fees, to be awarded to such beneficiary pursuant to RCW 11.96A.150.

(2)(a) Except to the extent waived or modified as provided in subsection (5) of this section, within sixty days after the date of acceptance of the position of trustee, the trustee must give notice to the qualified beneficiaries of the trust of:

- (i) The existence of the trust;
- (ii) The identity of the trustor or trustors;
- (iii) The trustee's name, address, and telephone number; and
- (iv) The right to request such information as is reasonably necessary to enable the notified person to enforce his or her rights under the trust.

(b) The notice required under this subsection (2) applies only to irrevocable trusts created after December 31, 2011, and revocable trusts that become irrevocable after December 31, 2011.

(3) Despite any other provision of this section, and except to the extent waived or modified as provided in subsection (5) of this section, the trustee may not be required to provide any information described in subsection (1) or (2) of this section to any beneficiary of a trust other than the trustor's spouse or domestic partner if:

- (a) Such spouse or domestic partner has capacity;
- (b) Such spouse or domestic partner is the only permissible distributee of the trust; and
- (c) All of the other qualified beneficiaries of the trust are the descendants of the trustor and the trustor's spouse or domestic partner.

(4) While the trustor of a revocable trust is living, no beneficiary other than the trustor is entitled to receive any information under this section.

(5) The trustor may waive or modify the notification requirements of subsections (2) and (3) of this section in the trust document or in a separate writing, made at any time, that is delivered to the trustee.

Sec. 17. RCW 11.98.080 and 1999 c 42 s 621 are each amended to read as follows:

(1)(a) Two or more trusts may be consolidated if:

~~((a))~~ (i) The trusts so provide; or

~~((b))~~ (ii) Whether provided in the trusts or not, ~~((in accordance with subsection (2) of this section, if all interested persons consent as provided in subsection (2)(b) of this section and the requirements of subsection (1)(d) of this section are satisfied; or~~

(c) Whether provided in the trusts or not, in accordance with subsection (3) of this section if the requirements of subsection (1)(d) of this section are satisfied;

~~(d))~~ the requirements of subsection (2), (3), or (4) of this section are satisfied.

~~(b)~~ Consolidation under subsection (2) ~~((or)), (3), or (4)~~ of this section is permitted only if:

(i) The dispositive provisions of each trust to be consolidated are substantially similar;

(ii) Consolidation is not inconsistent with the intent of the trustor with regard to any trust to be consolidated; and

(iii) Consolidation would facilitate administration of the trusts and would not materially impair the interests of the beneficiaries~~((; —(e)))~~.

~~(c)~~ Trusts may be consolidated whether created inter vivos or by will, by the same or different instruments, by the same or different trustors, whether the trustees are the same, and regardless of where the trusts were created or administered.

(2) ~~((The trustees of two or more trusts may consolidate the trusts on such terms and conditions as appropriate without court approval as provided in RCW 11.96A.220.))~~

~~(a) ((The trustee shall give written notice of proposed consolidation by personal service or by certified mail to the))~~ A trustee must deliver sixty days in advance written notice of a proposed consolidation in the manner provided in RCW 11.96A.110 to the qualified beneficiaries of every trust affected by the consolidation ~~((as provided in RCW 11.96A.110))~~ and to any trustee of such trusts who does not join in the notice. The notice ~~((shall))~~ must: (i) State the name and mailing address of the trustee; (ii) include a copy of the governing instrument of each trust to be consolidated; (iii) include a statement of assets and liabilities of each trust to be consolidated, dated within ninety days of the notice; (iv) fully describe the terms and manner of consolidation; and (v) state the reasons supporting the requirements of subsection (1)~~((d))~~ (b) of this section. The notice ~~((shall))~~ must advise the recipient of the right to petition for a judicial determination of the proposed consolidation as provided in subsection ~~((3))~~ (4) of this section~~((—The notice shall include a form on which consent or objection to the proposed consolidation may be indicated.~~

~~(b) If the trustee receives written consent to the proposed consolidation from all persons entitled to notice as provided in RCW 11.96A.110 or from their representatives, the trustee may consolidate the trusts as provided in the notice. Any person dealing with the trustee of the resulting consolidated trust is entitled to rely on the authority of that trustee to act and is not obliged to inquire into the validity or propriety of the consolidation under this section.~~

~~(3)(a) Any trustee, beneficiary, or special representative may petition the superior court of the county in which the principal place of administration of a trust is located for an order consolidating two or more trusts under RCW 11.96A.080 through 11.96A.200. If nonjudicial consolidation has been commenced pursuant to subsection (2) of this section, a petition may be filed under this~~

~~section unless the trustee has received all necessary consents. The principal place of administration of the trust is the trustee's usual place of business where the records pertaining to the trust are kept, or the trustee's residence if the trustee has no such place of business), and must indicate that the recipient has thirty days to object to the proposed consolidation.~~

(b) If the trustee receives written objection to the proposed consolidation from any trustee or beneficiary entitled to notice or from their representatives within the objection period provided in subsection (a) of this section, the trustee(s) may not consolidate the trusts as provided in the notice, though an objection does not preclude the trustee or a beneficiary's right to petition for a judicial determination of the proposed consolidation as provided in subsection (4) of this section. If the trustee does not receive any objection within the objection period provided above, then the trustee may consolidate the trusts, and such will be deemed the equivalent of an order entered by the court declaring that the trusts were combined in the manner provided in the initial notice.

(3) The trustees of two or more trusts may consolidate the trusts on such terms and conditions as appropriate without court approval as provided in RCW 11.96A.220.

(4)(a) Any trustee, beneficiary, or special representative may petition the superior court of the county in which the situs of a trust is located for an order consolidating two or more trusts under RCW 11.96A.080 through 11.96A.200.

(b) At the conclusion of the hearing, if the court finds that the requirements of subsection (1)((4)) (b) of this section have been satisfied, it may direct consolidation of two or more trusts on such terms and conditions as appropriate. The court in its discretion may provide for payment from one or more of the trusts of reasonable fees and expenses for any party to the proceeding.

((4)) (5) This section applies to all trusts whenever created. Any person dealing with the trustee of the resulting consolidated trust is entitled to rely on the authority of that trustee to act and is not obliged to inquire into the validity or propriety of the consolidation under this section.

((5)) (6) For powers of fiduciaries to divide trusts, see RCW 11.108.025.

NEW SECTION. Sec. 18. RCW 11.98.090 (Nonliability of third persons without knowledge of breach) and 1985 c 30 s 52 are each repealed.

Sec. 19. RCW 11.103.040 and 2011 c 327 s 37 are each amended to read as follows:

While ~~((a trust is revocable by the trustor,))~~ the trustor of a revocable trust is living, the rights of the beneficiaries are subject to the control of, and the duties of the trustee are owed exclusively to, the trustor. If a revocable trust has more than one trustor, the duties of the trustee are owed to all of the living trustors having the right to revoke the trust.

Sec. 20. RCW 11.103.050 and 2011 c 327 s 38 are each amended to read as follows:

(1) A person may commence a judicial proceeding to contest the validity of a trust that was revocable at the trustor's death within the earlier of:

(a) Twenty-four months after the trustor's death; or

(b) Four months after the trustee sent to the person by personal service, mail, or in an electronic transmission if there is a consent of the recipient to electronic transmission then in effect under the terms of RCW 11.96A.110, a notice ~~((with the information required in RCW 11.97.010, and))~~ including:

(i) The name and date of the trust;

(ii) The identity of the trustor or trustors;

(iii) The trustee's name, address, and telephone number; and

(iv) Notice of the time allowed for commencing a proceeding.

(2) Upon the death of the trustor of a trust that was revocable at the trustor's death, the trustee may proceed to distribute the trust property in accordance with the terms of the trust, unless:

(a) The trustee knows of a pending judicial proceeding contesting the validity of the trust; or

(b) A potential contestant has notified the trustee of a possible judicial proceeding to contest the trust and a judicial proceeding is commenced within sixty days after the contestant sent the notification.

(3) A beneficiary of a trust that is determined to have been invalid is liable to return any distribution received.

Sec. 21. RCW 11.96A.250 and 2001 c 14 s 3 are each amended to read as follows:

(1)(a) ~~((The personal representative or trustee may petition the court having jurisdiction over the matter for the appointment of a special representative to represent a person who is interested in the estate or trust and))~~ Any party or the parent of a minor or unborn party may petition the court for the appointment of a special representative to represent a party: (i) Who is a minor; (ii) who is ~~((incompetent or disabled))~~ incapacitated without an appointed guardian of his or her estate; (iii) who is yet unborn or unascertained; or (iv) whose identity or address is unknown. The petition may be heard by the court without notice.

(b) In appointing the special representative the court shall give due consideration and deference to any nomination(s) made in the petition, the special skills required in the representation, and the need for a representative who will act independently and prudently. The nomination of a person as special representative by the ~~((personal representative or trustee))~~ petitioner and the person's willingness to serve as special representative are not grounds by themselves for finding a lack of independence, however, the court may consider any interests that the nominating ~~((fiduciary))~~ party may have in the estate or trust in making the determination.

(c) The special representative may enter into a binding agreement on behalf of the person or beneficiary. The special representative may be appointed for more than one person or class of persons if the interests of such persons or class are not in conflict. The petition ~~((shall))~~ must be verified. The petition and order appointing the special representative may be in the following form:

CAPTION

PETITION FOR APPOINTMENT
OF CASE
SPECIAL REPRESENTATIVE

OF

UNDER RCW

11.96A.250

The undersigned petitioner petitions the court for the appointment of a special representative in accordance with RCW 11.96A.250 and shows the court as follows:

1. Petitioner. Petitioner . . . [is the qualified and presently acting (personal representative) (trustee) of the above (estate) (trust) having been named (personal representative) (trustee) under (describe will and reference probate order or describe trust instrument)] or [is the (describe relationship of the petitioner to the party to be represented or to the matter at issue)].

2. ~~((Issue Concerning (Estate) (Trust) Administration))~~ Matter. A question concerning ~~((administration of the (estate) (trust)))~~ . . . has arisen as to (describe issue, for example: Related to interpretation, construction, administration, distribution). The ~~((issues are appropriate for determination under RCW 11.96A.250.~~

3. Beneficiaries. The beneficiaries of the (estate) (trust) include persons who are unborn, unknown, or unascertained persons, or who are under eighteen years of age) issue is a matter as defined in RCW 11.96A.030 and is appropriate for determination under RCW 11.96A.210 through 11.96A.250.

3. Party/Parties to be Represented. This matter involves (include description of asset(s) and related beneficiaries and/or interested parties). Resolution of this matter will require the involvement of (name of person or class of persons), who is/are (minors), (incapacitated and without an appointed guardian), (unborn or unascertained) (whose identity or address is unknown).

4. Special Representative. The nominated special representative . . . is a lawyer licensed to practice before the courts of this state or an individual with special skill or training in the administration of estates or trusts. The nominated special representative does not have an interest in the ((affected estate or trust)) matter and is not related to any person interested in the ((estate or trust)) matter. The nominated special representative is willing to serve. The petitioner has no reason to believe that the nominated special representative will not act in an independent and prudent manner and in the best interests of the represented parties. (It is recommended that the petitioner also include information specifying the particular skills of the nominated special representative that relate to the matter in issue.)

5. Resolution. Petitioner desires to achieve a resolution of the questions that have arisen ((concerning the (estate) (trust))) in this matter. Petitioner believes that proceeding in accordance with the procedures permitted under RCW 11.96A.210 through 11.96A.250 would be in the best interests of the ((estate) (trust) and the beneficiaries)) parties, including the party requiring a special representative.

6. Request of Court. Petitioner requests that . . . ((s)) . . . an attorney licensed to practice in the State of Washington((s)),

(OR)

. . . . an individual with special skill or training in the administration of estates or trusts

be appointed special representative for ((those beneficiaries who are not yet adults, as well as for the unborn, unknown, and unascertained beneficiaries)) . . . (describe party or parties being represented), who is/are (minors), (incapacitated and without an appointed guardian), (unborn or unascertained) (whose identity or address is unknown), as provided under RCW 11.96A.250.

DATED this . . . day of

.
petitioner's (Petitioner ((or
representative))) legal

VERIFICATION

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED, ((2000)) 20.., at, Washington.

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other person (Petitioner or
knowledge) having

CAPTION
ORDER FOR APPOINTMENT

OF CASE
SPECIAL REPRESENTATIVE

OF

THIS MATTER having come on for hearing before this Court on Petition for Appointment of Special Representative filed herein, and it appearing that it would be in the best interests of the ((estate) (trust)) parties related to the matter described in the Petition to appoint a special representative to address the issues that have arisen ((concerning the (estate) (trust))) in the matter and the Court finding that the facts stated in the Petition are true, now, therefore,

IT IS ORDERED that . . . is appointed under RCW 11.96A.250 as special representative ((for the (estate) (trust) beneficiaries who are not yet adult age, and for unborn, unknown, or unascertained beneficiaries to represent their respective interests in the (estate) (trust))) (describe party or parties being represented) who is/are (minors), (incapacitated and without an appointed guardian), (unborn or unascertained) (whose identity or address is unknown), to represent their respective interests in the matter as provided in RCW 11.96A.250. The special representative shall be discharged of responsibility with respect to the matter as provided in RCW 11.96A.250. The special representative ((shall be)) is discharged of responsibility with respect to the ((estate) (trust)) matter at such time as a written agreement is executed resolving the present issues, all as provided in that statute, or if an agreement is not reached within six months from entry of this Order, the special representative appointed under this Order ((shall be)) is discharged of responsibility, subject to subsequent reappointment under RCW 11.96A.250.

DONE IN OPEN COURT this . . . day of

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JUDGE/COURT COMMISSIONER

(2) Upon appointment by the court, the special representative ((shall)) must file a certification made under penalty of perjury in accordance with RCW 9A.72.085 that he or she (a) is not interested in the ((estate or trust)) matter; (b) is not related to any person interested in the ((estate or trust)) matter; (c) is willing to serve; and (d) will act independently, prudently, and in the best interests of the represented parties.

(3) The special representative must be a lawyer licensed to practice before the courts of this state or an individual with special skill or training in the administration of estates or trusts. The special representative may not have an interest in the ((affected estate or trust)) matter, and may not be related to a person interested in the ((estate or trust)) matter. The special representative is entitled to reasonable compensation for services that must be paid from the principal of ((the estate or trust whose beneficiaries are represented)) an asset involved in the matter.

(4) The special representative ((shall be)) is discharged from any responsibility and ((shall)) will have no further duties with respect to the ((estate or trust)) matter or with respect to any ((person interested in the estate or trust)) party, on the earlier of: (a) The expiration of six months from the date the special representative was appointed unless the order appointing the special representative provides otherwise, or (b) the execution of the written agreement by all parties or their virtual representatives. Any action against a special representative must be brought within the time limits provided by RCW 11.96A.070(3)(c)(i).

Sec. 22. RCW 11.98.015 and 2011 c 327 s 20 are each amended to read as follows:

Except as otherwise provided in chapter 11.118 RCW or by another statute, the following rules apply:

(1) A trust may be created for a noncharitable purpose without a definite or definitely ascertainable beneficiary or for a noncharitable but otherwise valid purpose to be selected by the trustee. The trust may not be enforced for longer than the time period specified in RCW 11.98.130 as the period during which a trust cannot be deemed to violate the rule against perpetuities;

(2) A trust authorized by this section may be enforced by a person appointed in the terms of the trust or, if no person is so appointed, by a person appointed by the court. Such person is considered to be a permissible distributee of the trust; and

(3) Property of a trust authorized by this section may be applied only to its intended use, except to the extent the court determines that the value of the trust property exceeds the amount required for the intended use. Except as otherwise provided in the terms of the trust, property not required for the intended use must be distributed to the trustor, if then living, otherwise to the trustor's successors in interest. Successors in interest include the beneficiaries under the trustor's will, if the trustor has a will, or, in the absence of an effective will provision, the trustor's heirs.

Sec. 23. RCW 11.98.078 and 2011 c 327 s 32 are each amended to read as follows:

(1) A trustee ~~((shall))~~ must administer the trust solely in the interests of the beneficiaries.

(2) Subject to the rights of persons dealing with or assisting the trustee as provided in RCW ~~((11.98.090))~~ 11.98.105, a sale, encumbrance, or other transaction involving the investment or management of trust property entered into by the trustee for the trustee's own personal account or which is otherwise affected by a conflict between the trustee's fiduciary and personal interests is voidable by a beneficiary affected by the transaction unless:

(a) The transaction was authorized by the terms of the trust;

(b) The transaction was approved by the court or approved in a nonjudicial binding agreement in compliance with RCW 11.96A.210 through 11.96A.250;

(c) The beneficiary did not commence a judicial proceeding within the time allowed by RCW 11.96A.070;

(d) The beneficiary consented to the trustee's conduct, ratified the transaction, or released the trustee in compliance with RCW 11.98.108; or

(e) The transaction involves a contract entered into or claim acquired by the trustee before the person became or contemplated becoming trustee.

(3)(a) A sale, encumbrance, or other transaction involving the investment or management of trust property is presumed to be "otherwise affected" by a conflict between fiduciary and personal interests under this section if it is entered into by the trustee with:

(i) The trustee's spouse or registered domestic partner;

(ii) The trustee's descendants, siblings, parents, or their spouses or registered domestic partners;

(iii) An agent or attorney of the trustee; or

(iv) A corporation or other person or enterprise in which the trustee, or a person that owns a significant interest in the trustee, has an interest that might affect the trustee's best judgment.

(b) The presumption is rebutted if the trustee establishes that the conflict did not adversely affect the interests of the beneficiaries.

(4) A sale, encumbrance, or other transaction involving the investment or management of trust property entered into by the trustee for the trustee's own personal account that is voidable under subsection (2) of this section may be voided by a beneficiary without further proof.

(5) An investment by a trustee in securities of an investment company or investment trust to which the trustee, or its affiliate, provides services in a capacity other than as trustee is not presumed to be affected by a conflict between personal and fiduciary interests if the investment complies with the prudent investor rule of chapter 11.100 RCW. In addition to its compensation for acting as trustee,

the trustee may be compensated by the investment company or investment trust for providing those services out of fees charged to the trust. If the trustee receives compensation from the investment company or investment trust for providing investment advisory or investment management services, the trustee must at least annually notify the ~~((persons entitled under RCW 11.106.020 to receive a copy of the trustee's annual report of the rate and method by which that compensation was determined))~~ permissible distributees of the rate and method by which that compensation was determined. The obligation of the trustee to provide the notice described in this section may be waived or modified by the trustor in the trust document or in a separate writing, made at any time, that is delivered to the trustee.

(6) The following transactions, if fair to the beneficiaries, cannot be voided under this section:

(a) An agreement between a trustee and a beneficiary relating to the appointment or compensation of the trustee;

(b) Payment of reasonable compensation to the trustee and any affiliate providing services to the trust, provided total compensation is reasonable;

(c) A transaction between a trust and another trust, decedent's estate, or guardianship of which the trustee is a fiduciary or in which a beneficiary has an interest;

(d) A deposit of trust money in a regulated financial-service institution operated by the trustee or its affiliate;

(e) A delegation and any transaction made pursuant to the delegation from a trustee to an agent that is affiliated or associated with the trustee; or

(f) Any loan from the trustee or its affiliate.

(7) The court may appoint a special fiduciary to make a decision with respect to any proposed transaction that might violate this section if entered into by the trustee.

(8) If a trust has two or more beneficiaries, the trustee ~~((shall))~~ must act impartially in administering the trust and distributing the trust property, giving due regard to the beneficiaries' respective interests.

Sec. 24. RCW 11.103.030 and 2011 c 327 s 36 are each amended to read as follows:

(1) Unless the terms of a trust expressly provide that the trust is revocable, the trustor may not revoke or amend the trust.

(2) If a revocable trust is created or funded by more than one trustor and unless the trust agreement provides otherwise:

(a) To the extent the trust consists of community property, the trust may be revoked by either spouse or either domestic partner acting alone but may be amended only by joint action of both spouses or both domestic partners;

(b) To the extent the trust consists of property other than community property, each trustor may revoke or amend the trust with regard to the portion of the trust property attributable to that trustor's contribution;

(c) The character of community property or separate property is unaffected by its transfer to and from a revocable trust; and

(d) Upon the revocation or amendment of the trust by fewer than all of the trustors, the trustee ~~((shall))~~ must promptly notify the other trustors of the revocation or amendment.

(3) The trustor may revoke or amend a revocable trust:

(a) By substantial compliance with a method provided in the terms of the trust; or

(b)(i) If the terms of the trust do not provide a method or the method provided in the terms is not expressly made exclusive, by:

(A) A later will or codicil that expressly refers to the trust or specifically devises property that would otherwise have passed according to the terms of the trust; or

(B) A written instrument signed by the trustor evidencing intent to revoke or amend.

(ii) The requirements of chapter 11.11 RCW do not apply to revocation or amendment of a revocable trust under (b)(i) of this subsection.

(4) Upon revocation of a revocable trust, the trustee (~~(shall)~~) must deliver the trust property as the trustor directs.

(5) A trustor's powers with respect to ((revocation, amendment, or distribution of trust property may be exercised by an agent under a power of attorney only to the extent expressly authorized by the terms of the power)) the revocation or amendment of a trust or distribution of the property of a trust, may be exercised by the trustor's agent under a power of attorney only to the extent specified in the power of attorney document, as provided in RCW 11.94.050(1) and to the extent consistent with or expressly authorized by the trust agreement.

(6) A guardian of the trustor may exercise a trustor's powers with respect to revocation, amendment, or distribution of trust property only with the approval of the court supervising the guardianship pursuant to RCW 11.92.140.

(7) A trustee who does not know that a trust has been revoked or amended is not liable to the trustor or trustor's successors in interest for distributions made and other actions taken on the assumption that the trust had not been amended or revoked.

(8) This section does not limit or affect operation of RCW 11.96A.220 through 11.96A.240.

Sec. 25. RCW 11.106.010 and 1985 c 30 s 95 are each amended to read as follows:

This chapter does not apply to resulting trusts, constructive trusts, business trusts where certificates of beneficial interest are issued to the beneficiaries, investment trusts, voting trusts, insurance trusts prior to the death of the insured, trusts in the nature of mortgages or pledges (~~(, trusts created by judgment or decree of a federal court or of the superior court when not sitting in probate)),~~ liquidation trusts or trusts for the sole purpose of paying dividends, interest or interest coupons, salaries, wages or pensions; nor does this chapter apply to personal representatives.

Sec. 26. RCW 11.106.020 and 1985 c 30 s 96 are each amended to read as follows:

The trustee or trustees appointed by any will, deed, or agreement executed (~~(shall)~~) must mail or deliver at least annually to each (~~(adult income trust beneficiary))~~ permissible distributee, as defined in section 8 of this act, a written itemized statement of all current receipts and disbursements made by the trustee of the funds of the trust both principal and income, and upon the request of any such beneficiary (~~(shall)~~) must furnish the beneficiary an itemized statement of all property then held by that trustee, and may also file any such statement in the superior court of the county in which the trustee or one of the trustees resides.

Sec. 27. RCW 11.118.050 and 2001 c 327 s 6 are each amended to read as follows:

The intended use of the principal or income can be enforced by a person designated for that purpose in the trust instrument, by the person having custody of an animal that is a beneficiary of the trust, or by a person appointed by a court upon application to it by any person. Such person is considered to be a permissible distributee, as defined in section 8 of this act, of the trust. A person with an interest in the welfare of the animal may petition for an order appointing or removing a person designated or appointed to enforce the trust.

NEW SECTION. Sec. 28. Except as otherwise provided in this act:

(1) This act applies to all trusts created before, on, or after January 1, 2013;

(2) This act applies to all judicial proceedings concerning trusts commenced on or after January 1, 2013;

(3) An action taken before January 1, 2013, is not affected by this act; and

(4) If a right is acquired, extinguished, or barred upon the expiration of a prescribed period that has commenced to run under

any other statute before January 1, 2013, that statute continues to apply to the right even if it has been repealed or superseded."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Hope; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

March 28, 2013

E2SSB 5389 Prime Sponsor, Committee on Ways & Means: Concerning sibling visitation and sibling contact for children in foster care. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The Washington state legislature recognizes the importance of frequent and meaningful contact for siblings separated due to involvement in the foster care system. The legislature also recognizes that children and youth in foster care have not always been provided adequate opportunities for visitation with their siblings. It is the intent of the legislature to encourage appropriate facilitation of sibling visits.

Sec. 2. RCW 13.34.136 and 2011 c 309 s 29 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(~~((6))~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the

department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii)(A) The department, court, or caregiver in the out-of-home placement may not limit visitation or contact between a child and sibling as a sanction for a child's behavior or as an incentive to the child to change his or her behavior.

(B) Any exceptions, limitation, or denial of contacts or visitation must be approved by the supervisor of the department caseworker and documented. The child, parent, department, guardian ad litem, or court-appointed special advocate may challenge the denial of visits in court.

(iv) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

~~((iv))~~ (v) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

~~((v))~~ (vi) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

~~((vi))~~ (vii) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(~~((6))~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of

the most recent twenty-two months, the court shall require the department or supervising agency to file a petition seeking termination of parental rights in accordance with RCW 13.34.145(3)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(~~((4))~~) (6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings. To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department of social and health services or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe."

Correct the title.

Signed by Representatives Kagi, Chair; Freeman, Vice Chair; Walsh, Ranking Minority Member; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5399

Prime Sponsor, Committee on Governmental Operations: Addressing the timing of penalties under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

March 28, 2013
SB 5417 Prime Sponsor, Senator Mullet: Concerning the annexation of unincorporated territory within a code city. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 35A.14.295 and 1997 c 429 s 36 are each amended to read as follows:

(1) The legislative body of a code city may resolve to annex territory (~~(containing residential property owners)~~) to the city if there is within the city, unincorporated territory:

(a) Containing less than one hundred seventy-five acres and having (~~(at least eighty percent)~~) all of the boundaries of such area contiguous to the code city; or

(b) Of any size and having at least eighty percent of the boundaries of such area contiguous to the city (~~(if such area existed before June 30, 1994)~~), and is within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city (~~(was)~~) is planning under chapter 36.70A RCW (~~(as of June 30, 1994)~~).

(2) The resolution shall describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and set a date for a public hearing on such resolution for annexation. Notice of the hearing shall be given by publication of the resolution at least once a week for two weeks prior to the date of the hearing, in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the area to be annexed.

(3) For purposes of subsection (1)(b) of this section, territory bounded by a river, lake, or other body of water is considered contiguous to a city that is also bounded by the same river, lake, or other body of water."

Correct the title.

Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Uptegrove.

Passed to Committee on Rules for second reading.

March 27, 2013
ESSB 5458 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning the labeling of certain asbestos-containing building materials. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Kagi; Liias; Morris and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member; Nealey and Overstreet.

Passed to Committee on Rules for second reading.

March 26, 2013
SSB 5459 Prime Sponsor, Committee on Health Care: Requiring ninety-day supply limits on certain drugs dispensed by a pharmacist. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

On page 2, at the beginning of line 15, strike "care service plan, health insurer" and insert "benefit plan, health carrier"

On page 2, line 18, after "coverage" strike "for a drug"

On page 2, line 19, after "beneficiary's" insert "or enrollee's"

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013
SB 5465 Prime Sponsor, Senator Dammeier: Concerning exemptions from licensure as a physical therapist. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.74.150 and 2007 c 98 s 13 are each amended to read as follows:

(1) It is unlawful for any person to practice or in any manner hold himself or herself out to practice physical therapy or designate himself or herself as a physical therapist or physical therapist assistant, unless he or she is licensed in accordance with this chapter.

(2) This chapter does not restrict persons licensed under any other law of this state from engaging in the profession or practice for which they are licensed, if they are not representing themselves to be physical therapists, physical therapist assistants, or providers of physical therapy.

(3) The following persons are exempt from licensure as physical therapists under this chapter when engaged in the following activities:

(a) A person who is pursuing a course of study leading to a degree as a physical therapist in an approved professional education program and is satisfying supervised clinical education requirements related to his or her physical therapy education while under direct supervision of a licensed physical therapist;

(b) A physical therapist while practicing in the United States armed services, United States public health service, or veterans administration as based on requirements under federal regulations for state licensure of health care providers; and

(c) A physical therapist licensed in another United States jurisdiction, or a foreign-educated physical therapist credentialed in another country, performing physical therapy as part of teaching or participating in an educational seminar of no more than sixty days in a calendar year.

(4) The following persons are exempt from licensure as physical therapist assistants under this chapter when engaged in the following activities:

(a) A person who is pursuing a course of study leading to a degree as a physical therapist assistant in an approved professional education program and is satisfying supervised clinical education requirements related to his or her physical therapist assistant

education while under direct supervision of a licensed physical therapist or licensed physical therapist assistant;

(b) A physical therapist assistant while practicing in the United States armed services, United States public health service, or veterans administration as based on requirements under federal regulations for state licensure of health care providers; and

(c) A physical therapist assistant licensed in another United States jurisdiction, or a foreign-educated physical therapist assistant credentialed in another country, or a physical therapist assistant who is teaching or participating in an educational seminar of no more than sixty days in a calendar year.

Sec. 2. RCW 18.74.180 and 2007 c 98 s 16 are each amended to read as follows:

A physical therapist is professionally and legally responsible for patient care given by assistive personnel under his or her supervision. If a physical therapist fails to adequately supervise patient care given by assistive personnel, the board may take disciplinary action against the physical therapist.

(1) Regardless of the setting in which physical therapy services are provided, only the licensed physical therapist may perform the following responsibilities:

(a) Interpretation of referrals;

(b) Initial examination, problem identification, and diagnosis for physical therapy;

(c) Development or modification of a plan of care that is based on the initial examination and includes the goals for physical therapy intervention;

(d) Determination of which tasks require the expertise and decision-making capacity of the physical therapist and must be personally rendered by the physical therapist, and which tasks may be delegated;

(e) Assurance of the qualifications of all assistive personnel to perform assigned tasks through written documentation of their education or training that is maintained and available at all times;

(f) Delegation and instruction of the services to be rendered by the physical therapist, physical therapist assistant, or physical therapy aide including, but not limited to, specific tasks or procedures, precautions, special problems, and contraindicated procedures;

(g) Timely review of documentation, reexamination of the patient, and revision of the plan of care when indicated;

(h) Establishment of a discharge plan.

(2) Supervision requires that the patient reevaluation is performed:

(a) Every fifth visit, or if treatment is performed more than five times per week, reevaluation must be performed at least once a week;

(b) When there is any change in the patient's condition not consistent with planned progress or treatment goals.

(3) Supervision of assistive personnel means:

(a) Physical therapist assistants may function under direct or indirect supervision;

(b) Physical therapy aides must function under direct supervision;

(c)(i) The physical therapist may supervise a total of two assistive personnel at any one time.

(ii) In addition to the two assistive personnel authorized in (c)(i) of this subsection, the physical therapist may supervise a total of two persons who are pursuing a course of study leading to a degree as a physical therapist or a physical therapist assistant."

Correct the title.

Signed by Representatives Cody, Chair; Jenkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5496

Prime Sponsor, Senator Braun: Authorizing approval of online school programs in private schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5601

Prime Sponsor, Committee on Health Care: Concerning interpretation of state law regarding rebating practices by health care entities. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature recognizes the complexity of the health care delivery system and the need to provide a clear and consistent regulatory framework to enable health care providers to manage their operations in an efficient and effective manner. The legislature also recognizes that the donation of electronic health records systems reduces health care costs, promotes patient safety, and improves the quality of health care.

(2) To further the important national policy of promoting the widespread adoption of electronic health records systems, the federal antikickback statute and the rules adopted to implement the statute contain a safe harbor that allows the donation of electronic health records systems. The federal statute and rules also contain additional safe harbors to preserve a variety of other activities which, in many cases, improve access to health care. For health care entities other than clinical laboratories, the legality of all of these arrangements is currently in question.

(3) The legislature is adding language to chapter 19.68 RCW to clarify existing law and ensure that, except with respect to arrangements involving an entity which principally operates as a clinical laboratory, it is interpreted in a manner consistent with the federal antikickback statute.

NEW SECTION. Sec. 2. (1) Nothing in this chapter may be construed to limit or prohibit the donation of electronic health record technology or other activity by any entity, including a hospital licensed under chapter 70.41 RCW that operates a clinical laboratory, when the donation or other activity is allowed by or otherwise does not violate, 42 U.S.C. Sec. 1320a-7b(b) or the federal rules adopted to implement 42 U.S.C. Sec. 1320a-7b(b).

(2) This section does not apply to any entity which principally operates as a clinical laboratory licensed or certified under section 353 of the public health service act, 42 U.S.C. Sec. 263a, or other applicable Washington state law.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

"Electronic health record technology" means items and services, in the form of software or information technology and training services, necessary and used predominantly to create, maintain, transmit, or receive electronic health records.

NEW SECTION. Sec. 4. This act applies retroactively to June 1, 2006, as well as prospectively.

NEW SECTION. Sec. 5. Sections 2 and 3 of this act are each added to chapter 19.68 RCW."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Passed to Committee on Rules for second reading.

March 27, 2013

ESB 5603 Prime Sponsor, Senator Hatfield: Establishing the Washington coastal marine advisory council. (REVISED FOR ENGROSSED: Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council.) Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

On page 1, line 12, after "designee" insert ", except as specified in subsection (4) of this section"

On page 2, line 21, after "(M)" insert "Up to four representatives of tribal governments, as specified in subsection (4) of this section; (N)"

Reletter the remaining subsection consecutively and correct any internal references accordingly.

On page 2, line 28, after "state" strike ", tribal," and insert "and"

On page 2, line 37, after "(4)" insert "The governor or the governor's designee may invite up to four federally recognized Indian tribes to designate one representative each to participate as voting members of the council. (5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Kagi; Lias; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

March 27, 2013

ESB 5603 Prime Sponsor, Senator Hatfield: Establishing the Washington coastal marine advisory council. (REVISED FOR ENGROSSED: Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council.) Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

On page 1, line 12, after "designee" insert ", except as specified in subsection (4) of this section"

On page 2, line 21, after "(M)" insert "Up to four representatives of tribal governments, as specified in subsection (4) of this section; (N)"

Reletter the remaining subsection consecutively and correct any internal references accordingly.

On page 2, line 28, after "state" strike ", tribal," and insert "and"

On page 2, line 37, after "(4)" insert "The governor or the governor's designee may invite up to four federally recognized Indian tribes to designate one representative each to participate as voting members of the council. (5)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Signed by Representatives Uptegrove, Chair; McCoy, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Kagi; Lias; Morris; Nealey and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5630 Prime Sponsor, Committee on Health Care: Implementing recommendations of the adult family home quality assurance panel. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass as amended.

On page 7, line 5, after "links to" strike "recent"

On page 7, line 6, after "department" insert "for the previous three years. If a violation or enforcement remedy is deleted, rescinded, or modified under RCW 70.128.167 or chapter 34.05 RCW, the department shall make the appropriate changes to the information on the web site as soon as reasonably feasible, but no later than thirty days after the violation or enforcement remedy has been deleted, rescinded, or modified"

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.128 RCW to read as follows:

(1) The protection of vulnerable residents living in adult family homes and other long-term care facilities in the state is a matter of ongoing concern and grave importance. In 2011, the legislature examined problems with the quality of care and oversight of adult family homes in Washington. The 2011 legislature passed Engrossed Substitute House Bill No. 1277 to address some of these issues, and in addition, created an adult family home quality assurance panel, chaired by the state long-term care ombudsman, to meet and make recommendations to the governor and legislature by December 1, 2012, for further improvements in adult family home care and the oversight of the homes by the department of social and health services.

(2) The legislature recognizes that significant progress has been made over the years in adult family home care, and that many adult family homes provide high quality care and are the preferred alternative for many residents in contrast to a larger care facility setting. The legislature finds however that the quality of care in some adult family homes would be improved, and abuse and neglect would decline, if these homes' caregivers and providers received better training and mentoring, residents and their families were more informed and able to select an appropriate home, and oversight by the department of social and health services was more vigorous and prompt against poorly performing homes. It is therefore the intent of the legislature to enact the recommendations included in the adult

family home quality assurance panel report in order to improve the quality of care of vulnerable residents and the department's oversight of adult family homes.

Sec. 2. RCW 70.128.060 and 2011 1st sp.s. c 3 s 403 are each amended to read as follows:

(1) An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires.

(2) Subject to the provisions of this section, the department shall issue a license to an adult family home if the department finds that the applicant and the home are in compliance with this chapter and the rules adopted under this chapter. The department may not issue a license if (a) the applicant or a person affiliated with the applicant has prior violations of this chapter relating to the adult family home subject to the application or any other adult family home, or of any other law regulating residential care facilities within the past ten years that resulted in revocation, suspension, or nonrenewal of a license or contract with the department; or (b) the applicant or a person affiliated with the applicant has a history of significant noncompliance with federal, state, or local laws, rules, or regulations relating to the provision of care or services to vulnerable adults or to children. A person is considered affiliated with an applicant if the person is listed on the license application as a partner, officer, director, resident manager, or majority owner of the applying entity, or is the spouse of the applicant.

(3) The license fee shall be submitted with the application.

(4) Proof of financial solvency must be submitted when requested by the department.

(5) The department shall serve upon the applicant a copy of the decision granting or denying an application for a license. An applicant shall have the right to contest denial of his or her application for a license as provided in chapter 34.05 RCW by requesting a hearing in writing within twenty-eight days after receipt of the notice of denial.

(6) The department shall not issue a license to a provider if the department finds that the provider or spouse of the provider or any partner, officer, director, managerial employee, or majority owner has a history of significant noncompliance with federal or state regulations, rules, or laws in providing care or services to vulnerable adults or to children.

(7) The department shall license an adult family home for the maximum level of care that the adult family home may provide. The department shall define, in rule, license levels based upon the education, training, and caregiving experience of the licensed provider or staff.

(8) For adult family homes that serve residents with special needs such as dementia, developmental disabilities, or mental illness, specialty training is required of providers and resident managers consistent with RCW 70.128.230, and also is required for caregivers, with standardized competency testing for caregivers hired after the effective date of this section, as set forth by the department in rule. The department shall examine, with input from experts, providers, consumers, and advocates, whether the existing specialty training courses are adequate for providers, resident managers, and caregivers to meet these residents' special needs, are sufficiently standardized in curricula and instructional techniques, and are accompanied by effective tools to fairly evaluate successful student completion. The department may enhance the existing specialty training requirements by rule, and may update curricula, instructional techniques, and competency testing based upon its review and stakeholder input. In addition, the department shall examine, with input from experts, providers, consumers, and advocates, whether additional specialty training categories should be created for adult family homes serving residents with other special needs, such as traumatic brain injury, skilled nursing, or bariatric care. The department may establish, by rule, additional specialty training categories and requirements for

providers, resident managers, and caregivers, if needed to better serve residents with such special needs.

(9) The department shall establish, by rule, standards used to license nonresident providers and multiple facility operators.

~~((9))~~ (10) The department shall establish, by rule, for multiple facility operators educational standards substantially equivalent to recognized national certification standards for residential care administrators.

~~((10))~~ (11) At the time of an application for an adult family home license and upon the annual fee renewal date set by the department, the licensee shall pay a license fee. Beginning July 1, 2011, the per bed license fee and any processing fees, including the initial license fee, must be established in the omnibus appropriations act and any amendment or additions made to that act. The license fees established in the omnibus appropriations act and any amendment or additions made to that act may not exceed the department's annual licensing and oversight activity costs and must include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

~~((11))~~ (12) A provider who receives notification of the department's initiation of a denial, suspension, nonrenewal, or revocation of an adult family home license may, in lieu of appealing the department's action, surrender or relinquish the license. The department shall not issue a new license to or contract with the provider, for the purposes of providing care to vulnerable adults or children, for a period of twenty years following the surrendering or relinquishment of the former license. The licensing record shall indicate that the provider relinquished or surrendered the license, without admitting the violations, after receiving notice of the department's initiation of a denial, suspension, nonrenewal, or revocation of a license.

~~((12))~~ (13) The department shall establish, by rule, the circumstances requiring a change in the licensed provider, which include, but are not limited to, a change in ownership or control of the adult family home or provider, a change in the provider's form of legal organization, such as from sole proprietorship to partnership or corporation, and a dissolution or merger of the licensed entity with another legal organization. The new provider is subject to the provisions of this chapter, the rules adopted under this chapter, and other applicable law. In order to ensure that the safety of residents is not compromised by a change in provider, the new provider is responsible for correction of all violations that may exist at the time of the new license.

NEW SECTION. Sec. 3. A new section is added to chapter 70.128 RCW to read as follows:

(1) In order to enhance the selection of an appropriate adult family home, all adult family homes licensed under this chapter shall disclose the scope of, and charges for, the care, services, and activities provided by the home or customarily arranged for by the home. The disclosure must be provided to the home's residents and the residents' representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request, using standardized disclosure forms developed by the department with stakeholders' input. The home may also disclose supplemental information to prospective residents and other interested persons.

(2)(a) The disclosure forms that the department develops must be standardized, reasonable in length, and easy to read. The form setting forth the scope of an adult family home's care, services, and activities must be available from the adult family home through a link to the department's web site developed pursuant to this section. This form must indicate, among other categories, the scope of personal care and medication service provided, the scope of skilled nursing services or nursing delegation provided or available, any specialty care designations held by the adult family home, the customary number of caregivers present during the day and whether the home has awake staff at night, any particular cultural or language access available, and

clearly state whether the home admits medicaid clients or retains residents who later become eligible for medicaid. The adult family home shall provide or arrange for the care, services, and activities disclosed in its form.

(b) The department must also develop a second standardized disclosure form with stakeholders' input for use by adult family homes to set forth an adult family home's charges for its care, services, items, and activities, including the charges not covered by the home's daily or monthly rate, or by medicaid, medicare, or other programs. This form must be available from the home and disclosed to residents and their representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request.

(3)(a) If the adult family home decreases the scope of care, services, or activities it provides, due to circumstances beyond the home's control, the home shall provide a minimum of thirty days' written notice to the residents, and the residents' representative if any, before the effective date of the decrease in the scope of care, services, or activities provided.

(b) If the adult family home voluntarily decreases the scope of care, services, or activities it provides, and any such decrease will result in the discharge of one or more residents, then ninety days' written notice must be provided prior to the effective date of the decrease. Notice must be given to the residents and the residents' representative, if any.

(c) If the adult family home increases the scope of care, services, or activities it provides, the home shall promptly provide written notice to the residents, and the residents' representative if any, and shall indicate the date on which the increase is effective.

(4) When the care needs of a resident exceed the disclosed scope of care or services that the adult family home provides, the home may exceed the care or services previously disclosed, provided that the additional care or services are permitted by the adult family home's license, and the home can safely and appropriately serve the resident with available staff or through the provision of reasonable accommodations required by state or federal law. The provision of care or services to a resident that exceed those previously disclosed by the home does not mean that the home is capable of or required to provide the same care or services to other residents, unless required as a reasonable accommodation under state or federal law.

(5) An adult family home may deny admission to a prospective resident if the home determines that the needs of the prospective resident cannot be met, so long as the adult family home operates in compliance with state and federal law, including RCW 70.129.030(3) and the reasonable accommodation requirements of state and federal antidiscrimination laws.

(6) The department shall work with consumers, advocates, and other stakeholders to combine and improve existing web resources to create a more robust, comprehensive, and user-friendly web site for family members, residents, and prospective residents of adult family homes in Washington. The department may contract with outside vendors and experts to assist in the development of the web site. The web site should be easy to navigate and have links to information important for residents, prospective residents, and their family members or representatives including, but not limited to: (a) Explanations of the types of licensed long-term care facilities, levels of care, and specialty designations; (b) lists of suggested questions when looking for a care facility; (c) warning signs of abuse, neglect, or financial exploitation; and (d) contact information for the department and the long-term care ombudsman. In addition, the consumer oriented web site should include a searchable list of all adult family homes in Washington, with links to recent inspection and investigation reports and any enforcement actions by the department. To facilitate the comparison of adult family homes, the web site should also include a link to each licensed adult family home's disclosure form required by subsection (2)(a) of this section. The

department's web site should also include periodically updated information about whether an adult family home has a current vacancy, if the home or facility provides such information to the department, or may include links to other consumer-oriented web sites with the vacancy information.

Sec. 4. RCW 70.128.160 and 2011 1st sp.s. c 3 s 208 are each amended to read as follows:

(1) The department is authorized to take one or more of the actions listed in subsection (2) of this section in any case in which the department finds that an adult family home provider has:

(a) Failed or refused to comply with the requirements of this chapter or the rules adopted under this chapter;

(b) Operated an adult family home without a license or under a revoked license;

(c) Knowingly or with reason to know made a false statement of material fact on his or her application for license or any data attached thereto, or in any matter under investigation by the department; or

(d) Willfully prevented or interfered with any inspection or investigation by the department.

(2) When authorized by subsection (1) of this section, the department may take one or more of the following actions:

(a) Refuse to issue a license;

(b) Impose reasonable conditions on a license, such as correction within a specified time, training, and limits on the type of clients the provider may admit or serve;

(c) Impose civil penalties of at least one hundred dollars per day per violation;

(d) Impose civil penalties of up to three thousand dollars for each incident that violates adult family home licensing laws and rules, including, but not limited to, chapters 70.128, 70.129, 74.34, and 74.39A RCW and related rules. Each day upon which the same or substantially similar action occurs is a separate violation subject to the assessment of a separate penalty;

(e) Impose civil penalties of up to ten thousand dollars for a current or former licensed provider who is operating an unlicensed home;

(f) Suspend, revoke, or refuse to renew a license; or

(g) Suspend admissions to the adult family home by imposing stop placement.

(3) When the department orders stop placement, the facility shall not admit any person until the stop placement order is terminated. The department may approve readmission of a resident to the facility from a hospital or nursing home during the stop placement. The department shall terminate the stop placement ~~(when)~~ **only after:** (a) The violations necessitating the stop placement have been corrected; and (b) the provider exhibits the capacity to maintain correction of the violations previously found deficient. However, if upon the revisit the department finds new violations that the department reasonably believes will result in a new stop placement, the previous stop placement shall remain in effect until the new stop placement is imposed. In order to protect the home's existing residents from potential ongoing neglect, when the provider has been cited for a violation that is repeated, uncorrected, pervasive, or presents a threat to the health, safety, or welfare of one or more residents, and the department has imposed a stop placement, the department shall also impose a condition on license or other remedy to facilitate or spur prompter compliance if the violation has not been corrected, and the provider has not exhibited the capacity to maintain correction, within sixty days of the stop placement.

(4) Nothing in subsection (3) of this section is intended to apply to stop placement imposed in conjunction with a license revocation or summary suspension or to prevent the department from imposing a condition on license or other remedy prior to sixty days after a stop placement, if the department considers it necessary to protect one or more residents' well-being. After a department finding of a violation for which a stop placement has been imposed, the department shall

make an on-site revisit of the provider within fifteen working days from the request for revisit, to ensure correction of the violation. For violations that are serious or recurring or uncorrected following a previous citation, and create actual or threatened harm to one or more residents' well-being, including violations of residents' rights, the department shall make an on-site revisit as soon as appropriate to ensure correction of the violation. Verification of correction of all other violations may be made by either a department on-site revisit or by written or photographic documentation found by the department to be credible. This subsection does not prevent the department from enforcing license suspensions or revocations. Nothing in this subsection shall interfere with or diminish the department's authority and duty to ensure that the provider adequately cares for residents, including to make departmental on-site revisits as needed to ensure that the provider protects residents, and to enforce compliance with this chapter.

(5) Chapter 34.05 RCW applies to department actions under this section, except that orders of the department imposing license suspension, stop placement, or conditions for continuation of a license are effective immediately upon notice and shall continue in effect pending any hearing.

(6) A separate adult family home account is created in the custody of the state treasurer. All receipts from civil penalties imposed under this chapter must be deposited into the account. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The department shall use the special account only for promoting the quality of life and care of residents living in adult family homes.

(7) The department shall by rule specify criteria as to when and how the sanctions specified in this section must be applied. The criteria must provide for the imposition of incrementally more severe penalties for deficiencies that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. The criteria shall be tiered such that those homes consistently found to have deficiencies will be subjected to increasingly severe penalties. The department shall implement prompt and specific enforcement remedies without delay for providers found to have delivered care or failed to deliver care resulting in problems that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. In the selection of remedies, the health, safety, and well-being of residents must be of paramount importance.

NEW SECTION. Sec. 5. A new section is added to chapter 70.128 RCW to read as follows:

(1) If during an inspection, reinspection, or complaint investigation by the department, an adult family home corrects a violation or deficiency that the department discovers, the department shall record and consider such violation or deficiency for purposes of the home's compliance history; however, the licensor or complaint investigator may not include in the home's report the violation or deficiency if the violation or deficiency:

- (a) Is corrected to the satisfaction of the department prior to the exit conference;
- (b) Is not recurring; and
- (c) Did not pose a significant risk of harm or actual harm to a resident.

(2) For the purposes of this section, "recurring" means that the violation or deficiency was found under the same regulation or statute in one of the two most recent preceding inspections, reinspections, or complaint investigations."

Correct the title.

Signed by Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking

Minority Member; Angel; Clibborn; Green; Harris; Manweller; Moeller; Morrell; Riccelli; Rodne; Ross; Short; Tharinger and Van De Wege.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

March 28, 2013

ESSB 5656 Prime Sponsor, Committee on Trade & Economic Development: Revising business licensing systems. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35.102 RCW to read as follows:

(1) Except as provided otherwise by subsection (3) of this section, by July 1, 2019, each city that imposes a business and occupation tax under this chapter must have its general business licenses issued and, if a renewal is required, renewed through the business licensing system or through a city-developed portal.

(2) Except as provided otherwise by subsection (3) of this section, by July 1, 2019, each city that does not impose a business and occupation tax under this chapter must have its general business licenses issued and, if a renewal is required, renewed through the business licensing system or through a city-developed portal.

(3) The department or the cities may delay or phase-in the issuance and renewal of general business licenses beyond July 1, 2019, if funding or other resources are insufficient to enable the department or the cities to comply with this section.

(4) The department, working with affected cities, may establish a schedule for assuming the issuance and renewal of general business licenses for cities choosing this option. Cities may continue to issue and renew their general business licenses until those licenses have been incorporated into the business licensing system. A city whose general business license has been incorporated into the business licensing system must utilize the business licensing system and may not directly issue or renew those licenses.

(5)(a) By July 1, 2017, the department must provide a report to the appropriate committees of the house of representatives and senate indicating:

(i) What actions the department has taken to comply with this section and what the costs of those actions were;

(ii) What actions the department anticipates taking between July 1, 2017, and July 1, 2019, to comply with the requirements of this section and what the anticipated costs of those actions will be;

(iii) What actions the department has taken to comply with the diverse and differing needs of small, medium, and large cities subject to the requirements of this section; and

(iv) Whether, in the department's judgment, the department believes it will be able to comply with the deadlines established in subsections (1) and (2) of this section.

(b) The report required by (a) of this subsection must be prepared by the department in consultation with cities and other affected or interested parties.

(6) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Business and occupation tax" has the same meaning as in RCW 35.102.030.

(b) "Business licensing system" means the business licensing system or service of the department established in accordance with chapter 19.02 RCW.

(c) "City-developed portal" means a single portal with at least five participating cities that allows for the issuance or renewal of general business licenses for all participating cities.

(d) "Department" means the department of revenue.

(7)(a) This section expires July 1, 2018.

(b) The intent of the expiration date in this subsection is to afford the legislature a full opportunity to review and revise the requirements of this section to ensure that compliance with its provisions occurs in a timely, thoughtful, and appropriate manner that best meets the needs of businesses and cities throughout Washington state."

Correct the title.

Signed by Representatives Takko, Chair; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Ranking Minority Member.

Referred to Committee on Appropriations.

March 28, 2013

SB 5770 Prime Sponsor, Senator Honeyford: Permitting conservation districts to use electronic deposits for employee pay and compensation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys; Liias; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 2, 2013, the 79th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SEVENTY NINTH DAY

House Chamber, Olympia, Tuesday, April 2, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2022 by Representatives Jinkins, Morrell, Green, Cody and Hunter

AN ACT Relating to dispensing of birth control for medicaid enrollees; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Appropriations.

HB 2023 by Representative Habib

AN ACT Relating to allowing crowdfunding for certain small securities offerings; adding new sections to chapter 21.20 RCW; and creating a new section.

Referred to Committee on Business & Financial Services.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

March 28, 2013

SB 5030 Prime Sponsor, Senator Roach: Extending the Chinook scenic byway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

March 28, 2013

ESSB 5095 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Providing

proof of financial responsibility for motor vehicle operation. (REVISED FOR ENGROSSED: Concerning proof of required documents for motor vehicle operation.) Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Klippert.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5142 Prime Sponsor, Senator Rolfes: Incorporating motorcycles into certain transportation planning. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Freeman; Habib; Johnson; Klippert; Kretz; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Kochmar; Kristiansen; Rodne and Shea.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5239 Prime Sponsor, Committee on Transportation: Addressing project selection by the freight mobility strategic investment board. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

March 28, 2013

E2SSB 5244 Prime Sponsor, Committee on Ways & Means:
Regarding school suspensions and expulsions.
Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The office of the superintendent of public instruction shall convene a discipline task force to develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district. The task force must also develop data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school. The data collection standards must include data about education services provided while a student is subject to a disciplinary action, the status of petitions for readmission to the school district when a student has been excluded from school, credit retrieval during a period of exclusion, and school dropout as a result of disciplinary action.

(2) The discipline task force shall include representatives from the K-12 data governance group, the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of Indian affairs, the office of the education ombudsman, school districts, and other education and advocacy organizations.

(3) The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force, and begin collecting data based on the revised standards in the 2015-16 school year.

Sec. 2. RCW 28A.600.015 and 2006 c 263 s 701 are each amended to read as follows:

(1) The superintendent of public instruction shall adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural due process guarantees of pupils in the common schools. Such rules shall authorize a school district to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible: PROVIDED, That the superintendent of public instruction deems the interest of students to be adequately protected. When a student suspension or expulsion is appealed, the rules shall authorize a school district to impose the suspension or expulsion temporarily after an initial hearing for no more than ten consecutive school days or until the appeal is decided, whichever is earlier. Any days that the student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student suspension or expulsion and shall not limit or extend the term of the student suspension or expulsion. A suspension or expulsion of a student may not be for an indefinite period of time, and a school district may not suspend the provision of educational services to a student as a disciplinary measure.

(2) Short-term suspension procedures may be used for suspensions of students up to and including, ten consecutive school days.

(3) Emergency expulsions must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided to students when an emergency expulsion is converted to another form of corrective action.

(4) A school district may not impose a disciplinary action that results in the suspension of educational services to a student. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension, but the school district must provide an opportunity for the student to receive educational services in an alternative manner, which may include services provided through an alternative program, at an alternative school, or at an alternative location within the student's regular school.

Sec. 3. RCW 28A.600.020 and 2006 c 263 s 706 are each amended to read as follows:

(1) The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere.

(2) Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first. Except in emergency circumstances, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred.

(3) In order to preserve a beneficial learning environment for all students and to maintain good order and discipline in each classroom, every school district board of directors shall provide that written procedures are developed for administering discipline at each school within the district. Such procedures shall be developed with the participation of ~~((parents))~~ families and the community, and shall provide that the teacher, principal or designee, and other authorities designated by the board of directors, make every reasonable attempt to involve the ~~((parent))~~ family or guardian and the student in the resolution of student discipline problems. Such procedures shall provide that students may be excluded from their individual classes or activities for periods of time in excess of that provided in subsection (2) of this section if such students have repeatedly disrupted the learning of other students. The procedures must be consistent with the rules of the superintendent of public instruction and must provide for early involvement of ~~((parents))~~ families in attempts to improve the student's behavior.

(4) The procedures shall assure, pursuant to RCW 28A.400.110, that all staff work cooperatively toward consistent enforcement of proper student behavior throughout each school as well as within each classroom.

(5)(a) A principal ~~((shall))~~ may consider imposing long-term suspension or expulsion as a sanction when deciding the appropriate disciplinary action for a student who, after July 27, 1997:

~~((a))~~ (i) Engages in two or more violations within a three-year period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280~~((, or 28A.320.140))~~; or

~~((b))~~ (ii) Engages in one or more of the offenses listed in RCW 13.04.155.

(b) The principal shall communicate the disciplinary action taken by the principal to the school personnel who referred the student to the principal for disciplinary action.

(6) Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date no later than the end of the academic term in which the student exhibited behavior leading to a corrective action. In consultation with families and guardians of students subject to corrective action, school districts shall make reasonable efforts to assist students in returning to an

educational setting prior to and no later than the end date of the corrective action. Where warranted based on public health or safety, a school district may petition the superintendent of public instruction, pursuant to policies and procedures adopted by the superintendent of public instruction, for authorization to exceed the academic term limitation provided in this subsection. The superintendent of public instruction shall adopt rules outlining the limited circumstances in which a school district may petition the superintendent of public instruction to exceed the academic term limitation, including safeguards to ensure that the district has made every effort to plan for the student's return to school and that the student's extended expulsion from the district does not impair the student's constitutional right to education. In adopting rules and reviewing petitions to exceed the academic term limitation, the superintendent of public instruction must assure that students receive educational services while serving a suspension or expulsion. A petition to exceed the academic term limitation shall not be granted by the superintendent of public instruction if a school district does not provide educational services to a student serving a suspension or expulsion.

(7) As provided in RCW 28A.600.015, a school district may not impose disciplinary action that results in the suspension of educational services to a student.

Sec. 4. RCW 28A.600.410 and 1992 c 155 s 1 are each amended to read as follows:

It is the intent of the legislature to minimize the use of out-of-school suspension and expulsion and its impact on student achievement by reducing the number of days that students are excluded from school due to disciplinary action. Student discipline should not impair a student's constitutional right to education.

School districts are encouraged to find alternatives to suspension including reducing the length of a student's suspension conditioned by the commencement of counseling or other treatment services. Consistent with current law, the conditioning of a student's suspension does not obligate the school district to pay for the counseling or other treatment services except for those stipulated and agreed to by the district at the inception of the suspension.

Sec. 5. RCW 28A.600.460 and 1997 c 266 s 9 are each amended to read as follows:

(1) School district boards of directors shall adopt policies that restore discipline to the classroom. Such policies must provide for at least the following: Allowing each teacher to take disciplinary action to correct a student who disrupts normal classroom activities, abuses or insults a teacher as prohibited by RCW 28A.635.010, willfully disobeys a teacher, uses abusive or foul language directed at a school district employee, school volunteer, or another student, violates school rules, or who interferes with an orderly education process. Disciplinary action may include but is not limited to: Oral or written reprimands; written notification to parents of disruptive behavior, a copy of which must be provided to the principal.

(2) A student committing an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

(3) A student who commits an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW, when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled. A student who commits an offense under one of the chapters enumerated in this section against a student or another school employee, may be expelled or suspended.

(4) Nothing in this section is intended to limit the authority of a school under existing law and rules to expel or suspend a student for misconduct or criminal behavior. However, as provided in RCW 28A.600.015, a school district may not impose disciplinary action that results in the suspension of educational services to a student.

(5) All school districts must collect data on disciplinary actions taken in each school and must record such actions using the statewide student data system, based on the data collection standards established by the office of the superintendent of public instruction and the K-12 data governance group. The information shall be made available to the public upon request (~~(—This collection of)~~), but any public release of such data shall not include personally identifiable information including, but not limited to, a student's social security number, name, or address.

Sec. 6. RCW 43.41.400 and 2012 c 229 s 585 are each amended to read as follows:

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of early learning, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

(a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;

(b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;

(c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;

(d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent feasible and necessary, include data that are needed to conduct the analyses and provide answers to the research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system; ((and))

(i) Prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system, using data disaggregated according to RCW 28A.300.042, and by age; and

(j) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW 28A.655.210 and 28A.300.507 are met.

(3) The department of early learning, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, student achievement council, public four-year institutions of higher education, department of social and health services, and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. The education data center shall also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes using data maintained under RCW 13.50.010(11) related to juveniles. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.600 RCW to read as follows:

(1) School districts should make efforts to have suspended or expelled students return to the educational setting they were suspended or expelled from as soon as possible. School districts should convene a school reenrollment meeting with the student and the student's family or guardians within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's enrollment, to discuss a plan to reenroll and reengage the student in a school program.

(2) In developing a reenrollment and reengagement plan, school districts should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate. School districts must create a reenrollment and reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion.

(3) Any reenrollment meetings conducted by the school district involving the suspended or expelled student and his or her family or guardians are not intended to replace a petition for readmission.

NEW SECTION. Sec. 8. Nothing in chapter . . . , Laws of 2013 (this act) prevents a public school district, law enforcement agencies, or law enforcement personnel from enforcing laws protecting health and human safety."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Pike and Warnick.

Referred to Committee on Appropriations.

March 28, 2013

SSB 5263 Prime Sponsor, Committee on Transportation: Concerning motorcycles overtaking and passing pedestrians and bicyclists. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5274 Prime Sponsor, Committee on Transportation: Concerning private motorcycle skills education programs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

March 28, 2013

ESSB 5324 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning mosquito abatement in storm water control retention ponds. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 90.03 RCW to read as follows:

(1) A county, city, town, water-sewer district, or flood control zone district constructing, improving, operating, or maintaining storm water control facilities under chapter 35.67, 35.92, 36.89, 36.94, 57.08, or 86.15 RCW that include storm water retention ponds, also known as wet ponds, wet retention ponds, or wet extended detention ponds, as part of a storm water control facility for which the primary function of the pond is to detain storm water, must:

(a) Consider and to the extent possible consistent with department design guidelines, and without compromising the intended function of the storm water retention pond, construct storm water retention ponds to maintain and control vegetation to minimize mosquito propagation;

(b) Consult with the local mosquito control district, where established, in the development of construction plans that include storm water retention ponds; and

(c) Provide for maintenance and control of vegetation growth in storm water retention ponds to reduce mosquito habitat and inhibit mosquito propagation without compromising the intended function of a storm water retention pond.

(2) A county, city, town, water-sewer district, or flood control zone district operating or maintaining storm water control facilities must, except where mosquito control districts are established, when notified by the department of health or a local health jurisdiction of the positive identification of west nile virus or other mosquito-borne human disease viruses in mosquitoes, birds, or mammals, including humans, consult with the department of health or a mosquito control district concerning which integrated pest management strategies, as defined under chapter 17.15 RCW, for mosquito control or abatement in storm water retention ponds would be most effective to prevent the spread of the disease.

(3) Where a mosquito control district is established, when notified by the department of health or a local health jurisdiction of the positive identification of west nile virus or other mosquito-borne human disease viruses in mosquitoes, birds, or mammals, including humans, the mosquito control district is responsible for mosquito control or abatement in storm water retention ponds."

Correct the title.

Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

March 28, 2013

SSB 5702 Prime Sponsor, Committee on Natural Resources & Parks: Concerning aquatic invasive species. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5751 Prime Sponsor, Senator Schoesler: Requiring an inventory of state fees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5775 Prime Sponsor, Senator Benton: Allowing for a veteran designation on drivers' licenses and identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.20.161 and 2012 c 80 s 8 are each amended to read as follows:

(1) The department, upon receipt of a fee of forty-five dollars from October 1, 2012, to June 30, 2013, and fifty-four dollars after June 30, 2013, unless the driver's license is issued for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, in which case the fee shall be nine dollars for each year that the license is issued, which includes the fee for the required photograph, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of eighteen is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of eighteen. The license must include a distinguishing number assigned to the licensee, the name of record, date of birth, Washington residence address, photograph, a brief description of the licensee, ~~((and))~~ either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with pen and ink immediately upon receipt of the license, and, if applicable, the person's status as a veteran as provided in subsection (2) of this section. No license is valid until it has been so signed by the licensee.

(2)(a) A person may apply to the department to obtain a veteran designation on a driver's license issued under this section by providing valid proof of service in the armed forces of the United States under (b) of this subsection. In addition to the fee described in subsection (1) of this section, the department may charge a fee sufficient to cover the start-up and administrative costs associated with the inclusion of the designation, but the fee may not exceed two dollars per designation.

(b) Valid proof of service may be established by providing either separation papers showing that the applicant's character of service was honorable or a United States department of defense Form 214, as may be provided by the department by rule, consistent with the purposes of this section, that shows a discharge status of "honorable" or "general under honorable conditions."

Sec. 2. RCW 46.20.117 and 2012 c 80 s 6 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves his or her identity as required by RCW 46.20.035; and

(c) Pays the required fee. Except as provided in subsection (5) of this section, the fee is forty-five dollars from October 1, 2012, to June 30, 2013, and fifty-four dollars after June 30, 2013, unless an applicant is a recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services. For those persons the fee must be the actual cost of production of the identicard.

(2)(a) **Design and term.** The identicard must:

~~((a))~~ (i) Be distinctly designed so that it will not be confused with the official driver's license; and

((b)) (ii) Except as provided in subsection (5) of this section, expire on the sixth anniversary of the applicant's birthdate after issuance.

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161(2).

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department; or

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew his or her identicard by mail or by electronic commerce when it last expired.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) **Alternative issuance/renewal/extension.** The department may issue or renew an identicard for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or may extend by mail or electronic commerce an identicard that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of identicard holders. The fee for an identicard issued or renewed for a period other than five years from October 1, 2012, to June 30, 2013, or six years after June 30, 2013, or that has been extended by mail or electronic commerce, is nine dollars for each year that the identicard is issued, renewed, or extended. The department may adopt any rules as are necessary to carry out this subsection.

NEW SECTION. Sec. 3. This act takes effect July 1, 2015."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading suspension calendar:

SUBSTITUTE SENATE BILL NO. 5021
 SUBSTITUTE SENATE BILL NO. 5022
 SENATE BILL NO. 5046
 SENATE BILL NO. 5097
 SENATE BILL NO. 5139
 SENATE BILL NO. 5145
 SENATE BILL NO. 5216
 SENATE BILL NO. 5220
 SENATE BILL NO. 5488
 SUBSTITUTE SENATE BILL NO. 5518
 SUBSTITUTE SENATE BILL NO. 5524
 SENATE BILL NO. 5558

ENGROSSED SUBSTITUTE SENATE BILL NO. 5563

ENGROSSED SENATE BILL NO. 5620
 SUBSTITUTE SENATE BILL NO. 5634
 SECOND ENGROSSED SENATE BILL NO. 5701

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 3, 2013, the 80th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTIETH DAY

House Chamber, Olympia, Wednesday, April 3, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tiffany Carlile and Kevin Reimer. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Jim Ladd, Evergreen Christian Community, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2024 by Representatives Pedersen, Rodne, Jinkins, Klippert, Orwall, O'Ban, Wylie, Ormsby, Kirby, Buys, Roberts, Nealey, Goodman, Hansen, Kagi, Hunter, Ryu, Appleton and Manweller

AN ACT Relating to the institution or prosecution of legal proceedings by the attorney general on behalf of state officers; amending RCW 43.10.030; adding a new section to chapter 43.10 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations Subcommittee on General Government.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

March 29, 2013

HB 1971 Prime Sponsor, Representative Carlyle: Concerning communications services reform. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Hansen; Lytton; Pollet; Reykdal; Springer and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta and Vick.

Referred to Committee on Appropriations.

March 28, 2013

HB 2002 Prime Sponsor, Representative Condotta: Modifying snowmobile license fees. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

March 29, 2013

SB 5114 Prime Sponsor, Senator Bailey: Regarding access to K-12 campuses for occupational or educational information. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

Passed to Committee on Rules for second reading.

March 28, 2013

SB 5141 Prime Sponsor, Senator King: Allowing motorcycles to stop and proceed through traffic control signals under certain conditions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 46.61 RCW to read as follows:

(1) Notwithstanding any provision of law to the contrary, the operator of a street legal motorcycle approaching an intersection, including a left turn intersection, that is controlled by a triggered traffic control signal using a vehicle detection device that is inoperative due to the size of the street legal motorcycle shall come to a full and complete stop at the intersection. If the traffic control signal, including the left turn signal, as appropriate, fails to operate after the lesser of either ninety seconds or one cycle of the traffic signal, the operator may, after exercising due care, proceed directly through the intersection or proceed to turn left, as appropriate. It is

not a defense to a violation of RCW 46.61.050 that the driver of a motorcycle proceeded under the belief that a traffic control signal used a vehicle detection device or was inoperative due to the size of the motorcycle when the signal did not use a vehicle detection device or that any such device was not in fact inoperative due to the size of the motorcycle.

(2) By October 31, 2015, the Washington traffic safety commission, with input from the Washington state patrol and local law enforcement, shall submit a report to the legislature regarding the implementation of this act. This report must describe the act's effectiveness in helping motorcyclists, note any increase or decrease in the frequency of traffic accidents as a result of this act, summarize any issues related to ticketing or automated traffic safety cameras, explore whether all motor vehicles and bicycles should be given the same ability to proceed through traffic signals, and provide appropriate recommendations.

(3) This section expires August 1, 2016."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Freeman; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Liias, Vice Chair; Farrell; Habib and Hayes.

Passed to Committee on Rules for second reading.

March 29, 2013

E2SSB 5329 Prime Sponsor, Committee on Ways & Means: Assisting persistently lowest-achieving schools to become more accountable. (REVISED FOR ENGROSSED: Transforming persistently failing schools.) Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.657.005 and 2010 c 235 s 101 are each amended to read as follows:

(1) The legislature finds that an effective educational accountability system is premised on creating and maintaining partnerships between the state and local school district boards of directors. The legislature also recognizes it takes time to make significant changes that are sustainable over the long term in an educational system that serves more than one million students from diverse communities.

(2) The legislature further finds that it is the state's responsibility to create a coherent and effective accountability framework for the continuous improvement (~~for~~) of all schools and school districts. This system must provide an excellent and equitable education for all students(~~;~~), an aligned (~~federal/state~~) federal and state accountability system(~~;~~), and the tools necessary for schools and school districts to be accountable. These tools include (~~the necessary~~) accounting and data reporting systems, assessment systems to monitor student achievement, and a comprehensive system of (~~general~~) differentiated support, targeted assistance, and, if necessary, intervention.

(3) The office of the superintendent of public instruction is responsible for developing and implementing the accountability tools to build district capacity and working within federal and state guidelines. The legislature assigned the state board of education

responsibility and oversight for creating an accountability framework. This framework provides a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. Such a system will identify schools and their districts for recognition as well as for additional state support.

(4) For a specific group of (~~challenged schools, defined as~~) persistently lowest-achieving schools(~~;~~) and their districts, it is necessary to provide a required action process that creates a partnership between the state and local district to target funds and assistance to turn around the identified (~~lowest-achieving~~) schools. The legislature finds that state takeover of persistently lowest-achieving schools is unlikely to produce long-term improvement in student achievement because takeover is an unsustainable approach to school governance and an inadequate response to addressing the underlying barriers to improved outcomes for all students. However, in the rare case of a persistently lowest-achieving school that continues to fail to improve even after required action and supplemental assistance, it is appropriate and necessary to assign the superintendent of public instruction the responsibility to intercede, provide robust technical assistance, and direct the necessary interventions. Even though the superintendent of public instruction continues to work in partnership with the local school board, the superintendent of public instruction is accountable for assuring that adequate steps are taken to improve student achievement in these schools.

(5) Phase I of this accountability system will recognize schools that have done an exemplary job of raising student achievement and closing the achievement gaps using the (~~state board of education's accountability~~) Washington achievement index adopted by the state board of education. The state board of education shall have ongoing collaboration with the (~~achievement~~) educational opportunity gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and (~~the~~) recognition provided to the school districts for closing the achievement gaps. Phase I will also target the lowest five percent of persistently lowest-achieving schools defined under federal guidelines to provide federal funds and federal intervention models through a voluntary option in 2010, and for those who do not volunteer and have not improved student achievement, a required action process beginning in 2011.

(6) Phase II of this accountability system will work toward implementing the (~~state board of education's accountability~~) Washington achievement index for identification of challenged schools in need of improvement, including those that are not Title I schools, and the use of state and local intervention models and federal and state funds through a (~~required action process~~) comprehensive system of differentiated support, targeted assistance, and intervention beginning in (~~2013, in addition to the federal program~~) the 2014-15 school year. If federal approval of the (~~state board of education's accountability~~) Washington achievement index (~~must be~~) is not obtained (~~or else~~), the federal guidelines for (~~persistently lowest-achieving~~) identifying schools will continue to be used. If it ever becomes necessary, a process is established to assign responsibility to the superintendent of public instruction to intervene in persistently lowest-achieving schools that have failed to improve despite required action.

(7) The expectation from implementation of this accountability system is the improvement of student achievement for all students to prepare them for postsecondary education, work, and global citizenship in the twenty-first century.

Sec. 2. RCW 28A.657.010 and 2010 c 235 s 112 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "All students group" means those students in grades three through eight and high school who take the state's assessment in reading or English language arts and mathematics required under 20 U.S.C. Sec. 6311(b)(3).

(2) "Title I" means Title I, part A of the federal elementary and secondary education act of 1965 (ESEA) (20 U.S.C. Secs. 6311-6322).

(3) "Turnaround principles" include but are not limited to the following:

- (a) Providing strong leadership;
- (b) Ensuring teachers are effective and able to improve instruction;
- (c) Increasing learning time;
- (d) Strengthening the school's instructional program;
- (e) Using data to inform instruction;
- (f) Establishing a safe and supportive school environment; and
- (g) Engaging families and communities.

Sec. 3. RCW 28A.657.020 and 2010 c 235 s 102 are each amended to read as follows:

(1) Beginning in 2010, and each year thereafter ~~(-by)~~ through December ~~((1st))~~ 1, 2012, the superintendent of public instruction shall annually identify schools as one of the state's persistently lowest-achieving schools if the school is a Title I school, or a school that is eligible for but does not receive Title I funds, that is among the lowest-achieving five percent of Title I or Title I eligible schools in the state.

(2) The criteria for determining whether a school is among the persistently lowest-achieving five percent of Title I schools, or Title I eligible schools, under subsection (1) of this section shall be established by the superintendent of public instruction. The criteria must meet all applicable requirements for the receipt of a federal school improvement grant under the American recovery and reinvestment act of 2009 and Title I of the elementary and secondary education act of 1965, and take into account both:

- (a) The academic achievement of the "all students" group in a school in terms of proficiency on the state's assessment, and any alternative assessments, in reading and mathematics combined; and
- (b) The school's lack of progress on the mathematics and reading assessments over a number of years in the "all students" group.

(3)(a) Beginning December 1, 2013, and each December thereafter, the superintendent of public instruction shall annually identify challenged schools in need of improvement and a subset of such schools that are the persistently lowest-achieving schools in the state.

(b) The criteria for determining whether a school is a challenged school in need of improvement shall be established by the superintendent of public instruction. The criteria must meet all applicable federal requirements under Title I of the elementary and secondary education act of 1965 and other federal rules or guidance, including applicable requirements for the receipt of federal school improvement funds if available, but shall apply equally to Title I, Title I-eligible, and non-Title I schools in the state. The criteria must take into account the academic achievement of the "all students" group and subgroups of students in a school in terms of proficiency on the state assessments in reading or English language arts and mathematics and a high school's graduation rate for all students and subgroups of students. The superintendent may establish tiered categories of challenged schools based on the relative performance of all students, subgroups of students, and other factors.

(c) The superintendent of public instruction shall also establish criteria for determining whether a challenged school in need of improvement is also a persistently lowest-achieving school for purposes of the required action district process under this chapter, which shall include the school's lack of progress for all students and subgroups of students over a number of years. The criteria for identifying persistently lowest-achieving schools shall also take into account the level of state or federal resources available to implement a

required action plan.

(d) If the Washington achievement index is approved by the United States department of education for use in identifying schools for federal purposes, the superintendent of public instruction shall use the approved index to identify schools under (b) and (c) of this subsection.

Sec. 4. RCW 28A.657.030 and 2010 c 235 s 103 are each amended to read as follows:

(1) Beginning in January 2011, the superintendent of public instruction shall annually recommend to the state board of education school districts for designation as required action districts. A district with at least one school identified as a persistently lowest-achieving school according to the criteria established by the superintendent of public instruction under RCW 28A.657.020 shall be designated as a required action district ~~((if it meets the criteria developed by the superintendent of public instruction))~~. However, a school district shall not be recommended for designation as a required action district if the district was awarded a federal school improvement grant by the superintendent in 2010 and for three consecutive years following receipt of the grant implemented a federal school intervention model at each school identified for improvement. The state board of education may designate a district that received a school improvement grant in 2010 as a required action district if after three years of voluntarily implementing a plan the district continues to have a school identified as persistently lowest-achieving and meets the criteria for designation established by the superintendent of public instruction.

(2) The superintendent of public instruction shall provide a school district superintendent with written notice of the recommendation for designation as a required action district by certified mail or personal service. A school district superintendent may request reconsideration of the superintendent of public instruction's recommendation. The reconsideration shall be limited to a determination of whether the school district met the criteria for being recommended as a required action district. A request for reconsideration must be in writing and served on the superintendent of public instruction within ten days of service of the notice of the superintendent's recommendation.

(3) The state board of education shall annually designate those districts recommended by the superintendent in subsection (1) of this section as required action districts. A district designated as a required action district shall be required to notify all parents of students attending a school identified as a persistently lowest-achieving school in the district of the state board of education's designation of the district as a required action district and the process for complying with the requirements set forth in RCW 28A.657.040 through 28A.657.100.

Sec. 5. RCW 28A.657.050 and 2012 c 53 s 10 are each amended to read as follows:

(1)(a) The local district superintendent and local school board of a school district designated as a required action district must submit a required action plan to the state board of education for approval. Unless otherwise required by subsection (3) of this section, the plan must be submitted under a schedule as required by the state board. A required action plan must be developed in collaboration with administrators, teachers, and other staff, parents, unions representing any employees within the district, students, and other representatives of the local community.

(b) The superintendent of public instruction shall provide a district with assistance in developing its plan if requested, and shall develop and publish guidelines for the development of required action plans. The superintendent of public instruction, in consultation with the state board of education, shall also publish a list of research and evidence-based school improvement models, consistent with turnaround principles, that are approved for use in required action plans.

(c) The school board must conduct a public hearing to allow for comment on a proposed required action plan. The local school district shall submit the plan first to the office of the superintendent of

public instruction to review and approve that the plan is consistent with federal and state guidelines, as applicable. After the office of the superintendent of public instruction has approved that the plan is consistent with federal and state guidelines, the local school district must submit its required action plan to the state board of education for approval.

(2) A required action plan must include all of the following:

(a) Implementation of ~~((one of the four federal intervention))~~ an approved school improvement model((s)) required for the receipt of ~~((a))~~ federal or state funds for school improvement ~~((grant,))~~ for those persistently lowest-achieving schools that the district will be focusing on for required action. ~~((However, a district may not establish a charter school under a federal intervention model without express legislative authority. The intervention models are the turnaround, restart, school closure, and transformation models.))~~ The ~~((intervention))~~ approved school improvement model selected must address the concerns raised in the academic performance audit and be intended to improve student performance to allow a school district to be removed from the list of districts designated as a required action district by the state board of education within three years of implementation of the plan. The required action plan for districts with multiple persistently lowest-achieving schools must include separate plans for each school as well as a plan for how the school district will support the schools collectively;

(b) Submission of an application for ~~((a federal school improvement grant or a grant from other))~~ federal or state funds for school improvement to the superintendent of public instruction;

(c) A budget that provides for adequate resources to implement the ~~((federal))~~ model selected and any other requirements of the plan;

(d) A description of the changes in the district's or school's existing policies, structures, agreements, processes, and practices that are intended to attain significant achievement gains for all students enrolled in the school and how the district intends to address the findings of the academic performance audit; and

(e) Identification of the measures that the school district will use in assessing student achievement at a school identified as a persistently lowest-achieving school, which include closing the educational opportunity gap, improving mathematics and reading or English language arts student achievement, and improving graduation rates as defined by the office of the superintendent of public instruction that enable the school to no longer be identified as a persistently lowest-achieving school.

(3)(a) For any district designated for required action, the parties to any collective bargaining agreement negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after June 10, 2010, must reopen the agreement, or negotiate an addendum, if needed, to make changes to terms and conditions of employment that are necessary to implement a required action plan. For any district applying to participate in a collaborative schools for innovation and success pilot project under RCW 28A.630.104, the parties to any collective bargaining agreement negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after June 7, 2012, must reopen the agreement, or negotiate an addendum, if needed, to make changes to terms and conditions of employment that are necessary to implement an innovation and success plan.

(b) If the school district and the employee organizations are unable to agree on the terms of an addendum or modification to an existing collective bargaining agreement, the parties, including all labor organizations affected under the required action plan, shall request the public employment relations commission to, and the commission shall, appoint an employee of the commission to act as a mediator to assist in the resolution of a dispute between the school district and the employee organizations. Beginning in 2011, and each year thereafter, mediation shall commence no later than April 15th. All mediations held under this section shall include the employer and representatives of all affected bargaining units.

(c) If the executive director of the public employment relations commission, upon the recommendation of the assigned mediator, finds that the employer and any affected bargaining unit are unable to reach agreement following a reasonable period of negotiations and mediation, but by no later than May 15th of the year in which mediation occurred, the executive director shall certify any disputed issues for a decision by the superior court in the county where the school district is located. The issues for determination by the superior court must be limited to the issues certified by the executive director.

(d) The process for filing with the court in this subsection (3)(d) must be used in the case where the executive director certifies issues for a decision by the superior court.

(i) The school district shall file a petition with the superior court, by no later than May 20th of the same year in which the issues were certified, setting forth the following:

(A) The name, address, and telephone number of the school district and its principal representative;

(B) The name, address, and telephone number of the employee organizations and their principal representatives;

(C) A description of the bargaining units involved;

(D) A copy of the unresolved issues certified by the executive director for a final and binding decision by the court; and

(E) The academic performance audit that the office of the superintendent of public instruction completed for the school district in the case of a required action district, or the comprehensive needs assessment in the case of a collaborative schools for innovation and success pilot project.

(ii) Within seven days after the filing of the petition, each party shall file with the court the proposal it is asking the court to order be implemented in a required action plan or innovation and success plan for the district for each issue certified by the executive director. Contemporaneously with the filing of the proposal, a party must file a brief with the court setting forth the reasons why the court should order implementation of its proposal in the final plan.

(iii) Following receipt of the proposals and briefs of the parties, the court must schedule a date and time for a hearing on the petition. The hearing must be limited to argument of the parties or their counsel regarding the proposals submitted for the court's consideration. The parties may waive a hearing by written agreement.

(iv) The court must enter an order selecting the proposal for inclusion in a required action plan that best responds to the issues raised in the school district's academic performance audit, and allows for the award of ~~((a federal school improvement grant or a grant from other))~~ federal or state funds for school improvement to the district from the office of the superintendent of public instruction to implement ~~((one of the four federal intervention))~~ an approved school improvement model((s)). In the case of an innovation and success plan, the court must enter an order selecting the proposal for inclusion in the plan that best responds to the issues raised in the school's comprehensive needs assessment. The court's decision must be issued no later than June 15th of the year in which the petition is filed and is final and binding on the parties; however the court's decision is subject to appeal only in the case where it does not allow the school district to implement a required action plan consistent with the requirements for the award of ~~((a federal school improvement grant or other))~~ federal or state funds for school improvement by the superintendent of public instruction.

(e) Each party shall bear its own costs and attorneys' fees incurred under this statute.

(f) Any party that proceeds with the process in this section after knowledge that any provision of this section has not been complied with and who fails to state its objection in writing is deemed to have waived its right to object.

(4) All contracts entered into between a school district and an employee must be consistent with this section and allow school

districts designated as required action districts to implement ~~((one of the four federal))~~ an approved school improvement model((s)) in a required action plan.

Sec. 6. RCW 28A.657.050 and 2010 c 235 s 105 are each amended to read as follows:

(1)(a) The local district superintendent and local school board of a school district designated as a required action district must submit a required action plan to the state board of education for approval. Unless otherwise required by subsection (3) of this section, the plan must be submitted under a schedule as required by the state board. A required action plan must be developed in collaboration with administrators, teachers, and other staff, parents, unions representing any employees within the district, students, and other representatives of the local community.

(b) The superintendent of public instruction shall provide a district with assistance in developing its plan if requested, and shall develop and publish guidelines for the development of required action plans. The superintendent of public instruction, in consultation with the state board of education, shall also publish a list of research and evidence-based school improvement models, consistent with turnaround principles, that are approved for use in required action plans.

(c) The school board must conduct a public hearing to allow for comment on a proposed required action plan. The local school district shall submit the plan first to the office of the superintendent of public instruction to review and approve that the plan is consistent with federal and state guidelines, as applicable. After the office of the superintendent of public instruction has approved that the plan is consistent with federal and state guidelines, the local school district must submit its required action plan to the state board of education for approval.

(2) A required action plan must include all of the following:

(a) Implementation of ~~((one of the four federal intervention))~~ an approved school improvement model((s)) required for the receipt of ~~((a))~~ federal or state funds for school improvement ~~((grant,))~~ for those persistently lowest-achieving schools that the district will be focusing on for required action. ~~((However, a district may not establish a charter school under a federal intervention model without express legislative authority. The intervention models are the turnaround, restart, school closure, and transformation models.))~~ The ~~((intervention))~~ approved school improvement model selected must address the concerns raised in the academic performance audit and be intended to improve student performance to allow a school district to be removed from the list of districts designated as a required action district by the state board of education within three years of implementation of the plan. The required action plan for districts with multiple persistently lowest-achieving schools must include separate plans for each school as well as a plan for how the school district will support the schools collectively;

(b) Submission of an application for ~~((a federal school improvement grant or a grant from other))~~ federal or state funds for school improvement to the superintendent of public instruction;

(c) A budget that provides for adequate resources to implement the ~~((federal))~~ model selected and any other requirements of the plan;

(d) A description of the changes in the district's or school's existing policies, structures, agreements, processes, and practices that are intended to attain significant achievement gains for all students enrolled in the school and how the district intends to address the findings of the academic performance audit; and

(e) Identification of the measures that the school district will use in assessing student achievement at a school identified as a persistently lowest-achieving school, which include closing the educational opportunity gap, improving mathematics and reading or English language arts student achievement, and improving graduation rates as defined by the office of the superintendent of public instruction that enable the school to no longer be identified as a persistently lowest-achieving school.

(3)(a) For any district designated for required action, the parties to any collective bargaining agreement negotiated, renewed, or extended under chapter 41.59 or 41.56 RCW after June 10, 2010, must reopen the agreement, or negotiate an addendum, if needed, to make changes to terms and conditions of employment that are necessary to implement a required action plan.

(b) If the school district and the employee organizations are unable to agree on the terms of an addendum or modification to an existing collective bargaining agreement, the parties, including all labor organizations affected under the required action plan, shall request the public employment relations commission to, and the commission shall, appoint an employee of the commission to act as a mediator to assist in the resolution of a dispute between the school district and the employee organizations. Beginning in 2011, and each year thereafter, mediation shall commence no later than April 15th. All mediations held under this section shall include the employer and representatives of all affected bargaining units.

(c) If the executive director of the public employment relations commission, upon the recommendation of the assigned mediator, finds that the employer and any affected bargaining unit are unable to reach agreement following a reasonable period of negotiations and mediation, but by no later than May 15th of the year in which mediation occurred, the executive director shall certify any disputed issues for a decision by the superior court in the county where the school district is located. The issues for determination by the superior court must be limited to the issues certified by the executive director.

(d) The process for filing with the court in this subsection (3)(d) must be used in the case where the executive director certifies issues for a decision by the superior court.

(i) The school district shall file a petition with the superior court, by no later than May 20th of the same year in which the issues were certified, setting forth the following:

(A) The name, address, and telephone number of the school district and its principal representative;

(B) The name, address, and telephone number of the employee organizations and their principal representatives;

(C) A description of the bargaining units involved;

(D) A copy of the unresolved issues certified by the executive director for a final and binding decision by the court; and

(E) The academic performance audit that the office of the superintendent of public instruction completed for the school district.

(ii) Within seven days after the filing of the petition, each party shall file with the court the proposal it is asking the court to order be implemented in a required action plan for the district for each issue certified by the executive director. Contemporaneously with the filing of the proposal, a party must file a brief with the court setting forth the reasons why the court should order implementation of its proposal in the final plan.

(iii) Following receipt of the proposals and briefs of the parties, the court must schedule a date and time for a hearing on the petition. The hearing must be limited to argument of the parties or their counsel regarding the proposals submitted for the court's consideration. The parties may waive a hearing by written agreement.

(iv) The court must enter an order selecting the proposal for inclusion in a required action plan that best responds to the issues raised in the school district's academic performance audit, and allows for the award of ~~((a federal school improvement grant or a grant from other))~~ federal or state funds for school improvement to the district from the office of the superintendent of public instruction to implement ~~((one of the four federal intervention))~~ an approved school improvement model((s)). The court's decision must be issued no later than June 15th of the year in which the petition is filed and is final and binding on the parties; however the court's decision is subject to appeal only in the case where it does not allow the school district to implement a required action plan consistent with the requirements for

the award of ~~((a federal school improvement grant or other))~~ federal or state funds for school improvement by the superintendent of public instruction.

(e) Each party shall bear its own costs and attorneys' fees incurred under this statute.

(f) Any party that proceeds with the process in this section after knowledge that any provision of this section has not been complied with and who fails to state its objection in writing is deemed to have waived its right to object.

(4) All contracts entered into between a school district and an employee must be consistent with this section and allow school districts designated as required action districts to implement ~~((one of the four federal))~~ an approved school improvement model(s) in a required action plan.

Sec. 7. RCW 28A.657.060 and 2010 c 235 s 106 are each amended to read as follows:

A required action plan developed by a district's school board and superintendent must be submitted to the state board of education for approval. The state board must accept for inclusion in any required action plan the final decision by the superior court on any issue certified by the executive director of the public employment relations commission under the process in RCW 28A.657.050. The state board of education shall approve a plan proposed by a school district only if the plan meets the requirements in RCW 28A.657.050 and provides sufficient remedies to address the findings in the academic performance audit to improve student achievement. Any addendum or modification to an existing collective bargaining agreement, negotiated under RCW 28A.657.050 or by agreement of the district and the exclusive bargaining unit, related to student achievement or school improvement shall not go into effect until approval of a required action plan by the state board of education. If the state board does not approve a proposed plan, it must notify the local school board and local district's superintendent in writing with an explicit rationale for why the plan was not approved. Nonapproval by the state board of education of the local school district's initial required action plan submitted is not intended to trigger any actions under RCW 28A.657.080. With the assistance of the office of the superintendent of public instruction, the superintendent and school board of the required action district shall either: ~~((a)-(1))~~ (1) Submit a new plan to the state board of education for approval within forty days of notification that its plan was rejected, or ~~((b)-(2))~~ (2) submit a request to the required action plan review panel established under RCW 28A.657.070 for reconsideration of the state board's rejection within ten days of the notification that the plan was rejected. If federal or state funds for school improvement are not available, the plan is not required to be implemented until such funding becomes available. If federal or state funds for this purpose are available, a required action plan must be implemented in the immediate school year following the district's designation as a required action district.

Sec. 8. RCW 28A.657.070 and 2010 c 235 s 107 are each amended to read as follows:

(1) A required action plan review panel shall be established to offer an objective, external review of a request from a school district for reconsideration of the state board of education's rejection of the district's required action plan or reconsideration of a level two required action plan developed only by the superintendent of public instruction as provided under section 11 of this act. The review and reconsideration by the panel shall be based on whether the state board of education or the superintendent of public instruction gave appropriate consideration to the unique circumstances and characteristics identified in the academic performance audit or level two needs assessment and review of the local school district ~~((whose required action plan was rejected))~~.

(2)(a) The panel shall be composed of five individuals with expertise in school improvement, school and school district restructuring, or parent and community involvement in schools. Two

of the panel members shall be appointed by the speaker of the house of representatives; two shall be appointed by the president of the senate; and one shall be appointed by the governor.

(b) The speaker of the house of representatives, president of the senate, and governor shall solicit recommendations for possible panel members from the Washington association of school administrators, the Washington state school directors' association, the association of Washington school principals, the ~~((achievement))~~ educational opportunity gap oversight and accountability committee, and associations representing certificated teachers, classified school employees, and parents.

(c) Members of the panel shall be appointed no later than December 1, 2010, but the superintendent of public instruction shall convene the panel only as needed to consider a school district's request for reconsideration. Appointments shall be for a four-year term, with opportunity for reappointment. Reappointments in the case of a vacancy shall be made expeditiously so that all requests are considered in a timely manner.

(3)(a) In the case of a rejection of a required action plan, the required action plan review panel may reaffirm the decision of the state board of education, recommend that the state board reconsider the rejection, or recommend changes to the required action plan that should be considered by the district and the state board of education to secure approval of the plan. The state board of education shall consider the recommendations of the panel and issue a decision in writing to the local school district and the panel. If the school district must submit a new required action plan to the state board of education, the district must submit the plan within forty days of the board's decision.

(b) In the case of a level two required action plan where the local school district and the superintendent of public instruction have not come to agreement, the required action plan review panel may reaffirm the level two required action plan submitted by the superintendent of public instruction or recommend changes to the plan that should be considered by the state board of education, the superintendent of public instruction, and the local school district. The state board of education shall consider the recommendations of the panel and issue a decision in writing to the local school district, the superintendent of public instruction, and the panel.

(4) The state board of education and superintendent of public instruction must develop timelines and procedures for the deliberations under this section so that school districts can implement a required action plan within the time frame required under RCW 28A.657.060.

Sec. 9. RCW 28A.657.090 and 2010 c 235 s 109 are each amended to read as follows:

A school district must implement a required action plan upon approval by the state board of education. The office of ~~((the))~~ the superintendent of public instruction must provide the required action district with technical assistance and ~~((federal school improvement grant funds or other))~~ federal or state funds for school improvement, if available, to implement an approved plan. The district must submit a report to the superintendent of public instruction that provides the progress the district is making in meeting the student achievement goals based on the state's assessments, identifying strategies and assets used to solve audit findings, and establishing evidence of meeting plan implementation benchmarks as set forth in the required action plan.

Sec. 10. RCW 28A.657.100 and 2010 c 235 s 110 are each amended to read as follows:

(1) The superintendent of public instruction must provide a report twice per year to the state board of education regarding the progress made by all school districts designated as required action districts.

(2) The superintendent of public instruction must recommend to the state board of education that a school district be released from the designation as a required action district after the district implements a

required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction ~~((in reading and mathematics on the state's assessment over the past three consecutive years))~~ using the criteria established under RCW 28A.657.020 including progress in closing the educational opportunity gap; and no longer has a school within the district identified as persistently lowest-achieving. The state board shall release a school district from the designation as a required action district upon confirmation that the district has met the requirements for a release.

(3) If the state board of education determines that the required action district has not met the requirements for release ~~((:))~~ after at least three years of implementing a required action plan, the board may recommend that the district remain ~~((s))~~ in required action and ~~((must))~~ submit a new or revised plan under the process in RCW 28A.657.050, or the board may direct that the school district be assigned to level two of the required action process as provided in section 11 of this act. Before making a determination of whether to recommend that a school district that is not making progress remain in required action or be assigned to level two of the required action process, the state board of education must submit its findings to the education accountability system oversight committee under section 13 of this act and provide an opportunity for the oversight committee to review and comment.

NEW SECTION. Sec. 11. A new section is added to chapter 28A.657 RCW to read as follows:

(1) School districts assigned by the state board of education to level two of the required action process under this chapter are those with one or more schools that have remained as persistently lowest-achieving for more than three years and have not demonstrated recent and significant improvement or progress toward exiting persistently lowest-achieving status, despite implementation of a required action plan.

(2) Within ninety days following assignment of a school district to level two of the required action process, the superintendent of public instruction shall direct that a needs assessment and review be conducted to determine the reasons why the previous required action plan did not succeed in improving student achievement.

(3)(a) Based on the results of the needs assessment and review, the superintendent of public instruction shall work collaboratively with the school district board of directors to develop a revised required action plan for level two.

(b) The level two required action plan must explicitly address the reasons why the previous plan did not succeed and must specify the interventions that the school district must implement, which may include assignment or reassignment of personnel, reallocation of resources, use of specified curriculum or instructional strategies, use of a specified school improvement model, or any other conditions determined by the superintendent of public instruction to be necessary for the level two required action plan to succeed, which conditions shall be binding on the school district. The level two required action plan shall also include the specific technical assistance and support to be provided by the office of the superintendent of public instruction, which may include assignment of school improvement specialists to have a regular on-site presence in the school and technical assistance provided through the educational service district. Individuals assigned as on-site school improvement specialists must have demonstrated experience in school turnaround and cultural competence.

(c) The level two required action plan must be submitted to the state board of education for approval.

(4) If the superintendent of public instruction and the school district board of directors are unable to come to an agreement on a level two required action plan within ninety days of the completion of the needs assessment and review conducted under subsection (2) of this section, the superintendent of public instruction shall complete and submit a level two required action plan directly to the state board

of education for approval. The school district board of directors may submit a request to the required action plan review panel established under RCW 28A.657.070 for reconsideration of the superintendent's level two required action plan within ten days of the submission of the plan to the state board of education. After the state board of education considers the recommendations of the required action plan review panel, the decision of the board regarding the level two required action plan is final and not subject to further reconsideration.

(5) If changes to a collective bargaining agreement are necessary to implement a level two required action plan, the parties must reopen the agreement, or negotiate an addendum, using the process outlined under RCW 28A.657.050. If the level two required action plan is developed by the superintendent of public instruction under subsection (4) of this section, a designee of the superintendent shall participate in the discussions among the parties to the collective bargaining agreement.

(6) While a school district is assigned to level two of the required action process under this chapter, the superintendent of public instruction is responsible and accountable for assuring that the level two required action plan is implemented with fidelity. The superintendent of public instruction shall defer to the school district board of directors as the governing authority of the school district and continue to work in partnership with the school district to implement the level two required action plan. However, if the superintendent of public instruction finds that the level two required action plan is not being implemented as specified, including the implementation of any binding conditions within the plan, the superintendent may direct actions that must be taken by school district personnel to implement the level two required action plan or the binding conditions. If necessary, the superintendent of public instruction may exercise authority under RCW 28A.505.120 regarding allocation of funds.

(7) The superintendent of public instruction shall include in the budget estimates and information submitted to the governor under RCW 28A.300.170 a request for sufficient funds to support implementation of the level two required action plans established under this section.

(8) The superintendent of public instruction must recommend to the state board of education that a school district be released from assignment to level two of the required action process after the district implements the level two required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction using the criteria established under RCW 28A.657.020; and no longer has a school within the district identified as persistently lowest-achieving. The state board of education shall release a school district from the level two assignment upon confirmation that the school district has met the requirements for a release.

Sec. 12. RCW 28A.657.110 and 2010 c 235 s 111 are each amended to read as follows:

(1) By November 1, 2013, the state board of education shall ~~((continue to refine the development of))~~ propose rules for adoption establishing an accountability framework that creates a unified system of support for challenged schools ~~((:))~~ that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. The board must seek input from the public and interested groups in developing the framework. Based on the framework, the superintendent of public instruction shall design a comprehensive system of specific strategies for recognition, provision of differentiated support and targeted assistance, and, if necessary, requiring intervention in schools and school districts. The superintendent shall submit the system design to the state board of education for review. The state board of education shall recommend approval or modification of the system design to the superintendent no later than January 1, 2014, and the system must be implemented statewide no later than the 2014-15 school year. To the extent state funds are appropriated for this purpose, the system must apply equally to Title I, Title I-eligible, and non-Title I schools in the state.

(2) The state board of education shall develop ~~((an~~ ~~accountability))~~ a Washington achievement index to identify schools and school districts for recognition, for continuous improvement, and for additional state support. The index shall be based on criteria that are fair, consistent, and transparent. Performance shall be measured using multiple outcomes and indicators including, but not limited to, graduation rates and results from statewide assessments. The index shall be developed in such a way as to be easily understood by both employees within the schools and school districts, as well as parents and community members. The index must identify five categories of schools and school districts, which must be labeled as follows based on relative performance on the criteria used in the index: Exemplary, very good, good, fair, and struggling. It is the legislature's intent that the index provide feedback to schools and school districts to self-assess their progress, and enable the identification of schools with exemplary ~~((student))~~ performance and those that need assistance to overcome challenges in order to achieve exemplary ~~((student))~~ performance.

(3) The state board of education, in cooperation with the office of the superintendent of public instruction, shall annually recognize schools for exemplary performance as measured on the ~~((state board of education accountability))~~ Washington achievement index. The state board of education shall have ongoing collaboration with the ~~((achievement))~~ educational opportunity gap oversight and accountability committee regarding the measures used to measure the closing of the achievement gaps and the recognition provided to the school districts for closing the achievement gaps.

(4) In coordination with the superintendent of public instruction, the state board of education shall seek approval from the United States department of education for use of the ~~((accountability))~~ Washington achievement index and the state system of differentiated support, assistance, and intervention~~((s))~~ to replace the federal accountability system under P.L. 107-110, the no child left behind act of 2001.

(5) The state board of education shall work with the education data center established within the office of financial management and the technical working group established in ~~((section 112, chapter 548, Laws of 2009))~~ RCW 28A.290.020 to determine the feasibility of using the prototypical funding allocation model as not only a tool for allocating resources to schools and school districts but also as a tool for schools and school districts to report to the state legislature and the state board of education on how the state resources received are being used.

NEW SECTION. Sec. 13. A new section is added to chapter 28A.657 RCW to read as follows:

(1) The education accountability system oversight committee is established to provide ongoing monitoring of the outcomes of the comprehensive system of recognition, support, and intervention for schools and school districts established under this chapter.

(2) The oversight committee shall be composed of the following members:

(a) Two members from each of the largest caucuses of the house of representatives, to be appointed by the speaker of the house of representatives;

(b) Two members from each of the largest caucuses of the senate, to be appointed by the president of the senate;

(c) Two members appointed by the governor; and

(d) One nonlegislative member of the educational opportunity gap oversight and accountability committee.

(3) The oversight committee shall choose a chair from among its membership who shall serve as chair for no more than one consecutive year.

(4) The committee shall:

(a) Monitor the progress and outcomes of the education accountability system established under this chapter, including but not limited to the effectiveness in improving student achievement of the

tiered system of assistance and intervention provided to challenged schools in need of improvement, persistently lowest-achieving schools in required action districts, and level two required action districts;

(b) Review and make recommendations to the state board of education regarding the proposed assignment of a required action district to level two of the required action process under section 11 of this act;

(c) Make recommendations to the state board of education, the superintendent of public instruction, the governor, and the legislature as necessary if the oversight committee finds that changes to the accountability system should be made; and

(d) Report biennially to the education committees of the legislature.

(5) Staff support for the oversight committee must be provided by the senate committee services and the house of representatives office of program research.

(6) Legislative members of the oversight committee may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 14. RCW 28A.657.125 (Joint select committee on education accountability--Reports) and 2010 c 235 s 114 are each repealed.

NEW SECTION. Sec. 15. Section 5 of this act expires June 30, 2019.

NEW SECTION. Sec. 16. Section 6 of this act takes effect June 30, 2019."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes and Klippert.

Referred to Committee on Appropriations.

March 28, 2013

ESSB 5849 Prime Sponsor, Committee on Transportation: Concerning electric vehicle charging stations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

March 28, 2013

SJM 8001 Prime Sponsor, Senator Sheldon: Requesting that Interstate 5 be named the "Purple Heart Trail." Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

On page 1, line 1, after "HONORABLE" strike "PAULA HAMMOND" and insert "LYNN PETERSON"

On page 2, line 13, after "Honorable" strike "Paula Hammond" and insert "Lynn Peterson"

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

March 28, 2013

SJM 8005 Prime Sponsor, Senator Hargrove: Requesting that state route number 117 be designated as the POW/MIA Memorial Highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Beginning on page 1, line 1, strike all material through page 2, line 36, and insert the following:

"TO THE HONORABLE LYNN PETERSON, SECRETARY OF TRANSPORTATION, AND TO THE WASHINGTON STATE TRANSPORTATION COMMISSION, AND TO THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, American soldiers and sailors were taken as prisoners of war during the American Revolutionary War with the majority of prisoners kept aboard British prison hulks near New York City. In 1873, a general exchange of prisoners occurred after the cessation of hostilities and recognition of American independence; and

WHEREAS, During the War of 1812, battlefield exchanges occurred under a general British/American cartel for exchanging prisoners. The British continued to use prison hulks and the American POW's were treated humanely until their repatriation following the Treaty of Ghent in 1814; and

WHEREAS, During the Mexican-American War, the Mexican forces released some American prisoners in "head for head" exchanges that occasionally took place during the war, but most American prisoners of war remained incarcerated until the ratification of the Treaty of Guadalupe Hidalgo; and

WHEREAS, During the Civil War, both Union and Confederate forces were unprepared to detain the enormous number of POW's. 211,400 Union prisoners were held in the South and 220,000 Confederate prisoners were held in the North. Starting in 1865, the federal government began returning large numbers of prisoners to the Confederacy. After the surrender at Appomattox, the Union prisons were closed quickly; and

WHEREAS, The United States entered World War I in April 1917. Of the 4,120 American POW's during World War I, 147 died in captivity with most deaths resulting from wounds received in combat. Prisoner exchanges followed the signing of the armistice; and

WHEREAS, During World War II, 260,000 American POW's were held by Germans in Europe. Over 1,121 American POW's died in European prison camps. In the Far East, the Japanese held 124,079 American POW's. 10,650 American POW's died in Japanese prison

camp. In addition, there were 30,314 MIA's and 78,776 unaccounted for in the Far East; and

WHEREAS, During the Korean War, more than 12,000 American POW's were held by North Korea and China. Additionally, over 8,000 were classified as MIA and unaccounted for. After a truce was signed at Panmonjum, over 4,000 American POW's were returned in August 1953; and

WHEREAS, During the Vietnam War, 1,750 Americans were listed as MIA or unaccounted for in Vietnam and an additional 600 were MIA in neighboring Laos and Cambodia. To date, Vietnam has not accounted for all American POW's; and

WHEREAS, During the Gulf War, 47 Americans were listed as POW's or MIA at some point during Operation Desert Storm. At the conclusion of the war, 21 POW's were repatriated, 23 bodies were recovered, 2 bodies were never recovered, and one MIA case was left unresolved until 2009 when his remains were found in the Iraq desert; and

WHEREAS, During the Cold War, there was a sustained state of political and military tension between Western and Eastern powers and, as of 2000, there were 126 United States servicemen still unaccounted for. The United States Senate Select Committee on POW/MIA Affairs found evidence that some United States POW's were held in the former Soviet Union after the Cold War incident and that it "cannot, based on its investigation to date, rule out the possibility that one or more U.S. POWs from past wars or incidents are still being held somewhere within the borders of the former Soviet Union";

NOW, THEREFORE, Your Memorialists respectfully pray that the Washington State Transportation Commission commence proceedings to designate state route number 117 in Clallam county between the junction of state route number 101 and Marine Drive in the city of Port Angeles as the POW/MIA Memorial Highway to honor the service and sacrifice of all prisoners of war, missing in action, and those unaccounted for who served in the United States of America.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Lynn Peterson, Secretary of Transportation, the Washington State Transportation Commission, and the Washington State Department of Transportation."

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton and Zeiger.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING SUSPENSION

SENATE BILL NO. 5139, by Senators Hatfield, Schoesler, Hobbs, Honeyford and Shin

Concerning milk and milk products.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Lytton and Chandler spoke in favor of the passage of the bill.

MOTION

On motion of Representative Fitzgibbon, Representative Blake was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5139.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5139, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SENATE BILL NO. 5139, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5145, by Senators Keiser, Conway, Eide, Kohl-Welles, Shin and Schlicher

Allowing fire departments to develop a community assistance referral and education services program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 58, March 12, 2013.)

The bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5145, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5145, and the bill, as amended by the House, passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SENATE BILL NO. 5145, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5216, by Senators Rolfes, Bailey, Mullet, Parlette, Keiser, Shin and Conway

Addressing long-term care insurance.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5216.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5216, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SENATE BILL NO. 5216, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5220, by Senators Conway and Shin

Addressing membership on city disability boards.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 71, March 25, 2013.)

The bill was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5220, as amended by the House..

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5220, and the bill, as amended by the House, passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SENATE BILL NO. 5220, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5488, by Senators Kohl-Welles, Padden, Kline, Darneille, Fraser, Ranker, Keiser, Delvin, Carrell, McAuliffe, Chase and Conway

Establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission of a sex-trafficking crime.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Goodman and MacEwen spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5488.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5488, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SENATE BILL NO. 5488, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5518, by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Darneille, Sheldon and Hatfield)

Making nonsubstantive changes to election laws.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Bergquist and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5518.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5518, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford,

Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SUBSTITUTE SENATE BILL NO. 5518, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5524, by Senate Committee on Health Care (originally sponsored by Senators Cleveland, Schlicher, Benton, Baumgartner, Keiser, Shin and Kline)

Authorizing Washington pharmacies to fill prescriptions written by physician assistants in other states.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5524.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5524, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

SUBSTITUTE SENATE BILL NO. 5524, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5558, by Senators Fain, Hobbs, Keiser, Shin and Kline

Creating loan-making authority for down payment assistance for single-family homeownership.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives McCoy and Angel spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5558.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5558, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative Blake.

SENATE BILL NO. 5558, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5563, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Litzow, Rolfes, Keiser, McAuliffe and Kline)

Regarding training for school employees in the prevention of sexual abuse.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Stonier and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5563.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5563, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Blake.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5563, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5620, by Senators King and McAuliffe

Changing school safety-related drills.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Dahlquist and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5620.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5620, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Nealey.

Excused: Representative Blake.

ENGROSSED SENATE BILL NO. 5620, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5634, by Senate Committee on Natural Resources & Parks (originally

sponsored by Senators Rolfes, Hargrove, Nelson, Kline, Fain, Hobbs, Fraser, Parlette and Pearson)

Clarifying the department of natural resources' authority to enter into cooperative agreements.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Stanford and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5634.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5634, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representative Blake.

SUBSTITUTE SENATE BILL NO. 5634, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

FIRST SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 1, 2013

HB 1988

Prime Sponsor, Representative Rodne: Concerning the application of right-sizing to transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller;

Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5010

Prime Sponsor, Committee on Law & Justice: Establishing that courts may order an offender to refrain from the consumption of marijuana as a part of community custody conditions. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5025

Prime Sponsor, Senator Roach: Providing that a proclamation of a state of emergency is effective upon the governor's signature. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5083

Prime Sponsor, Senator Benton: Concerning the display of political yard signs in homeowners' associations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 64.38.034 and 2005 c 179 s 1 are each amended to read as follows:

(1) The governing documents may not prohibit the outdoor display of political yard signs by an owner or resident on the owner's or resident's property before any primary ~~((or)),~~ general, or special election. The governing documents may include reasonable rules and regulations regarding the placement and manner of display of political yard signs.

(2) This section applies retroactively to any governing documents in effect on ~~((July 24, 2005))~~ the effective date of this act. Any provision in a governing document in effect on ~~((July 24, 2005))~~ the effective date of this act, that is inconsistent with this section is void and unenforceable."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Klippert; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representatives O'Ban, Assistant Ranking Minority Member and Nealey.

Passed to Committee on Rules for second reading.

SB 5098

Prime Sponsor, Senator Ericksen: Regarding wireless communications structures. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.21C.0384 and 1996 c 323 s 2 are each amended to read as follows:

(1) Decisions pertaining to applications to site ~~((personal))~~ wireless service facilities are not subject to the requirements of RCW 43.21C.030(2)(c), if those facilities meet the following requirements:

(a) ~~((i))~~ The ~~((facility to be sited is a microcell and is to be attached to an existing structure that is not a residence or school and does not contain a residence or a school))~~ collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures does not substantially change the physical dimensions of such structures; or ~~((ii) the facility includes personal wireless service antennas, other than a microcell, and is to be attached to an existing structure (that may be an existing tower) that is not a residence or school and does not contain a residence or a school, and the existing structure to which it is to be attached is located in a commercial, industrial, manufacturing, forest, or agricultural zone; or (iii))~~

(b) The siting project involves constructing a ~~((personal))~~ wireless service tower less than sixty feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone ~~((and~~

~~((b) The project is not in)).~~ This exemption does not apply to projects within a designated ~~((environmentally sensitive))~~ critical area ~~((and~~

~~((c) The project does not consist of a series of actions: (i) Some of which are not categorically exempt; or (ii) that together may have a probable significant adverse environmental impact)).~~

(2) The exemption authorized under subsection (1) of this section may only be applied to a project consisting of a series of actions when all actions in the series are categorically exempt and the actions together do not have a probable significant adverse environmental impact.

(3) The department of ecology shall adopt rules to create a categorical exemption for ((microcells and other personal)) wireless service facilities that meet the conditions set forth in subsections (1) and (2) of this section.

~~((3) For the purposes of this section:))~~

(4) By January 1, 2020, all wireless service providers granted an exemption to RCW 43.21C.030(2)(c) must provide the legislature with the number of permits issued pertaining to wireless service facilities, the number of exemptions granted under this section, and the total dollar investment in wireless service facilities between July 1, 2013, and June 30, 2019.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) ~~((Personal))~~ "Wireless services" means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

(b) ~~((Personal))~~ "Wireless service facilities" means facilities for the provision of ~~((personal))~~ wireless services.

(c) ("Microcell" means a wireless communication facility consisting of an antenna that is either: (i) Four feet in height and with an area of not more than five hundred eighty square inches; or (ii) if a tubular antenna, no more than four inches in diameter and no more than six feet in length)) "Collocation" means the mounting or installation of equipment on an existing tower, building, or structure for the purpose of either transmitting or receiving, or both, radio frequency signals for communications purposes.

(d) "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.

(e) "Substantially change the physical dimensions" means:

(i) The mounting of equipment on a structure that would increase the height of the structure by more than ten percent, or twenty feet, whichever is greater; or

(ii) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.

NEW SECTION. Sec. 2. The code reviser is directed to put the defined terms in RCW 43.21C.0384(5) into alphabetical order."

Correct the title.

Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Passed to Committee on Rules for second reading.

April 2, 2013

ESSB 5118 Prime Sponsor, Committee on Human Services & Corrections: Addressing access to original birth certificates after adoption finalization. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

April 2, 2013

SB 5149 Prime Sponsor, Senator Carrell: Concerning crimes against pharmacies. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Roberts, Vice Chair and Appleton.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5180 Prime Sponsor, Committee on Higher Education: Improving access to higher education for students with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Johnson; Pedersen; Reykdal; Riccelli; Sells; Smith; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove; Magendanz and Scott.

Passed to Committee on Rules for second reading.

April 2, 2013

2SSB 5197 Prime Sponsor, Committee on Ways & Means: Taking measures to promote safe school buildings. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW to read as follows:

School districts must work collaboratively with local law enforcement agencies and school security personnel to develop an emergency response system using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school. School districts are encouraged to use the model policies developed by the school safety advisory committee of the office of the superintendent of public instruction as a resource. Each school district must submit a progress report on its implementation of an emergency response system as required under this section to the office of the superintendent of public instruction by December 1, 2014.

Sec. 2. RCW 28A.335.010 and 1969 ex.s. c 223 s 28A.58.102 are each amended to read as follows:

Every board of directors, unless otherwise specifically provided by law, shall:

- (1) Cause all school buildings to be properly heated, lighted, and ventilated and maintained in a clean and sanitary condition; ~~((and))~~
- (2) Maintain and repair, furnish, and insure such school buildings;
- (3) Consider installing a perimeter security control mechanism or system on all school campuses, as appropriate to the design of the campus; and

(4) For new school construction projects or remodeling projects of more than forty percent of an existing school building that are initiated after the effective date of this section, consider school building plans and designs that promote:

- (a) An optimal level of security for the specific school site that incorporates evolving technology and best practices to protect students and staff in the event of a threat during school hours;
- (b) Direct control and observation of the public entering school grounds; and
- (c) The public entering school grounds through as few entrances as possible, such as through the main entrance of a school's administrative offices.

NEW SECTION. Sec. 3. (1) The school safety advisory committee convened by the office of the superintendent of public instruction shall develop model policies and strategies for school districts and local law enforcement agencies to design emergency response systems using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school. The committee shall develop policies and strategies appropriate for a range of different threat or emergency scenarios.

(2)(a) The school safety advisory committee shall also develop recommendations related to incorporating school safety features in the

planning and design of new or remodeled school facilities. The recommendations shall address, at a minimum:

- (i) Options to address public access to school buildings and grounds;
- (ii) Interior design features to address public access to classrooms; and
- (iii) Options and best practices to protect students and staff in the event of a threat during school hours.

(b) The recommendations shall consider and provide flexibility regarding varying campus designs, geographic locations, site-specific needs, grade-level configurations, cost-effectiveness, and coordination with local law enforcement in a manner suitable to the locale.

(3) The school safety advisory committee shall submit a report to the education committees of the legislature by December 1, 2013, and post the report, model policies and recommendations developed under this section, and other resource information to assist school districts on the school safety center web site.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.300 RCW to read as follows:

Subject to funds appropriated specifically for this purpose, the office of the superintendent of public instruction shall allocate grants to school districts on a competitive basis for the purpose of implementing emergency response systems using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Klippert; Maxwell; McCoy; Orwall; Parker; Pike; Pollet and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Hunt; Lytton and Seaquist.

Referred to Committee on Capital Budget.

April 2, 2013

SSB 5308 Prime Sponsor, Committee on Human Services & Corrections: Establishing the commercially sexually exploited children statewide coordinating committee. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 7.68 RCW to read as follows:

(1) The commercially sexually exploited children statewide coordinating committee is established to address the issue of children who are commercially sexually exploited, to examine the practices of local and regional entities involved in addressing sexually exploited children, and to make recommendations on statewide laws and practices.

(2) The committee is convened by the office of the attorney general and consists of the following members:

- (a) One member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house;
- (b) One member from each of the two largest caucuses of the senate appointed by the speaker of the senate;
- (c) A representative of the governor's office appointed by the governor;

(d) The secretary of the children's administration or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The attorney general or his or her designee;

(g) The superintendent of public instruction or his or her designee;

(h) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(i) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(j) The executive director of the Washington state criminal justice training commission or his or her designee;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) The executive director of the office of public defense or his or her designee;

(m) Three representatives of community service providers that provide direct services to commercially sexually exploited children appointed by the attorney general;

(n) Two representatives of nongovernmental organizations familiar with the issues affecting commercially sexually exploited children appointed by the attorney general;

(o) The president of the superior court judges' association or his or her designee;

(p) The president of the juvenile court administrators or his or her designee;

(q) Any existing chairs of regional task forces on commercially sexually exploited children;

(r) A representative from the criminal defense bar;

(s) A representative of the center for children and youth justice;

(t) A representative from the office of crime victims advocacy; and

(u) The executive director of the Washington coalition of sexual assault programs.

(3) The duties of the committee include, but are not limited to:

(a) Overseeing and reviewing the implementation of the Washington state model protocol for commercially sexually exploited children at pilot sites;

(b) Receiving reports and data from local and regional entities regarding the incidence of commercially sexually exploited children in their areas as well as data information regarding perpetrators, geographic data and location trends, and any other data deemed relevant;

(c) Receiving reports on local coordinated community response practices and results of the community responses;

(d) Reviewing recommendations from local and regional entities regarding policy and legislative changes that would improve the efficiency and effectiveness of local response practices;

(e) Making recommendations regarding policy and legislative changes that would improve the effectiveness of the state's response to and promote best practices for suppression of the commercial sexual exploitation of children;

(f) Making recommendations regarding data collection useful to understanding or addressing the problem of commercially sexually exploited children; and

(g) Reviewing and making recommendations regarding strategic local investments or opportunities for federal and state funding to address the commercial sexual exploitation of children.

(4) The committee must meet no less than annually.

(5) The committee shall report its findings to the appropriate committees of the legislature and to any other known statewide committees addressing trafficking or the commercial sex trade by June 30th of each year.

(6) This section expires June 30, 2015."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 2, 2013
ESSB 5312 Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Authorizing small consumer installment loans. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authenticate" means the same as defined in RCW 62A.9A-102.

(2) "Borrower" means a natural person who receives a small consumer installment loan.

(3) "Controlling person" means a person owning or controlling ten percent or more of the total outstanding shares of the applicant or licensee, if the applicant or licensee is a corporation, and a member who owns ten percent or more of a limited liability company or limited liability partnership.

(4) "Director" means the director of financial institutions.

(5) "Final payment date" means the date of the borrower's last scheduled payment on a small consumer installment loan.

(6) "Gross monthly income" means a borrower's or potential borrower's gross monthly income as demonstrated by documentation of income, including, but not limited to, a pay stub, documentation reflecting receipt of public benefits, tax returns, bank statements, or other documentation showing the source of income. A lender shall require a borrower or potential borrower to provide a pay stub or other evidence of income at least once each twelve-month period. This evidence must not be over forty-five days old when presented.

(7) "License" means a license issued by the director under this chapter.

(8) "Licensee" means a single small consumer installment lender licensed by the director to engage in business in accordance with this chapter. "Licensee" also means a small consumer installment lender, whether located within or outside of this state, who fails to obtain a license required by this chapter.

(9) "Loaned amount" means the initial principal amount of the loan exclusive of any interest, fees, penalties, or charges authorized by this chapter.

(10) "Military borrower" means:

(a) A "covered borrower" as defined in 32 C.F.R. Sec. 232.3; and

(b)(i) A member of the reserve components of the United States army, navy, air force, marine corps, coast guard, army national guard, or air national guard; and

ii) A spouse or dependent child of a person under (b)(i) of this subsection.

(11) "Person" means an individual, partnership, association, limited liability company, limited liability partnership, trust, corporation, and any other legal entity.

(12) "Record" means the same as defined in RCW 62A.1-201.

(13) "Scheduled payment" means any single payment disclosed in a payment schedule on a federal truth in lending act disclosure. "Scheduled payment" does not mean an actual payment on a date different than a payment on the loan payment schedule, or the

payment in full of a loan before the final payment date on the loan payment schedule.

(14) "Small consumer installment loan" means a loan made to a natural person in a single advance with terms as provided for in this chapter.

(15) "Truth in lending act" means the truth in lending act, 15 U.S.C. Sec. 1601 and Regulation Z, 12 C.F.R. Part 1026.

NEW SECTION. Sec. 2. APPLICABILITY. (1) Any small consumer installment loan made to a resident of this state is subject to the authority and restrictions of this chapter.

(2) This chapter does not apply to the following:

(a) Any person doing business under, and as permitted by, any law of this state or of the United States relating to banks, savings banks, trust companies, savings and loan or building and loan associations, or credit unions; or

(b) Loans made under chapters 19.60, 31.04, and 31.45 RCW.

NEW SECTION. Sec. 3. LICENSE REQUIRED. No person may engage in advertising or making small consumer installment loans without first obtaining a license from the director in accordance with this chapter. A license is required for each location where a licensee engages in the business of making small consumer installment loans.

NEW SECTION. Sec. 4. LICENSE--APPLICATION--FEE--BOND--INFORMATION FROM APPLICANTS. (1) Each application for a license must be in writing in a form prescribed by the director and must contain the following information:

(a) The legal name, residence, and business address of the applicant and, if the applicant is a partnership, association, limited liability company, limited liability partnership, or corporation, of every member, officer, principal, or director thereof;

(b) The location where the initial registered office of the applicant will be located;

(c) The complete address of any other locations at which the applicant currently proposes to engage in making small consumer installment loans; and

(d) Such other data, financial statements, and pertinent information as the director may require with respect to the applicant, its members, principals, or officers.

(2) As part of or in connection with an application for any license under this section, or periodically upon license renewal, each officer, director, and owner applicant shall furnish information concerning his or her identity, including fingerprints for submission to the Washington state patrol or the federal bureau of investigation for a state and national criminal history background check, personal history, experience, business record, purposes, and other pertinent facts, as the director may reasonably require. As part of or in connection with an application for a license under this chapter, or periodically upon license renewal, the director is authorized to receive criminal history record information that includes nonconviction data as defined in RCW 10.97.030. The director may only disseminate nonconviction data obtained under this section to criminal justice agencies. This section does not apply to financial institutions regulated under chapters 31.12 and 31.13 RCW and Titles 30, 32, and 33 RCW.

(3) Any information in the application regarding the personal residential address or telephone number of the applicant, any financial information about the applicant and entities owned or controlled by the applicant, and any trade secret as defined in RCW 19.108.010 including any financial statement that is a trade secret, is exempt from the public records disclosure requirements of chapter 42.56 RCW.

(4) The application must be filed together with an application fee established by rule by the director. The fees collected must be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(5) Each applicant shall file and maintain a surety bond, approved by the director, executed by the applicant as obligor and by a surety

company authorized to do a surety business in this state as surety, whose liability as a surety does not exceed, in the aggregate, the penal sum of the bond. The penal sum of the bond must be a minimum of thirty thousand dollars and a maximum of two hundred fifty thousand dollars based on the annual dollar amount of loans originated. The bond must run to the state of Washington as obligee for the use and benefit of the state and of any person or persons who may have a cause of action against the obligor under this chapter. The bond must be conditioned that the obligor as licensee will faithfully conform to and abide by this chapter and all the rules adopted under this chapter. The bond will pay to the state and any person or persons having a cause of action against the obligor all moneys that may become due and owing to the state and those persons under and by virtue of this chapter.

NEW SECTION. Sec. 5. APPLICATION FOR LICENSE--FINANCIAL RESPONSIBILITY--DIRECTOR'S INVESTIGATION. (1) The director shall conduct an investigation of every applicant to determine the financial responsibility, experience, character, and general fitness of the applicant. The director shall issue the applicant a license to engage in the business of making small consumer installment loans, if the director determines that:

- (a) The applicant has satisfied the licensing requirements of this chapter;
- (b) The applicant is financially responsible and appears to be able to conduct the business of making small consumer installment loans in an honest, fair, and efficient manner with the confidence and trust of the community and in accordance with this chapter; and
- (c) The applicant has the required bond.

(2) The director may refuse to issue a license if he or she finds that the applicant, or any person who is a director, officer, partner, agent, sole proprietor, owner, or controlling person of the applicant, has been convicted of a felony in any jurisdiction within seven years of filing the present application or is associating or consorting with any person who has been convicted of a felony in any jurisdiction within seven years of filing the present application.

(3) A license may not be issued to an applicant:

- (a) Whose license to conduct business under this chapter, or any similar statute in any other jurisdiction, has been suspended or revoked within five years of the filing of the present application;
- (b) Who has been banned from the industry by an administrative order issued by the director or the director's designee, for the period specified in the administrative order; or
- (c) Who has advertised or made internet loans in violation of this chapter.

(4) A license issued in accordance with this chapter remains in force and effect until surrendered, suspended, or revoked, or until the license expires as a result of nonpayment of the annual assessment fee as defined in this chapter.

NEW SECTION. Sec. 6. MULTISTATE LICENSING SYSTEM--DIRECTOR'S DISCRETION. Applicants may be required to make application through a multistate licensing system as prescribed by the director. Existing licensees may be required to transition onto a multistate licensing system as prescribed by the director.

NEW SECTION. Sec. 7. TERMS OF LOANS. A small consumer installment loan must include the following terms:

- (1) The interest charged on the loaned amount is less than or equal to thirty-six percent per annum, exclusive of fees, penalties, or charges authorized by this chapter;
- (2) A maximum loaned amount of one thousand five hundred dollars;
- (3) The loaned amount is fully repayable in substantially equal and consecutive installments according to a payment schedule agreed to by the parties with not less than fourteen days and not more than thirty-five days between each scheduled payment;
- (4) A minimum loan term of six months;

- (5) A maximum loan term of twelve months;
- (6) The loan amortizes;
- (7) The borrower's repayment obligations are not secured by a lien on any real or personal property; and
- (8) The loan is made primarily for personal, family, or household purposes.

NEW SECTION. Sec. 8. LIMITATIONS ON INTEREST AND CHARGES. Notwithstanding any other provision of law, a licensee:

(1) May charge, contract for, and receive interest of no more than thirty-six percent per annum on the outstanding unpaid principal balance of the loaned amount, exclusive of fees, penalties, or charges authorized by this chapter;

(2) May charge a loan origination fee not to exceed fifteen percent of the loaned amount. The fee is earned at the time the loan is made and up to one-half of which is subject to a pro rata refund. If the loan is paid in full prior to the final payment date, the borrower is entitled to a refund equal to fifty percent of the loan origination fee multiplied by a fraction whose numerator is the number of days between the date on which the loan is paid in full and the final payment date, and whose denominator is the number of days in the original loan term. Notwithstanding this subsection, a licensee must provide a full refund of all charges after rescission as provided in section 12 of this act;

(3) May charge a monthly maintenance fee not to exceed seven dollars and fifty cents per one hundred dollars of the loaned amount on the thirtieth day after the day when the loan is originated. The fee may be charged after every subsequent thirty-day period when there is an outstanding balance. The fee may not exceed a maximum of ninety dollars in any month;

(4) Is prohibited from making a small consumer installment loan to a borrower if the total of all scheduled payments to be made in any month exceeds fifteen percent of the borrower's gross monthly income;

(5) May, in the event that any scheduled payment is delinquent ten days or more:

- (a) Charge and collect a penalty of not more than twenty-five dollars per loan; and
- (b) Declare the entire loan due and payable and proceed to collect the loan in accordance with this chapter;
- (6) May collect from the borrower reasonable attorneys' fees, actual expenses, and costs incurred in connection with the collection of any amounts due to a licensee with respect to a small consumer installment loan;

(7) Is prohibited from charging a prepayment fee. A borrower is allowed to pay all or part of a loan before the maturity date without incurring any additional fee;

(8) Is prohibited from requiring a borrower to purchase add-on products such as credit insurance; and

(9) Is prohibited from charging any other interest, fees, penalties, or charges, except those provided in subsections (1) through (3), (5), and (6) of this section.

NEW SECTION. Sec. 9. LOAN AGREEMENT--REQUIRED CONTENTS. A licensee making a small consumer installment loan must document the transaction by use of a record authenticated by the licensee and the borrower. This record must set forth the terms and conditions of the loan, including, but not limited to:

- (1) The name and address of the borrower and the licensee;
- (2) The transaction date;
- (3) The loaned amount;
- (4) A statement of the total amount of finance charges charged, expressed both as a dollar amount and an annual percentage rate, calculated in accordance with the truth in lending act;
- (5) The installment payment schedule;
- (6) The right to rescind the loan on or before the close of business on the next day of business at the location where the loan was originated;

(7) A notice to the borrower that delinquency on one scheduled payment may result in a penalty of not more than twenty-five dollars per delinquent loan and/or acceleration of the loan;

(8) A notice to the borrower that early repayment of a small consumer installment loan will result in a refund as provided in section 8(2) of this act;

(9) The notice regarding the repayment plan required by section 16 of this act;

(10) A description of the manner and methods by which loan payments may be made, which include cash, check, automatic clearing house transactions, debit authorization, or additional method of loan payment authorized by the director after rule making; and

(11) A notice to the borrower in at least twelve-point type that states:

A SMALL CONSUMER INSTALLMENT LOAN IS NOT INTENDED TO MEET LONG-TERM FINANCIAL NEEDS.

A SMALL CONSUMER INSTALLMENT LOAN SHOULD BE USED ONLY TO MEET SHORT-TERM CASH NEEDS.

WHILE YOU ARE NOT REQUIRED TO REPAY THIS LOAN BEFORE ITS DUE DATE, IT IS IN YOUR BEST INTEREST TO DO SO. THE SOONER YOU REPAY THE LOAN, THE LESS IN INTEREST, FEES, AND OTHER CHARGES YOU WILL PAY.

No licensee may condition an extension of credit under a small consumer installment loan on the borrower's repayment by preauthorized electronic fund transfers. Payment options including, but not limited to, automatic clearing house transactions and other electronic fund transfers may be offered to borrowers as a choice with the method or methods of payment chosen by the borrower.

NEW SECTION. Sec. 10. NOTICE OF FEES AND CHARGES--RECEIPT. (1) A schedule of the fees, penalties, and charges for taking out a small consumer installment loan must be conspicuously and continuously posted in every location licensed under this chapter.

(2) The licensee shall provide to its customer a receipt for each transaction. The receipt must include the name of the licensee, the type and amount of the transaction, and the fees and charges charged for the transaction.

NEW SECTION. Sec. 11. DISBURSEMENT OF PROCEEDS. A licensee may disburse the proceeds of a small consumer installment loan in the form of a check drawn on the licensee's bank account, in cash, by money order, by prepaid card, by electronic funds transfer, or by other method authorized by the director after rule making.

NEW SECTION. Sec. 12. RESCISSION. A borrower may rescind a small consumer installment loan, on or before the close of business on the next day of business at the location where the loan was originated, by returning the principal in cash, the original check disbursed by the licensee, or the other disbursement of loan proceeds from the licensee to fund the loan. The licensee may not charge the borrower for rescinding the loan and must refund any loan fees and interest received. The licensee shall conspicuously disclose to the borrower the right of rescission in writing in the loan agreement.

NEW SECTION. Sec. 13. DELINQUENT SMALL CONSUMER INSTALLMENT LOAN--RESTRICTIONS ON COLLECTION BY LICENSEE OR THIRD PARTY. (1) A licensee shall comply with all applicable state and federal laws when collecting a delinquent small consumer installment loan. A licensee may take civil action to collect principal, interest, fees, penalties, charges, and costs allowed under this chapter. A licensee may not threaten criminal prosecution as a method of collecting a delinquent small consumer installment loan or threaten to take any legal action against the borrower which the licensee may not legally take.

(2) Unless invited by the borrower, a licensee may not visit a borrower's residence or place of employment for the purpose of collecting a delinquent small consumer installment loan. A licensee may not impersonate a law enforcement official, or make any statements which might be construed as indicating an official connection with any federal, state, county, or city law enforcement agency, or any other governmental agency, while engaged in collecting a small consumer installment loan.

(3) A licensee may not communicate with a borrower in such a manner as to harass, intimidate, abuse, or embarrass a borrower, including but not limited to communication at an unreasonable hour, with unreasonable frequency, by threats of force or violence, or by use of offensive language. A communication is presumed to have been made for the purposes of harassment if it is initiated by the licensee for the purposes of collection and:

(a) It is made with a borrower, spouse, or domestic partner in any form, manner, or place, more than three times in a single week;

(b) It is made with a borrower at his or her place of employment more than one time in a single week or made to a borrower after the licensee has been informed that the borrower's employer prohibits these communications;

(c) It is made with the borrower, spouse, or domestic partner at his or her place of residence between the hours of 9:00 p.m. and 7:30 a.m.; or

(d) It is made to a party other than the borrower, the borrower's attorney, the licensee's attorney, or a consumer reporting agency if otherwise permitted by law except for purposes of acquiring location or contact information about the borrower.

(4) A licensee is required to maintain a communication log of all telephone and written communications with a borrower initiated by the licensee regarding any collection efforts including date, time, and the nature of each communication.

(5) If a dishonored check is assigned to any third party for collection, this section applies to the third party for the collection of the dishonored check.

(6) For the purposes of this section, "communication" includes any contact with a borrower, initiated by the licensee, in person, by telephone, or in writing (including e-mails, text messages, and other electronic writing) regarding the collection of a delinquent small consumer installment loan, but does not include any of the following:

(a) Communication while a borrower is physically present in the licensee's place of business;

(b) An unanswered telephone call in which no message (other than a caller ID) is left, unless the telephone call violates subsection (7)(c) of this section; and

(c) An initial letter to the borrower that includes disclosures intended to comply with the federal fair debt collection practices act.

(a) A communication occurs at the time it is initiated by a licensee regardless of the time it is received or accessed by the borrower; and

(b) A call to a number that the licensee reasonably believes is the borrower's cell phone will not constitute a communication with a borrower at the borrower's place of employment.

(8) For the purposes of this section, "week" means a series of seven consecutive days beginning on a Sunday.

NEW SECTION. Sec. 14. LOAN FREQUENCY LIMITATIONS. (1) No licensee may extend to or have open with a borrower more than one small consumer installment loan at any time unless:

(a) The total of all scheduled payments to be made in any month under all of the small consumer installment loans made by any licensee to a borrower does not exceed fifteen percent of the borrower's gross monthly income; and

(b) The unpaid principal balance of any and all small consumer installment loans to a borrower does not exceed one thousand five hundred dollars.

(7) For the

(2) A borrower is prohibited from receiving more than twelve small consumer installment loans from all licensees in any twelve-month period. A licensee is prohibited from making a small consumer installment loan to a borrower if making that small consumer installment loan would result in a borrower receiving more than twelve small consumer installment loans from all licensees in any twelve-month period.

(3) A licensee is prohibited from extending a small consumer installment loan to a borrower who:

(a) Has an outstanding small consumer installment loan with another licensee; or

(b) Is in a repayment plan for a small consumer installment loan with another licensee.

(4) A licensee is prohibited from extending a small consumer installment loan at any time to a borrower who:

(a) Has a small loan made by a licensee under chapter 31.45 RCW; or

(b) Is in an installment plan under RCW 31.45.088.

(5) The director has broad rule-making authority to adopt and implement a database system to carry out subsections (1) through (4) of this section. This includes, but is not limited to, taking the steps necessary to contract a database vendor, and set licensee fees to operate and administer the database system.

(6) The information in the database described in this section is exempt from public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 15. MILITARY BORROWERS. (1) A licensee is prohibited from extending a small consumer installment loan to any military borrower. In determining if a borrower is a military borrower and is ineligible to obtain a small consumer installment loan, a licensee may rely upon a statement provided by a borrower on a form prescribed by rule by the director. The form must apply standards to all military borrowers that are similar to the covered borrower identification statement standards of 32 C.F.R. Sec. 232.5(a)(1).

(2) The director must adopt rules to implement this section.

NEW SECTION. Sec. 16. REPAYMENT PLAN. (1) Before a licensee may bring a civil action to collect the outstanding balance on a small consumer installment loan in default, the licensee must offer that borrower an opportunity to enter into a repayment plan.

(2) A licensee is required to make the repayment plan offer available for a period of at least thirty days after the date of the original offer to the borrower. The licensee is not required to make such an offer more than once for each loan.

(3) The repayment plan offer must:

(a) Be in writing;

(b) Be sent to the borrower's last known address;

(c) State the date by which the borrower must act to enter into a repayment plan;

(d) Explain the procedures the borrower must follow to enter into a repayment plan;

(e) If a licensee requires the borrower to make an initial payment to enter into a repayment plan as allowed in subsection (4) of this section, explain the requirement and state the amount of the initial payment and the date the initial payment must be made;

(f) State that the borrower has the opportunity to enter into a repayment plan with a term of at least ninety days after the date the repayment plan is entered into; and

(g) State the following amounts:

(i) The total of payments or the remaining balance on the original loan;

(ii) Any payments made on the loan;

(iii) Any charges added to the loan amount allowed under this chapter; and

(iv) The total amount due if the borrower enters into a repayment plan.

(4) Under the terms of any repayment plan:

(a) The borrower must enter into the repayment plan not later than thirty days after the date of the repayment plan offer, unless the licensee allows a longer period;

(b) The period for the repayment plan must be at least ninety days after the date the repayment plan is entered into, unless the borrower agrees to a shorter term; and

(c) The licensee may require the borrower to make an initial payment of not more than twenty percent of the total amount due under the terms of the repayment plan.

(5)(a) If a licensee and borrower enter into a repayment plan, the licensee must honor the terms of the repayment plan;

(b) In a repayment plan, a licensee may recover the amount the borrower was required to pay the licensee under the contract prior to the default;

(c) A licensee may charge the initial payment portion of the borrower's existing debt allowed under subsection (4) of this section;

(d) A licensee is prohibited from charging any fee, penalty, or interest in connection with a payment plan unless that fee, penalty, or interest was incurred prior to the time of the default. For the purposes of this section, a delinquency fee allowed under section 8(5)(a) of this act is incurred prior to the time of the default, and a licensee may charge and collect a fee as allowed under section 8(5)(a) of this act;

(e) A licensee is prohibited from accepting any security or collateral from the borrower to enter into the repayment plan;

(f) A licensee is prohibited from selling to the borrower any insurance or require the borrower to purchase insurance or any other goods or services to enter into the repayment plan; and

(g) A licensee is prohibited from attempting to collect an amount that is greater than the amount owed under the terms of the repayment plan.

(6) If the licensee and borrower enter into a repayment plan, the agreement must be in writing. The written agreement must contain all of the terms of the repayment plan, including the total amount due under the terms of the repayment plan. The written repayment agreement must be signed by the licensee and borrower. The licensee must give the borrower a copy of the signed written repayment agreement.

(7) If a borrower defaults on a repayment plan, the licensee may bring a civil action and pursue any other remedy authorized by law to collect the outstanding balance owed by the borrower.

NEW SECTION. Sec. 17. RESTRICTION ON TRANSFER. No licensee may pledge, negotiate, sell, or assign a small consumer installment loan, except to another licensee or to a bank, savings bank, trust company, savings and loan or building and loan association, or credit union organized under the laws of Washington or the laws of the United States.

NEW SECTION. Sec. 18. PROHIBITED ACTS. (1) It is a violation of this chapter for a licensee, its officers, directors, employees, or independent contractors, or any other person subject to this chapter to:

(a) Fail to make disclosures to loan applicants as required by any applicable federal law;

(b) Directly or indirectly employ any scheme, device, or artifice to defraud or mislead any borrower, to defraud or mislead any lender, or to defraud or mislead any person;

(c) Directly or indirectly engage in any unfair or deceptive practice toward any person;

(d) Directly or indirectly obtain property by fraud or misrepresentation;

(e) Make a small consumer installment loan to any person physically located in Washington through the use of the internet, facsimile, telephone, kiosk, or other means without first obtaining a license;

(f) Make, in any manner, any false or deceptive statement or representation with regard to the rates, points, or other financing terms

or conditions for a small consumer installment loan or engage in bait and switch advertising;

(g) Negligently make any false statement or knowingly and willfully make any omission of material fact in connection with any reports filed with the department of financial institutions by a licensee or in connection with any investigation conducted by the department of financial institutions;

(h) Advertise any rate of interest without conspicuously disclosing the annual percentage rate implied by that rate of interest or otherwise fail to comply with any requirement of the truth in lending act, or any other applicable state or federal statutes or regulations;

(i) Make small consumer installment loans from any unlicensed location;

(j) Fail to comply with all applicable state and federal statutes relating to the activities governed by this chapter; or

(k) Fail to pay any other fee, assessment, or moneys due the department of financial institutions.

(2) In addition to any other penalties, any transaction in violation of subsection (1) of this section is uncollectible and unenforceable.

NEW SECTION. Sec. 19. INTERNET LENDING. (1) A licensee may advertise and accept applications for small consumer installment loans by any lawful medium, including the internet.

(2) Nonlicensees are prohibited from advertising or making small consumer installment loans via the internet.

NEW SECTION. Sec. 20. INVESTIGATION AND EXAMINATION FEES AND ANNUAL ASSESSMENT FEE REQUIRED--AMOUNTS DETERMINED BY RULE--FAILURE TO PAY--NOTICE REQUIREMENTS OF LICENSEE. (1) Each applicant and licensee shall pay to the director an investigation and examination fee as established in rule and an annual assessment fee for the coming year in an amount determined by rule as necessary to cover the operation of the program. The annual assessment fee is due upon the annual assessment fee due date as established in rule. Nonpayment of the annual assessment fee may result in expiration of the license as provided in subsection (2) of this section. In establishing the fees, the director shall consider at least the volume of business, level of risk, and potential harm to the public related to each activity. The fees collected shall be deposited to the credit of the financial services regulation fund in accordance with RCW 43.320.110.

(2) If a licensee does not pay its annual assessment fee by the annual assessment fee due date as specified in rule, the director or the director's designee shall send the licensee a notice of expiration and assess the licensee a late fee not to exceed fifteen percent of the annual assessment fee as established in rule by the director. The licensee's payment of both the annual assessment fee and the late fee must arrive in the department of financial institutions' offices by 5:00 p.m. on the tenth day after the annual assessment fee due date, unless the department of financial institutions is not open for business on that date, in which case the licensee's payment of both the annual assessment fee and the late fee must arrive in the department of financial institutions' offices by 5:00 p.m. on the next occurring day that the department of financial institutions is open for business. If the payment of both the annual assessment fee and the late fee does not arrive prior to such time and date, then the expiration of the licensee's license is effective at 5:00 p.m. on the thirtieth day after the assessment fee due date. The director or the director's designee may reinstate the license if, within fifteen days after the effective date of expiration, the licensee pays the annual assessment fee and the late fee.

(3) If a licensee intends to do business at a new location, to close an existing place of business, or to relocate an existing place of business, the licensee shall provide written notification of that intention to the director no less than thirty days before the proposed establishing, closing, or moving of a place of business.

NEW SECTION. Sec. 21. LICENSEE--RECORDKEEPING. Each licensee shall keep and maintain the business books, accounts, and records the director may require to fulfill the purposes of this chapter. Every licensee shall preserve the books, accounts, and records as required in rule by the director for at least two years from the completion of the transaction. Records may be maintained on an electronic, magnetic, optical, or other storage media. However, the licensee must maintain the necessary technology to permit access to the records by the department of financial institutions for the period required under this chapter.

NEW SECTION. Sec. 22. EXAMINATION OR INVESTIGATION--DIRECTOR'S AUTHORITY--COSTS. The director or the director's designee may at any time examine and investigate the business and examine the books, accounts, records, and files, or other information, wherever located, of any licensee or person who the director has reason to believe is engaging in the business governed by this chapter. For these purposes, the director or the director's designee may require the attendance of and examine under oath all persons whose testimony may be required about the business or the subject matter of the investigation. The director or the director's designee may require the production of original books, accounts, records, files, or other information, or may make copies of such original books, accounts, records, files, or other information. The director or the director's designee may issue a subpoena or subpoena duces tecum requiring attendance and testimony, or the production of the books, accounts, records, files, or other information. The director shall collect from the licensee the actual cost of the examination and investigation.

NEW SECTION. Sec. 23. SUBPOENA AUTHORITY--APPLICATION--CONTENTS--NOTICE--FEES. (1) The director or authorized assistants may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed documents, records, or evidence are located, or in Thurston county. The application must:

(a) State that an order is sought under this section;

(b) Adequately specify the documents, records, evidence, or testimony; and

(c) Include a declaration made under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the director's authority and that the subpoenaed documents, records, evidence, or testimony are reasonably related to an investigation within the director's authority.

(2) When an application under this section is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the director to subpoena the documents, records, evidence, or testimony.

(3) The director or authorized assistants may seek approval and a court may issue an order under this section without prior notice to any person, including the person to whom the subpoena is directed and the person who is the subject of an investigation. An application for court approval is subject to the fee and process set forth in RCW 36.18.012(3).

NEW SECTION. Sec. 24. REPORT REQUIREMENTS--DISCLOSURE OF INFORMATION--RULES. (1) Each licensee shall submit to the director, in a form approved by the director, a report containing financial statements covering the calendar year or, if the licensee has an established fiscal year, then for that fiscal year, within one hundred five days after the close of each calendar or fiscal year. The licensee shall also file additional relevant information as the director may require. Any information provided by a licensee in an annual report is exempt from disclosure under chapter 42.56 RCW, unless aggregated with information supplied by other licensees in a manner that the licensee's individual information is not identifiable.

Any information provided by the licensee that allows identification of the licensee may only be used by the director for purposes reasonably related to the regulation of licensees to ensure compliance with this chapter.

(2) The director shall adopt rules specifying the form and content of annual reports and may require additional reporting as is necessary for the director to ensure compliance with this chapter.

(3) A licensee whose license has been suspended or revoked shall submit to the director, at the licensee's expense, within one hundred five days after the effective date of the suspension or revocation, a closing audit report containing audited financial statements as of the effective date for the twelve months ending with the effective date.

(4) The director is authorized to enter into agreements or sharing arrangements regarding licensee reports, examination, or investigation information with other governmental agencies, the conference of state bank supervisors, the American association of residential mortgage regulators, the national association of consumer credit administrators, or other associations representing governmental agencies as established by rule, regulation, or order of the director.

NEW SECTION. Sec. 25. DIRECTOR--BROAD ADMINISTRATIVE DISCRETION--RULE MAKING--ACTIONS IN SUPERIOR COURT. The director has the power, and broad administrative discretion, to administer, liberally construe, and interpret this chapter to facilitate the delivery of financial services to the citizens of this state by licensees subject to this chapter, and to effectuate the legislature's goal to protect borrowers. The director shall adopt all rules necessary to administer this chapter, to establish and set fees authorized by this chapter, and to ensure complete and full disclosure by licensees of lending transactions governed by this chapter.

NEW SECTION. Sec. 26. VIOLATIONS OR UNSOUND FINANCIAL PRACTICES--STATEMENT OF CHARGES--HEARING--SANCTIONS--DIRECTOR'S AUTHORITY. (1) The director may issue and serve upon a licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant, a statement of charges if, in the opinion of the director, any licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of a licensee or applicant:

(a) Is engaging or has engaged in an unsafe or unsound financial practice in conducting a business governed by this chapter;

(b) Is violating or has violated this chapter, including violations of:

(i) Any rules, orders, or subpoenas issued by the director under any act;

(ii) Any condition imposed in writing by the director in connection with the granting of any application or other request by the licensee; or

(iii) Any written agreement made with the director;

(c) Obtains a license by means of fraud, misrepresentation, or concealment;

(d) Provides false statements or omits material information on an application;

(e) Knowingly or negligently omits material information during or in response to an examination or in connection with an investigation by the director;

(f) Fails to pay a fee or assessment required by the director or any multistate licensing system prescribed by the director, or fails to maintain the required bond;

(g) Commits a crime against the laws of any jurisdiction involving moral turpitude, financial misconduct, or dishonest dealings. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this chapter;

(h) Knowingly commits or is a party to any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme,

or device whereby any other person relying upon the word, representation, or conduct acts to his or her injury or damage;

(i) Wrongly converts any money or its equivalent of any other person to his or her own use or to the use of his or her principal;

(j) Fails to disclose to the director any material information within his or her knowledge or fails to produce any document, book, or record in his or her possession for inspection by the director upon lawful demand;

(k) Commits any act of fraudulent or dishonest dealing. For the purposes of this section, a certified copy of the final holding of any court, tribunal, agency, or administrative body of competent jurisdiction is conclusive evidence in any hearing under this chapter;

(l) Commits an act or engages in conduct that demonstrates incompetence or untrustworthiness, or is a source of injury and loss to the public; or

(m) Violates any applicable state or federal law relating to the activities governed by this chapter.

(2) The director may issue and serve upon a licensee or applicant, or any director, officer, sole proprietor, partner, or controlling person of the licensee or applicant, a statement of charges if the director has reasonable cause to believe that the licensee or applicant is about to do acts prohibited in subsection (1) of this section.

(3) The statement of charges must be issued under chapter 34.05 RCW. The director or the director's designee may impose the following sanctions against any licensee or applicant, or any directors, officers, sole proprietors, partners, controlling persons, or employees of a licensee or applicant:

(a) Deny, revoke, suspend, or condition a license;

(b) Order the licensee or person to cease and desist from practices that violate this chapter;

(c) Impose a fine not to exceed one hundred dollars per day per violation of this chapter;

(d) Order restitution or refunds to borrowers or other affected parties for violations of this chapter or take other affirmative action as necessary to comply with this chapter; and

(e) Remove from office or ban from participation in the affairs of any licensee any director, officer, sole proprietor, partner, controlling person, or employee of a licensee.

(4) The proceedings to impose the sanctions described in subsection (3) of this section, including any hearing or appeal of the statement of charges, are governed by chapter 34.05 RCW.

(5) Unless the licensee or person personally appears at the hearing or is represented by a duly authorized representative, the licensee is deemed to have consented to the statement of charges and the sanctions imposed in the statement of charges.

(6) Except to the extent prohibited by another statute, the director may engage in informal settlement of complaints or enforcement actions including, but not limited to, payment to the department of financial institutions for purposes of financial literacy and education programs authorized under RCW 43.320.150.

NEW SECTION. Sec. 27. VIOLATIONS OR UNSOUND PRACTICES--TEMPORARY CEASE AND DESIST ORDER--DIRECTOR'S AUTHORITY. Whenever the director determines that the acts specified in section 26 of this act or their continuation is likely to cause insolvency or substantial injury to the public, the director may also issue a temporary cease and desist order requiring the licensee to cease and desist from the violation or practice. The order becomes effective upon service upon the licensee and remains effective unless set aside, limited, or suspended by a court under section 28 of this act pending the completion of the administrative proceedings under the notice and until the time the director dismisses the charges specified in the notice or until the effective date of a superior court injunction under section 28 of this act.

NEW SECTION. Sec. 28. TEMPORARY CEASE AND DESIST ORDER--LICENSEE'S APPLICATION FOR INJUNCTION. Within ten days after a licensee has been served with

a temporary cease and desist order, the licensee may apply to the superior court in the county of its principal place of business for an injunction setting aside, limiting, or suspending the order pending the completion of the administrative proceedings pursuant to the notice served under section 27 of this act. The superior court has jurisdiction to issue the injunction.

NEW SECTION. Sec. 29. VIOLATION OF TEMPORARY CEASE AND DESIST ORDER--DIRECTOR'S APPLICATION FOR INJUNCTION. In the case of a violation or threatened violation of a temporary cease and desist order issued under section 27 of this act, the director may apply to the superior court of the county of the principal place of business of the licensee for an injunction.

NEW SECTION. Sec. 30. APPOINTMENT OF RECEIVER. The director may petition the superior court for the appointment of a receiver to liquidate the affairs of the licensee.

NEW SECTION. Sec. 31. VIOLATION--CONSUMER PROTECTION ACT--REMEDIES. The legislature finds and declares that any violation of this chapter substantially affects the public interest and is an unfair and deceptive act or practice and an unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020. Remedies available under chapter 19.86 RCW do not affect any other remedy the injured party may have.

NEW SECTION. Sec. 32. ADJUSTMENT OF DOLLAR AMOUNTS. The dollar amounts established in section 7(2) and 14(1)(b) of this act must, without discretion, be adjusted for inflation by the director on July 1, 2014, and on each July 1st thereafter, based upon changes in the consumer price index during that time period, and then rounded up to the nearest five dollars. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The director must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

NEW SECTION. Sec. 33. REPORT TO LEGISLATURE. The director must collect and submit the following information to the legislature by December 1, 2015, for data collected during 2014:

- (1) The number of branches and total locations;
- (2) The number of loans made during 2014;
- (3) Loan volume;
- (4) Average loan amount;
- (5) Total fees charged, in total and by category of fee or other charge;
- (6) Average payment per month, in total and by category of fee or other charge;
- (7) Average income of borrower;
- (8) The number of borrowers who are in the military;
- (9) Borrower frequency;
- (10) The number of unique customers;
- (11) Average length of loan repayment;
- (12) The number of borrowers taking out the maximum loan amount;
- (13) The number of borrowers who went into default;
- (14) Average length of time a borrower has a loan before a borrower goes into default;
- (15) Any legislative recommendations by the director; and
- (16) Any other information that the director believes is relevant or useful.

NEW SECTION. Sec. 34. For each small consumer installment loan that is made, a licensee must remit one dollar to the department

of financial institutions for the purpose of financial literacy and education programs authorized under RCW 43.320.150. The director shall adopt rules to implement this section.

NEW SECTION. Sec. 35. SHORT TITLE. This act may be known and cited as the small consumer installment loan act.

NEW SECTION. Sec. 36. If any portion of this act is vetoed by the governor, this entire act is null and void.

NEW SECTION. Sec. 37. Sections 1 through 35 of this act constitute a new chapter in Title 31 RCW."

Correct the title.

Signed by Representatives Kirby, Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; O'Ban; Santos and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Ryu, Vice Chair and Habib.

Referred to Committee on Appropriations Subcommittee on General Government.

April 2, 2013

SB 5355 Prime Sponsor, Senator Holmquist Newbry: Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 50.16.010 and 2012 c 198 s 11 are each amended to read as follows:

(1) There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable.

(2)(a) The unemployment compensation fund shall consist of:

- (i) All contributions collected under RCW 50.24.010 and payments in lieu of contributions collected pursuant to the provisions of this title;
- (ii) Any property or securities acquired through the use of moneys belonging to the fund;
- (iii) All earnings of such property or securities;
- (iv) Any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended;
- (v) All money recovered on official bonds for losses sustained by the fund;
- (vi) All money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended;
- (vii) All money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304); ~~((and))~~
- (viii) The portion of the additional penalties as provided in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid; and
- (ix) All moneys received for the fund from any other source.

(b) All moneys in the unemployment compensation fund shall be commingled and undivided.

(3)(a) Except as provided in (b) of this subsection, the administrative contingency fund shall consist of:

(i) All interest on delinquent contributions collected pursuant to this title;

(ii) All fines and penalties collected pursuant to the provisions of this title, except the portion of the additional penalties as provided in RCW 50.20.070(2) that is fifteen percent of the amount of benefits overpaid or deemed overpaid;

(iii) All sums recovered on official bonds for losses sustained by the fund; and

(iv) Revenue received under RCW 50.24.014.

(b) All fees, fines, forfeitures, and penalties collected or assessed by a district court because of the violation of this title or rules adopted under this title shall be remitted as provided in chapter 3.62 RCW.

(c) Except as provided in (d) of this subsection, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014, shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary solely for:

(i) The proper administration of this title and that insufficient federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(ii) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

(iii) The proper administration of this title for which compliance and audit issues have been identified that establish federal claims requiring the expenditure of state resources in resolution. Claims must be resolved in the following priority: First priority is to provide services to eligible participants within the state; second priority is to provide substitute services or program support; and last priority is the direct payment of funds to the federal government.

(d)(i) During the 2007-2009 fiscal biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended as appropriated by the legislature for: (A) The cost of the job skills or worker retraining programs at the community and technical colleges and administrative costs at the state board for community and technical colleges; and (B) reemployment services such as business and project development assistance, local economic development capacity building, and local economic development financial assistance at the department of commerce. The remaining appropriation may be expended as specified in (c) of this subsection.

(ii) During the 2009-2011 fiscal biennium, moneys available in the administrative contingency fund, other than money in the special account created under RCW 50.24.014(1)(a), shall be expended by the department of social and health services as appropriated by the legislature for employment and training services and programs in the WorkFirst program, and for the administrative costs of state agencies participating in the WorkFirst program. The remaining appropriation may be expended as specified in (c) of this subsection.

(4) Money in the special account created under RCW 50.24.014(1)(a) may only be expended, after appropriation, for the purposes specified in this section and RCW 50.62.010, 50.62.020, 50.62.030, 50.24.014, 50.44.053, and 50.22.010.

Sec. 2. RCW 50.20.070 and 2007 c 146 s 7 are each amended to read as follows:

(1) With respect to determinations delivered or mailed before January 1, 2008, an individual is disqualified for benefits for any week he or she has knowingly made a false statement or

representation involving a material fact or knowingly failed to report a material fact and, as a result, has obtained or attempted to obtain any benefits under the provisions of this title, and for an additional twenty-six weeks beginning with the first week for which he or she completes an otherwise compensable claim for waiting period credit or benefits following the date of the delivery or mailing of the determination of disqualification under this section. However, such disqualification shall not be applied after two years have elapsed from the date of the delivery or mailing of the determination of disqualification under this section.

(2) With respect to determinations delivered or mailed on or after January 1, 2008:

(a) An individual is disqualified for benefits for any week he or she has knowingly made a false statement or representation involving a material fact or knowingly failed to report a material fact and, as a result, has obtained or attempted to obtain any benefits under the provisions of this title;

(b) An individual disqualified for benefits under this subsection for the first time is also:

(i) Disqualified for an additional twenty-six weeks beginning with the Sunday of the week in which the determination is mailed or delivered; and

(ii) With respect to determinations delivered or mailed on or after October 20, 2013, subject to an additional penalty of fifteen percent of the amount of benefits overpaid or deemed overpaid;

(c) An individual disqualified for benefits under this subsection for the second time is also disqualified for an additional fifty-two weeks beginning with the Sunday of the week in which the determination is mailed or delivered, and is subject to an additional penalty of twenty-five percent of the amount of benefits overpaid or deemed overpaid;

(d) An individual disqualified for benefits under this subsection a third time and any time thereafter is also disqualified for an additional one hundred four weeks beginning with the Sunday of the week in which the determination is mailed or delivered, and is subject to an additional penalty of fifty percent of the amount of benefits overpaid or deemed overpaid.

(3) All penalties collected under this section must be expended for the proper administration of this title as authorized under RCW 50.16.010 and for no other purposes.

(4) All overpayments and penalties established by such determination of disqualification must be collected as otherwise provided by this title.

Sec. 3. RCW 50.29.021 and 2011 c 4 s 14 are each amended to read as follows:

(1) This section applies to benefits charged to the experience rating accounts of employers for claims that have an effective date on or after January 4, 2004.

(2)(a) An experience rating account shall be established and maintained for each employer, except employers as described in RCW 50.44.010, 50.44.030, and 50.50.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, based on existing records of the employment security department.

(b) Benefits paid to an eligible individual shall be charged to the experience rating accounts of each of such individual's employers during the individual's base year in the same ratio that the wages paid by each employer to the individual during the base year bear to the wages paid by all employers to that individual during that base year, except as otherwise provided in this section.

(c) When the eligible individual's separating employer is a covered contribution paying base year employer, benefits paid to the eligible individual shall be charged to the experience rating account of only the individual's separating employer if the individual qualifies for benefits under:

(i) RCW 50.20.050 (1)(b)(i) or (2)(b)(i), as applicable, and became unemployed after having worked and earned wages in the bona fide work; or

(ii) RCW 50.20.050 (1)(b) (v) through (x) or (2)(b) (v) through (x).

(3) The legislature finds that certain benefit payments, in whole or in part, should not be charged to the experience rating accounts of employers except those employers described in RCW 50.44.010, 50.44.030, and 50.50.030 who have properly elected to make payments in lieu of contributions, taxable local government employers described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, as follows:

(a) Benefits paid to any individual later determined to be ineligible shall not be charged to the experience rating account of any contribution paying employer ~~(. However, when a benefit claim becomes invalid due to an amendment or adjustment of a report where the employer failed to report or inaccurately reported hours worked or remuneration paid, or both, all benefits paid will be charged to the experience rating account of the contribution paying employer or employers that originally filed the incomplete or inaccurate report or reports. An employer who reimburses the trust fund for benefits paid to workers and who fails to report or inaccurately reported hours worked or remuneration paid, or both, shall reimburse the trust fund for all benefits paid that are based on the originally filed incomplete or inaccurate report or reports)), except as provided in subsection (5) of this section.~~

(b) Benefits paid to an individual filing under the provisions of chapter 50.06 RCW shall not be charged to the experience rating account of any contribution paying employer only if:

(i) The individual files under RCW 50.06.020(1) after receiving crime victims' compensation for a disability resulting from a nonwork-related occurrence; or

(ii) The individual files under RCW 50.06.020(2).

(c) Benefits paid which represent the state's share of benefits payable as extended benefits defined under RCW 50.22.010(6) shall not be charged to the experience rating account of any contribution paying employer.

(d) In the case of individuals who requalify for benefits under RCW 50.20.050 or 50.20.060, benefits based on wage credits earned prior to the disqualifying separation shall not be charged to the experience rating account of the contribution paying employer from whom that separation took place.

(e) Benefits paid to an individual who qualifies for benefits under RCW 50.20.050 (1)(b) (iv) or (xi) or (2)(b) (iv) or (xi), as applicable, shall not be charged to the experience rating account of any contribution paying employer.

(f) With respect to claims with an effective date on or after the first Sunday following April 22, 2005, benefits paid that exceed the benefits that would have been paid if the weekly benefit amount for the claim had been determined as one percent of the total wages paid in the individual's base year shall not be charged to the experience rating account of any contribution paying employer. This subsection (3)(f) does not apply to the calculation of contribution rates under RCW 50.29.025 for rate year 2010 and thereafter.

(g) The forty-five dollar increase paid as part of an individual's weekly benefit amount as provided in RCW 50.20.1201 and the twenty-five dollar increase paid as part of an individual's weekly benefit amount as provided in RCW 50.20.1202 shall not be charged to the experience rating account of any contribution paying employer.

(h) With respect to claims where the minimum amount payable weekly is increased to one hundred fifty-five dollars pursuant to RCW 50.20.1201(3), benefits paid that exceed the benefits that would have been paid if the minimum amount payable weekly had been calculated pursuant to RCW 50.20.120 shall not be charged to the experience rating account of any contribution paying employer.

(i) Upon approval of an individual's training benefits plan submitted in accordance with RCW 50.22.155(2), an individual is considered enrolled in training, and regular benefits beginning with the week of approval shall not be charged to the experience rating account of any contribution paying employer.

(j) Training benefits paid to an individual under RCW 50.22.155 shall not be charged to the experience rating account of any contribution paying employer.

(4)(a) A contribution paying base year employer, except employers as provided in subsection (6) of this section, not otherwise eligible for relief of charges for benefits under this section, may receive such relief if the benefit charges result from payment to an individual who:

(i) Last left the employ of such employer voluntarily for reasons not attributable to the employer;

(ii) Was discharged for misconduct or gross misconduct connected with his or her work not a result of inability to meet the minimum job requirements;

(iii) Is unemployed as a result of closure or severe curtailment of operation at the employer's plant, building, worksite, or other facility. This closure must be for reasons directly attributable to a catastrophic occurrence such as fire, flood, or other natural disaster;

(iv) Continues to be employed on a regularly scheduled permanent part-time basis by a base year employer and who at some time during the base year was concurrently employed and subsequently separated from at least one other base year employer. Benefit charge relief ceases when the employment relationship between the employer requesting relief and the claimant is terminated. This subsection does not apply to shared work employers under chapter ~~((50.06-50.60))~~ 50.60 RCW; or

(v) Was hired to replace an employee who is a member of the military reserves or National Guard and was called to federal active military service by the president of the United States and is subsequently laid off when that employee is reemployed by their employer upon release from active duty within the time provided for reemployment in RCW 73.16.035.

(b) The employer requesting relief of charges under this subsection must request relief in writing within thirty days following mailing to the last known address of the notification of the valid initial determination of such claim, stating the date and reason for the separation or the circumstances of continued employment. The commissioner, upon investigation of the request, shall determine whether relief should be granted.

(5) When a benefit claim becomes invalid due to an amendment or adjustment of a report where the employer failed to report or inaccurately reported hours worked or remuneration paid, or both, all benefits paid will be charged to the experience rating account of the contribution paying employer or employers that originally filed the incomplete or inaccurate report or reports. An employer who reimburses the trust fund for benefits paid to workers and who fails to report or inaccurately reported hours worked or remuneration paid, or both, shall reimburse the trust fund for all benefits paid that are based on the originally filed incomplete or inaccurate report or reports.

(6) An employer's experience rating account may not be relieved of charges for a benefit payment and an employer who reimburses the trust fund for benefit payments may not be credited for a benefit payment if a benefit payment was made because the employer or employer's agent failed to respond timely or adequately to a written request of the department for information relating to the claim or claims without establishing good cause for the failure and the employer or employer's agent has a pattern of such failures. The commissioner has the authority to determine whether the employer has good cause under this subsection.

(a) For the purposes of this subsection, "adequately" means providing accurate information of sufficient quantity and quality that would allow a reasonable person to determine eligibility for benefits.

(b)(i) For the purposes of this subsection, "pattern" means a benefit payment was made because the employer or employer's agent failed to respond timely or adequately to a written request of the department for information relating to a claim or claims without establishing good cause for the failure, if the greater of the following calculations for an employer is met:

(A) At least three times in the previous two years; or

(B) Twenty percent of the total current claims against the employer.

(ii) If an employer's agent is utilized, a pattern is established based on each individual client employer that the employer's agent represents.

Sec. 4. RCW 50.20.190 and 2011 c 301 s 17 are each amended to read as follows:

(1) An individual who is paid any amount as benefits under this title to which he or she is not entitled shall, unless otherwise relieved pursuant to this section, be liable for repayment of the amount overpaid. The department shall issue an overpayment assessment setting forth the reasons for and the amount of the overpayment. The amount assessed, to the extent not collected, may be deducted from any future benefits payable to the individual: PROVIDED, That in the absence of a back pay award, a settlement affecting the allowance of benefits, fraud, misrepresentation, or willful nondisclosure, every determination of liability shall be mailed or personally served not later than two years after the close of or final payment made on the individual's applicable benefit year for which the purported overpayment was made, whichever is later, unless the merits of the claim are subjected to administrative or judicial review in which event the period for serving the determination of liability shall be extended to allow service of the determination of liability during the six-month period following the final decision affecting the claim.

(2) The commissioner may waive an overpayment if the commissioner finds that the overpayment was not the result of fraud, misrepresentation, willful nondisclosure, or fault attributable to the individual and that the recovery thereof would be against equity and good conscience(~~(- PROVIDED, HOWEVER, That the)~~). When determining whether the recovery would be against equity and good conscience, the department must consider whether the employer or employer's agent failed to respond timely and adequately to a written request of the department for information relating to the claim or claims without establishing good cause for the failure pursuant to RCW 50.29.021(6). An overpayment ((~~se~~)) waived under this subsection shall be charged against the individual's applicable entitlement for the eligibility period containing the weeks to which the overpayment was attributed as though such benefits had been properly paid.

(3) Any assessment herein provided shall constitute a determination of liability from which an appeal may be had in the same manner and to the same extent as provided for appeals relating to determinations in respect to claims for benefits: PROVIDED, That an appeal from any determination covering overpayment only shall be deemed to be an appeal from the determination which was the basis for establishing the overpayment unless the merits involved in the issue set forth in such determination have already been heard and passed upon by the appeal tribunal. If no such appeal is taken to the appeal tribunal by the individual within thirty days of the delivery of the notice of determination of liability, or within thirty days of the mailing of the notice of determination, whichever is the earlier, the determination of liability shall be deemed conclusive and final. Whenever any such notice of determination of liability becomes conclusive and final, the commissioner, upon giving at least twenty days' notice, using a method by which the mailing can be tracked or the delivery can be confirmed, may file with the superior court clerk of any county within the state a warrant in the amount of the notice of determination of liability plus a filing fee under RCW 36.18.012(10). The clerk of the county where the warrant is filed shall immediately

designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the person(s) mentioned in the warrant, the amount of the notice of determination of liability, and the date when the warrant was filed. The amount of the warrant as docketed shall become a lien upon the title to, and any interest in, all real and personal property of the person(s) against whom the warrant is issued, the same as a judgment in a civil case duly docketed in the office of such clerk. A warrant so docketed shall be sufficient to support the issuance of writs of execution and writs of garnishment in favor of the state in the manner provided by law for a civil judgment. A copy of the warrant shall be mailed within five days of its filing with the clerk to the person(s) mentioned in the warrant using a method by which the mailing can be tracked or the delivery can be confirmed.

(4) On request of any agency which administers an employment security law of another state, the United States, or a foreign government and which has found in accordance with the provisions of such law that a claimant is liable to repay benefits received under such law, the commissioner may collect the amount of such benefits from the claimant to be refunded to the agency. In any case in which under this section a claimant is liable to repay any amount to the agency of another state, the United States, or a foreign government, such amounts may be collected without interest by civil action in the name of the commissioner acting as agent for such agency if the other state, the United States, or the foreign government extends such collection rights to the employment security department of the state of Washington, and provided that the court costs be paid by the governmental agency benefiting from such collection.

(5) Any employer who is a party to a back pay award or settlement due to loss of wages shall, within thirty days of the award or settlement, report to the department the amount of the award or settlement, the name and social security number of the recipient of the award or settlement, and the period for which it is awarded. When an individual has been awarded or receives back pay, for benefit purposes the amount of the back pay shall constitute wages paid in the period for which it was awarded. For contribution purposes, the back pay award or settlement shall constitute wages paid in the period in which it was actually paid. The following requirements shall also apply:

(a) The employer shall reduce the amount of the back pay award or settlement by an amount determined by the department based upon the amount of unemployment benefits received by the recipient of the award or settlement during the period for which the back pay award or settlement was awarded;

(b) The employer shall pay to the unemployment compensation fund, in a manner specified by the commissioner, an amount equal to the amount of such reduction;

(c) The employer shall also pay to the department any taxes due for unemployment insurance purposes on the entire amount of the back pay award or settlement notwithstanding any reduction made pursuant to (a) of this subsection;

(d) If the employer fails to reduce the amount of the back pay award or settlement as required in (a) of this subsection, the department shall issue an overpayment assessment against the recipient of the award or settlement in the amount that the back pay award or settlement should have been reduced; and

(e) If the employer fails to pay to the department an amount equal to the reduction as required in (b) of this subsection, the department shall issue an assessment of liability against the employer which shall be collected pursuant to the procedures for collection of assessments provided herein and in RCW 50.24.110.

(6) When an individual fails to repay an overpayment assessment that is due and fails to arrange for satisfactory repayment terms, the commissioner shall impose an interest penalty of one percent per month of the outstanding balance. Interest shall accrue immediately

on overpayments assessed pursuant to RCW 50.20.070 and shall be imposed when the assessment becomes final. For any other overpayment, interest shall accrue when the individual has missed two or more of the individual's monthly payments either partially or in full.

(7) The department shall: (a) Conduct social security number cross-match audits or engage in other more effective activities that ensure that individuals are entitled to all amounts of benefits that they are paid; and (b) engage in other detection and recovery of overpayment and collection activities.

NEW SECTION. Sec. 5. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. This act takes effect October 20, 2013."

Correct the title.

Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5452 Prime Sponsor, Committee on Human Services & Corrections: Concerning no-contact and protection orders for stalking and harassment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. Stalking is a crime that affects 3.4 million people over the age of eighteen each year in the United States. Almost half of those victims experience at least one unwanted contact per week. Twenty-nine percent of stalking victims fear that the stalking will never stop. The prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among stalking victims than the general population. Three in four stalking victims are stalked by someone they know, and at least thirty percent of stalking victims are stalked by a current or former intimate partner. For many of those victims, the domestic violence protection order is a tool they can access to help them stay safer. For those who have not had an intimate relationship with the person stalking them, there are few remedies for them under the law. Victims who do not report the crime still desire safety and protection from future interactions with the offender. Some cases in which the stalking is reported are not prosecuted. In these situations, the victim should be able to seek a civil remedy requiring that the offender stay away from the victim. It is the intent of the legislature that the stalking protection order created by this chapter be a remedy for victims who do not qualify for a domestic violence order of protection. Moreover, it is the intent of the legislature that courts specifically distinguish stalking conduct

covered by the stalking protection order from common acts of harassment or nuisance covered by antiharassment orders. Law enforcement agencies need to be able to rely on orders that distinguish stalking conduct from common acts of harassment or nuisance. Victims of stalking conduct deserve the same protection and access to the court system as victims of domestic violence and sexual assault, and this protection can be accomplished without infringing on constitutionally protected speech or activity. The legislature finds that preventing the issuance of conflicting orders is in the interest of both petitioners and respondents.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Minor" means a person who is under eighteen years of age.

(2) "Petitioner" means any named petitioner for the stalking protection order or any named victim of stalking conduct on whose behalf the petition is brought.

(3) "Stalking conduct" means any of the following:

(a) Any act of stalking as defined under RCW 9A.46.110;

(b) Any act of cyberstalking as defined under RCW 9.61.260;

(c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, keeping under observation, or following of another that:

(i) Would cause a reasonable person to feel intimidated, frightened, or threatened and that actually causes such a feeling;

(ii) Serves no lawful purpose; and

(iii) The stalker knows or reasonably should know threatens, frightens, or intimidates the person, even if the stalker did not intend to intimidate, frighten, or threaten the person.

(4) "Stalking no-contact order" means a temporary order or a final order granted under this chapter against a person charged with or arrested for stalking, which includes a remedy authorized under section 16 of this act.

(5) "Stalking protection order" means an ex parte temporary order or a final order granted under this chapter, which includes a remedy authorized in section 10 of this act.

NEW SECTION. Sec. 3. There shall exist an action known as a petition for a stalking protection order.

(1) A petition for relief shall allege the existence of stalking conduct and shall be accompanied by an affidavit made under oath stating the specific reasons that have caused the petitioner to become reasonably fearful that the respondent intends to injure the petitioner or another person, or the petitioner's property or the property of another. The petition shall disclose the existence of any other litigation or of any other restraining, protection, or no-contact orders between the parties.

(2) A petition for relief shall be filed as a separate, stand-alone civil case and a petition for relief may be made regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties.

(3) Forms and instructional brochures and the necessary number of certified copies shall be provided to the petitioner free of charge.

(4) A person is not required to post a bond to obtain relief in any proceeding under this section.

(5) If the petition states that disclosure of the petitioner's address would risk abuse of the petitioner or any member of the petitioner's family or household, that address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address under this subsection, the petitioner shall designate an alternative address at which the respondent may serve notice of any motions.

NEW SECTION. Sec. 4. A petition for a stalking protection order may be filed by a person:

(1) Who does not qualify for a protection order under chapter 26.50 RCW and who is a victim of stalking conduct; or

(2) On behalf of any of the following persons who is a victim of stalking conduct and who does not qualify for a protection order under chapter 26.50 RCW:

(a) A minor child, where the petitioner is a parent, a legal custodian, or, where the respondent is not a parent, an adult with whom the child is currently residing; or

(b) A vulnerable adult as defined in RCW 74.34.020 and where the petitioner is an interested person as defined in RCW 74.34.020(10).

NEW SECTION. Sec. 5. (1) Any person may seek relief under this chapter by filing a petition with a court alleging that the person has been the victim of stalking conduct committed by the respondent.

(2) A minor sixteen years of age or older may seek relief under this chapter and is not required to seek relief through a guardian or next friend. This does not preclude a parent or legal custodian of a victim sixteen or seventeen years of age from seeking relief on behalf of the minor.

(3) The district courts shall have original jurisdiction and cognizance of any civil actions and proceedings brought under this chapter, except a district court shall transfer such actions and proceedings to the superior court when it is shown that (a) the petitioner, victim, or respondent to the petition is under eighteen years of age; (b) the action involves title or possession of real property; (c) a superior court has exercised or is exercising jurisdiction over a proceeding involving the parties; or (d) the action would have the effect of interfering with a respondent's care, control, or custody of the respondent's minor child.

(4) Municipal courts may exercise jurisdiction and cognizance of any civil actions and proceedings brought under this chapter by adoption of local court rule, except a municipal court shall transfer such actions and proceedings to the superior court when it is shown that (a) the petitioner, victim, or respondent to the petition is under eighteen years of age; (b) the action involves title or possession of real property; (c) a superior court has exercised or is exercising jurisdiction over a proceeding involving the parties; or (d) the action would have the effect of interfering with a respondent's care, control, or custody of the respondent's minor child.

(5) Superior courts shall have concurrent jurisdiction to receive transfer of stalking petitions in cases where a district or municipal court judge makes findings of fact and conclusions of law showing that meritorious reasons exist for the transfer. The jurisdiction of district and municipal courts is limited to enforcement of RCW 26.50.110(1), or the equivalent municipal ordinance, and the issuance and enforcement of temporary orders provided for in section 12 of this act if the superior court is exercising jurisdiction over a proceeding under this chapter involving the parties.

(6) No guardian or guardian ad litem need be appointed on behalf of a respondent to an action under this chapter if such respondent is sixteen years of age or older.

(7) If a guardian ad litem is appointed for the petitioner or respondent, the petitioner shall not be required to pay any fee associated with such appointment.

(8) An action under this chapter shall be filed in the county or the municipality where the petitioner resides, unless the petitioner has left the residence or household to avoid stalking conduct. In that case, the petitioner may bring an action in the county or municipality of the previous or the new residence or household.

NEW SECTION. Sec. 6. Upon receipt of the petition, the court shall order a hearing which shall be held not later than fourteen days from the date of the order. The court may schedule a hearing by telephone, to reasonably accommodate a disability, or in exceptional circumstances to protect a petitioner from further stalking behavior. The court shall require assurances of the petitioner's identity before conducting a telephonic hearing. Except as provided in section 15 of this act, personal service shall be made upon the respondent not less than five court days prior to the hearing. If timely personal service cannot be made, the court shall set a new hearing date and shall require additional attempts at obtaining personal service or other service as permitted under section 15 of this act. The court may issue

an ex parte temporary stalking order pending the hearing as provided in section 12 of this act.

NEW SECTION. Sec. 7. Before granting an order under this chapter, the court may consult the judicial information system, if available, to determine criminal history or the pendency of other proceedings involving the parties.

NEW SECTION. Sec. 8. No fees for filing or service of process may be charged by a public agency to petitioners seeking relief under this chapter.

NEW SECTION. Sec. 9. Victim advocates shall be allowed to accompany the victim and confer with the victim, unless otherwise directed by the court. Court administrators shall allow advocates to assist victims of stalking conduct in the preparation of petitions for stalking protection orders. Advocates are not engaged in the unauthorized practice of law when providing assistance of the types specified in this section.

NEW SECTION. Sec. 10. (1)(a) If the court finds by a preponderance of the evidence that the petitioner has been a victim of stalking conduct by the respondent, the court shall issue a stalking protection order.

(b) The petitioner shall not be denied a stalking protection order because the petitioner or the respondent is a minor or because the petitioner did not report the stalking conduct to law enforcement. The court, when determining whether or not to issue a stalking protection order, may not require proof of the respondent's intentions regarding the acts alleged by the petitioner. Modification and extension of prior stalking protection orders shall be in accordance with this chapter.

(2) The court may provide relief as follows:

(a) Restrain the respondent from having any contact, including nonphysical contact, with the petitioner directly, indirectly, or through third parties regardless of whether those third parties know of the order;

(b) Exclude the respondent from the petitioner's residence, workplace, or school, or from the day care, workplace, or school of the petitioner's minor children;

(c) Prohibit the respondent from knowingly coming within, or knowingly remaining within, a specified distance from a specified location;

(d) Prohibit the respondent from keeping the petitioner and/or the petitioner's minor children under surveillance, to include electronic surveillance;

(e) Order any other injunctive relief as necessary or appropriate for the protection of the petitioner, to include a mental health and/or chemical dependency evaluation; and

(f) Require the respondent to pay the administrative court costs and service fees, as established by the county or municipality incurring the expense and to reimburse the petitioner for costs incurred in bringing the action, including reasonable attorneys' fees.

(3) Unless otherwise stated in the order, when a person is petitioning on behalf of a minor child or vulnerable adult, the relief authorized in this section shall apply only for the protection of the victim, and not the petitioner.

(4) In cases where the petitioner and the respondent attend the same public or private elementary, middle, or high school, the court, when issuing a protection order and providing relief, shall consider, among the other facts of the case, the severity of the act, any continuing physical danger or emotional distress to the petitioner, and the expense difficulty, and educational disruption that would be caused by a transfer of the respondent to another school. The court may order that the person restrained in the order not attend the public or approved private elementary, middle, or high school attended by the person protected by the order. In the event the court orders a transfer of the restrained person to another school, the parents or legal guardians of the person restrained in the order are responsible for transportation and other costs associated with the change of school by the person restrained in the order. The court shall send notice of the

restriction on attending the same school as the person protected by the order to the public or approved private school the person restrained by the order will attend and to the school the person protected by the order attends.

NEW SECTION. Sec. 11. For the purposes of issuing a stalking protection order, deciding what relief should be included in the order, and enforcing the order, RCW 9A.08.020 shall govern whether the respondent is legally accountable for the conduct of another person.

NEW SECTION. Sec. 12. (1) Where it appears from the petition and any additional evidence that the respondent has engaged in stalking conduct and that irreparable injury could result if an order is not issued immediately without prior notice, the court may grant an ex parte temporary order for protection, pending a full hearing and grant such injunctive relief as it deems proper, including the relief as specified under section 10 (2)(a) through (d) and (4) of this act.

(2) Irreparable injury under this section includes, but is not limited to, situations in which the respondent has recently threatened the petitioner with bodily injury or has engaged in acts of stalking conduct against the petitioner.

(3) The court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day.

(4) An ex parte temporary stalking protection order shall be effective for a fixed period not to exceed fourteen days or twenty-four days if the court has permitted service by publication or mail. The ex parte order may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the temporary order or not later than twenty-four days if service by publication or by mail is permitted. Unless the court has permitted service by publication or mail, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

(5) Any order issued under this section shall contain the date and time of issuance and the expiration date and shall be entered into a statewide judicial information system by the clerk of the court within one judicial day after issuance.

(6) If the court declines to issue an ex parte temporary stalking protection order, the court shall state the particular reasons for the court's denial. The court's denial of a motion for an ex parte temporary order shall be filed with the court.

(7) A knowing violation of a court order issued under this section is punishable under RCW 26.50.110.

NEW SECTION. Sec. 13. (1) Except as otherwise provided in this section or section 16 of this act, a final stalking protection order shall be effective for a fixed period of time or be permanent.

(2) Any ex parte temporary or final stalking protection order may be renewed one or more times. The petitioner may apply for renewal of the order by filing a petition for renewal at any time within the three months before the order expires. If the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested renewal. The court shall grant the petition for renewal unless the respondent proves by a preponderance of the evidence that the respondent will not resume acts of stalking conduct against the petitioner or the petitioner's children or family or household members when the order expires. The court may renew the stalking protection order for another fixed time period or may enter a permanent order as provided in this section. The court may award court costs, service fees, and reasonable attorneys' fees as provided in section 10 of this act.

(3) Any stalking protection order which would expire on a court holiday shall instead expire at the close of the next court business day.

(4) The practice of dismissing or suspending a criminal prosecution in exchange for the issuance of a stalking protection order

undermines the purposes of this chapter. This section shall not be construed as encouraging that practice.

(5) If the court declines to issue an order for protection or declines to renew an order for protection, the court shall state in writing on the order the particular reasons for the court's denial.

NEW SECTION. Sec. 14. (1) Any stalking protection order shall describe each remedy granted by the court, in reasonable detail and not by reference to any other document, so that the respondent may clearly understand what he or she must do or refrain from doing.

(2) A stalking protection order shall further state the following:

(a) The name of the petitioner that the court finds was the victim of stalking by the respondent;

(b) The date and time the stalking protection order was issued, whether it is an ex parte temporary or final order, and the duration of the order;

(c) The date, time, and place for any scheduled hearing for renewal of that stalking protection order or for another order of greater duration or scope;

(d) For each remedy in an ex parte temporary stalking protection order, the reason for entering that remedy without prior notice to the respondent or greater notice than was actually given;

(e) For ex parte temporary stalking protection orders, that the respondent may petition the court, to modify or terminate the order if he or she did not receive actual prior notice of the hearing and if the respondent alleges that he or she had a meritorious defense to the order or that the order or its remedy is not authorized by this chapter.

(3) A stalking protection order shall include the following notice, printed in conspicuous type: "A knowing violation of this stalking protection order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

NEW SECTION. Sec. 15. (1) An order issued under this chapter shall be personally served upon the respondent, except as provided in subsection (6), (7), or (8) of this section. If the respondent is a minor, the respondent's parent or legal custodian shall also be personally served.

(2) The sheriff of the county or the peace officers of the municipality in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(3) If service by a sheriff or municipal peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.

(4) If the sheriff or municipal peace officer cannot complete service upon the respondent within ten days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.

(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.

(6) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(7) If the respondent was not personally served with the petition, notice of hearing, and ex parte order before the hearing, the court shall reset the hearing for twenty-four days from the date of entry of the order and may order service by publication instead of personal service under the following circumstances:

(a) The sheriff or municipal officer or private process server files an affidavit stating that the officer or private process server was

unable to complete personal service upon the respondent. The affidavit must describe the number and types of attempts the officer or private process server made to complete service;

(b) The petitioner files an affidavit stating that the petitioner believes that the respondent is hiding from the server to avoid service. The petitioner's affidavit must state the reasons for the belief that the respondent is avoiding service;

(c) The server has deposited a copy of the petition, notice of hearing, and the ex parte order of protection in the post office, directed to the respondent at the respondent's last known address, unless the server states that the server does not know the respondent's address;

(d) The court finds reasonable grounds exist to believe that the respondent is concealing himself or herself to avoid service, and that further attempts to personally serve the respondent would be futile or unduly burdensome;

(e) The court shall reissue the temporary order of protection not to exceed another twenty-four days from the date of reissuing the ex parte protection order and order to provide service by publication; and

(f) The publication shall be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks. The newspaper selected must be one of the three most widely circulated papers in the county. The publication of summons shall not be made until the court orders service by publication under this section. Service of the summons shall be considered complete when the publication has been made for three consecutive weeks. The summons must be signed by the petitioner. The summons shall contain the date of the first publication, and shall require the respondent upon whom service by publication is desired, to appear and answer the petition on the date set for the hearing. The summons shall also contain a brief statement of the reason for the petition and a summary of the provisions under the ex parte order. The summons shall be essentially in the following form:

In the court of the state of Washington for the county of
, Petitioner
vs. No.
, Respondent

The state of Washington to (respondent):

You are hereby summoned to appear on the day of, 20, at a.m./m., and respond to the petition. If you fail to respond, an order of protection will be issued against you pursuant to the provisions of the stalking protection order act, chapter 7.-- RCW (the new chapter created in section 32 of this act), for a minimum of one year from the date you are required to appear. A temporary order of protection has been issued against you, restraining you from the following: (Insert a brief statement of the provisions of the ex parte order.) A copy of the petition, notice of hearing, and ex parte order has been filed with the clerk of this court.

Petitioner

(8) In circumstances justifying service by publication under subsection (7) of this section, if the serving party files an affidavit stating facts from which the court determines that service by mail is just as likely to give actual notice as service by publication and that the serving party is unable to afford the cost of service by publication,

the court may order that service be made by mail. Such service shall be made by any person over eighteen years of age, who is competent to be a witness, other than a party, by mailing copies of the order and other process to the party to be served at his or her last known address or any other address determined by the court to be appropriate. Two copies shall be mailed, postage prepaid, one by ordinary first-class mail and the other by a form of mail requiring a signed receipt showing when and to whom it was delivered. The envelopes must bear the return address of the sender.

(a) Proof of service under this section shall be consistent with court rules for civil proceedings.

(b) Service under this section may be used in the same manner and shall have the same jurisdictional effect as service by publication for purposes of this chapter. Service shall be deemed complete upon the mailing of two copies as prescribed in this section.

NEW SECTION. Sec. 16. (1)(a) When any person charged with or arrested for stalking as defined in RCW 9A.46.110 or any other stalking related offense under RCW 9A.46.060 is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit that person from having any contact with the victim. The jurisdiction authorizing the release shall determine whether that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting that person from having contact with the victim, and the victim does not qualify for a domestic violence protection order under chapter 26.50 RCW, the court authorizing release may issue, by telephone, a stalking no-contact order prohibiting the person charged or arrested from having contact with the victim or from knowingly coming within, or knowingly remaining within, a specified distance of a location.

(b) In issuing the order, the court shall consider the provisions of RCW 9.41.800.

(c) The stalking no-contact order shall also be issued in writing as soon as possible.

(2)(a) At the time of arraignment or whenever a motion is brought to modify the conditions of the defendant's release, the court shall determine whether a stalking no-contact order shall be issued or extended. If a stalking no-contact order is issued or extended, the court may also include in the conditions of release a requirement that the defendant submit to electronic monitoring, including real-time global position satellite monitoring with victim notification. If electronic monitoring is ordered, the court shall specify who shall provide the monitoring services, and the terms under which the monitoring shall be performed. Upon conviction, the court may require as a condition of the sentence that the defendant reimburse the providing agency for the costs of the electronic monitoring, including costs relating to real-time global position satellite monitoring with victim notification.

(b) A stalking no-contact order issued by the court in conjunction with criminal charges shall terminate if the defendant is acquitted or the charges are dismissed, unless the victim files an independent action for a stalking protection order. If the victim files an independent action for a civil stalking protection order, the order may be continued by the court until a full hearing is conducted pursuant to section 6 of this act.

(3)(a) The written order releasing the person charged or arrested shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(b) A certified copy of the order shall be provided to the victim at no charge.

(4) If a stalking no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed.

(5) Whenever an order prohibiting contact is issued pursuant to subsection (2) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year unless a different expiration date is specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

(6)(a) When a defendant is found guilty of stalking as defined in RCW 9A.46.110 or any other stalking related offense under RCW 9A.46.060 and a condition of the sentence restricts the defendant's ability to have contact with the victim, and the victim does not qualify for a domestic violence protection order under chapter 26.50 RCW, the condition shall be recorded as a stalking no-contact order.

(b) The written order entered as a condition of sentencing shall contain the court's directives and shall bear the legend: "Violation of this order is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. You can be arrested even if any person protected by the order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order."

(c) A final stalking no-contact order entered in conjunction with a criminal prosecution shall remain in effect for a period of five years from the date of entry.

(d) A certified copy of the order shall be provided to the victim at no charge.

(7) A knowing violation of a court order issued under subsection (1), (2), or (6) of this section is punishable under RCW 26.50.110.

(8) Whenever a stalking no-contact order is issued, modified, or terminated under subsection (1), (2), or (6) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order for one year unless a different expiration date is specified on the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state. Upon receipt of notice that an order has been terminated under subsection (2) of this section, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 17. (1) In a proceeding in which a petition for a stalking protection order is sought under this chapter, a court of this state may exercise personal jurisdiction over a nonresident individual if:

(a) The individual is personally served with a petition within this state;

(b) The individual submits to the jurisdiction of this state by consent, entering a general appearance, or filing a responsive document having the effect of waiving any objection to consent to personal jurisdiction;

(c) The act or acts of the individual or the individual's agent giving rise to the petition or enforcement of a stalking protection order occurred within this state;

(d)(i) The act or acts of the individual or the individual's agent giving rise to the petition or enforcement of a stalking protection order occurred outside this state and are part of an ongoing pattern of

stalking behavior that has an adverse effect on the petitioner or a member of the petitioner's family or household and the petitioner resides in this state; or

(ii) As a result of acts of stalking behavior, the petitioner or a member of the petitioner's family or household has sought safety or protection in this state and currently resides in this state; or

(e) There is any other basis consistent with RCW 4.28.185 or with the Constitution of this state and the Constitution of the United States.

(2) For jurisdiction to be exercised under subsection (1)(d)(i) or (ii) of this section, the individual must have communicated with the petitioner or a member of the petitioner's family, directly or indirectly, or made known a threat to the safety of the petitioner or member of the petitioner's family while the petitioner or family member resides in this state. For the purposes of subsection (1)(d)(i) or (ii) of this section, "communicated or made known" includes, but is not limited to, through the mail, telephonically, or a posting on an electronic communication site or medium. Communication on any electronic medium that is generally available to any individual residing in the state shall be sufficient to exercise jurisdiction under subsection (1)(d)(i) or (ii) of this section.

(3) For the purposes of this section, an act or acts that "occurred within this state" includes, but is not limited to, an oral or written statement made or published by a person outside of this state to any person in this state by means of the mail, interstate commerce, or foreign commerce. Oral or written statements sent by electronic mail or the internet are deemed to have "occurred within this state."

NEW SECTION. Sec. 18. (1) A copy of a stalking protection order or stalking no-contact order granted under this chapter shall be forwarded by the clerk of the court on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the order, the law enforcement agency shall immediately enter the order into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. The order shall remain in the computer for one year unless a different expiration date is specified on the order. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from the computer-based criminal intelligence information system. The law enforcement agency shall only expunge from the computer-based criminal intelligence information system orders that are expired, vacated, terminated, or superseded. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(2) The information entered into the computer-based criminal intelligence information system shall include notice to law enforcement whether the order was personally served, served by publication, or served by mail.

NEW SECTION. Sec. 19. (1) Upon application with notice to all parties and after a hearing, the court may modify the terms of an existing stalking protection order.

(2) A respondent's motion to modify or terminate an existing stalking protection order must include a declaration setting forth facts supporting the requested order for termination or modification. The nonmoving parties to the proceeding may file opposing declarations. The court shall deny the motion unless it finds that adequate cause for hearing the motion is established by the declarations. If the court finds that the respondent established adequate cause, the court shall set a date for hearing the respondent's motion.

(3) The court may not terminate or modify an existing stalking protection order unless the respondent proves by a preponderance of the evidence that there has been a substantial change in circumstances such that the respondent will not resume acts of stalking conduct against the petitioner or those persons protected by the protection order if the order is terminated or modified. The petitioner bears no

burden of proving that he or she has a current reasonable fear of harm by the respondent.

(4) A court may require the respondent to pay the petitioner for costs incurred in responding to a motion to terminate or modify a stalking protection order, including reasonable attorneys' fees.

(5) In any situation where an order is terminated or modified before its expiration date, the clerk of the court shall forward on or before the next judicial day a true copy of the modified order or the termination order to the appropriate law enforcement agency specified in the modified or termination order. Upon receipt of the order, the law enforcement agency shall promptly enter it in the computer-based criminal intelligence information system, or if the order is terminated, remove the order from the computer-based criminal intelligence information system.

NEW SECTION. Sec. 20. A new section is added to chapter 10.14 RCW to read as follows:

In each county, the superior court may appoint one or more attorneys to act as protection order commissioners pursuant to this chapter to exercise all powers and perform all duties of a court commissioner appointed pursuant to RCW 2.24.010 provided that such positions may not be created without prior consent of the county legislative authority. A person appointed as a protection order commissioner under this chapter may also be appointed to any other commissioner position authorized by law.

NEW SECTION. Sec. 21. A new section is added to chapter 10.14 RCW to read as follows:

The legislature respectfully requests that:

(1) By January 1, 2014, the administrative office of the courts shall develop a single master petition pattern form for all antiharassment and stalking protection orders issued under chapter 7.- RCW (the new chapter created in section 32 of this act) and this chapter. The master petition must prompt petitioners to disclose on the form whether the petitioner who is seeking an ex parte order has experienced stalking conduct as defined in section 2 of this act. An antiharassment order and stalking protection order issued under chapter 7.-- RCW (the new chapter created in section 32 of this act) and this chapter must substantially comply with the pattern form developed by the administrative office of the courts.

(2) The Washington state supreme court gender and justice commission, to the extent that it is able, and in consultation with Washington coalition of sexual assault programs, Washington state coalition against domestic violence, Washington association of prosecuting attorneys, Washington association of criminal defense lawyers, and Washington association of sheriffs and police chiefs, consider other potential solutions to reduce confusion about which type of protection order a petitioner should seek and provide any recommendations to the legislature by January 1, 2014.

NEW SECTION. Sec. 22. An ex parte temporary order issued under this chapter shall not be admissible as evidence in any subsequent civil action for damages arising from the conduct alleged in the petition or the order.

NEW SECTION. Sec. 23. Nothing in this chapter shall be construed as requiring criminal charges to be filed as a condition of a stalking protection order being issued.

Sec. 24. RCW 9.41.800 and 2002 c 302 s 704 are each amended to read as follows:

(1) Any court when entering an order authorized under chapter 7.-RCW (the new chapter created in section 32 of this act), RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 shall, upon a showing by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender any concealed pistol license issued under RCW 9.41.070;

(c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

(d) Prohibit the party from obtaining or possessing a concealed pistol license.

(2) Any court when entering an order authorized under chapter 7.-RCW (the new chapter created in section 32 of this act), RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590 may, upon a showing by a preponderance of the evidence but not by clear and convincing evidence, that a party has: Used, displayed, or threatened to use a firearm or other dangerous weapon in a felony, or previously committed any offense that makes him or her ineligible to possess a pistol under the provisions of RCW 9.41.040:

(a) Require the party to surrender any firearm or other dangerous weapon;

(b) Require the party to surrender a concealed pistol license issued under RCW 9.41.070;

(c) Prohibit the party from obtaining or possessing a firearm or other dangerous weapon;

(d) Prohibit the party from obtaining or possessing a concealed pistol license.

(3) The court may order temporary surrender of a firearm or other dangerous weapon without notice to the other party if it finds, on the basis of the moving affidavit or other evidence, that irreparable injury could result if an order is not issued until the time for response has elapsed.

(4) In addition to the provisions of subsections (1), (2), and (3) of this section, the court may enter an order requiring a party to comply with the provisions in subsection (1) of this section if it finds that the possession of a firearm or other dangerous weapon by any party presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

(5) The requirements of subsections (1), (2), and (4) of this section may be for a period of time less than the duration of the order.

(6) The court may require the party to surrender any firearm or other dangerous weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of the proceeding, the chief of police of the municipality having jurisdiction, or to the restrained or enjoined party's counsel or to any person designated by the court.

Sec. 25. RCW 9.94A.535 and 2011 c 87 s 1 are each amended to read as follows:

The court may impose a sentence outside the standard sentence range for an offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence. Facts supporting aggravated sentences, other than the fact of a prior conviction, shall be determined pursuant to the provisions of RCW 9.94A.537.

Whenever a sentence outside the standard sentence range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard sentence range shall be a determinate sentence.

If the sentencing court finds that an exceptional sentence outside the standard sentence range should be imposed, the sentence is subject to review only as provided for in RCW 9.94A.585(4).

A departure from the standards in RCW 9.94A.589 (1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in this section, and may be appealed by the offender or the state as set forth in RCW 9.94A.585 (2) through (6).

(1) Mitigating Circumstances - Court to Consider

The court may impose an exceptional sentence below the standard range if it finds that mitigating circumstances are established by a preponderance of the evidence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his or her conduct, or to conform his or her conduct to the requirements of the law, was significantly impaired. Voluntary use of drugs or alcohol is excluded.

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.589 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(i) The defendant was making a good faith effort to obtain or provide medical assistance for someone who is experiencing a drug-related overdose.

(j) The current offense involved domestic violence, as defined in RCW 10.99.020, and the defendant suffered a continuing pattern of coercion, control, or abuse by the victim of the offense and the offense is a response to that coercion, control, or abuse.

(2) Aggravating Circumstances - Considered and Imposed by the Court

The trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances:

(a) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(b) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(c) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(d) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

(3) Aggravating Circumstances - Considered by a Jury -Imposed by the Court

Except for circumstances listed in subsection (2) of this section, the following circumstances are an exclusive list of factors that can support a sentence above the standard range. Such facts should be determined by procedures specified in RCW 9.94A.537.

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance.

(c) The current offense was a violent offense, and the defendant knew that the victim of the current offense was pregnant.

(d) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time; or

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(e) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so;

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use;

(iii) The current offense involved the manufacture of controlled substances for use by other parties;

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(v) The current offense involved a high degree of sophistication or planning, occurred over a lengthy period of time, or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

(f) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.835.

(g) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time.

(h) The current offense involved domestic violence, as defined in RCW 10.99.020, or stalking, as defined in RCW 9A.46.110, and one or more of the following was present:

(i) The offense was part of an ongoing pattern of psychological, physical, or sexual abuse of a victim or multiple victims manifested by multiple incidents over a prolonged period of time;

(ii) The offense occurred within sight or sound of the victim's or the offender's minor children under the age of eighteen years; or

(iii) The offender's conduct during the commission of the current offense manifested deliberate cruelty or intimidation of the victim.

(i) The offense resulted in the pregnancy of a child victim of rape.

(j) The defendant knew that the victim of the current offense was a youth who was not residing with a legal custodian and the defendant established or promoted the relationship for the primary purpose of victimization.

(k) The offense was committed with the intent to obstruct or impair human or animal health care or agricultural or forestry research or commercial production.

(l) The current offense is trafficking in the first degree or trafficking in the second degree and any victim was a minor at the time of the offense.

(m) The offense involved a high degree of sophistication or planning.

(n) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(o) The defendant committed a current sex offense, has a history of sex offenses, and is not amenable to treatment.

(p) The offense involved an invasion of the victim's privacy.

(q) The defendant demonstrated or displayed an egregious lack of remorse.

(r) The offense involved a destructive and foreseeable impact on persons other than the victim.

(s) The defendant committed the offense to obtain or maintain his or her membership or to advance his or her position in the hierarchy of an organization, association, or identifiable group.

(t) The defendant committed the current offense shortly after being released from incarceration.

(u) The current offense is a burglary and the victim of the burglary was present in the building or residence when the crime was committed.

(v) The offense was committed against a law enforcement officer who was performing his or her official duties at the time of the offense, the offender knew that the victim was a law enforcement officer, and the victim's status as a law enforcement officer is not an element of the offense.

(w) The defendant committed the offense against a victim who was acting as a good samaritan.

(x) The defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system.

(y) The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2).

(z)(i)(A) The current offense is theft in the first degree, theft in the second degree, possession of stolen property in the first degree, or possession of stolen property in the second degree; (B) the stolen property involved is metal property; and (C) the property damage to the victim caused in the course of the theft of metal property is more than three times the value of the stolen metal property, or the theft of the metal property creates a public hazard.

(ii) For purposes of this subsection, "metal property" means commercial metal property, private metal property, or nonferrous metal property, as defined in RCW 19.290.010.

(aa) The defendant committed the offense with the intent to directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage to or for a criminal street gang as defined in RCW 9.94A.030, its reputation, influence, or membership.

(bb) The current offense involved paying to view, over the internet in violation of RCW 9.68A.075, depictions of a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(4) (a) through (g).

(cc) The offense was intentionally committed because the defendant perceived the victim to be homeless, as defined in RCW 9.94A.030.

Sec. 26. RCW 9A.46.040 and 2012 c 223 s 1 are each amended to read as follows:

(1) Because of the likelihood of repeated harassment directed at those who have been victims of harassment in the past, when any defendant charged with a crime involving harassment is released from custody before trial on bail or personal recognizance, the court authorizing the release may issue an order pursuant to this chapter and require that the defendant:

(a) Stay away from the home, school, business, or place of employment of the victim or victims of the alleged offense or other location, as shall be specifically named by the court in the order;

(b) Refrain from contacting, intimidating, threatening, or otherwise interfering with the victim or victims of the alleged offense and such other persons, including but not limited to members of the family or household of the victim, as shall be specifically named by the court in the order.

(2) Willful violation of a court order issued under this section or an equivalent local ordinance is a gross misdemeanor. The written order releasing the defendant shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 9A.46 RCW. A certified copy of the order shall be provided to the victim by the clerk of the court.

(3) If the defendant is charged with the crime of stalking or any other stalking related offense under RCW 9A.46.060, and the court issues an order protecting the victim, the court shall issue a stalking no-contact order pursuant to chapter 7.-- RCW (the new chapter created in section 32 of this act).

NEW SECTION. Sec. 27. A new section is added to chapter 9A.46 RCW to read as follows:

(1) A defendant arrested for stalking as defined by RCW 9A.46.110 shall be required to appear in person before a magistrate within one judicial day after the arrest.

(2) At the time of appearance provided in subsection (1) of this section the court shall determine the necessity of imposing a stalking no-contact order under chapter 7.-- RCW (the new chapter created in section 32 of this act).

(3) Appearances required pursuant to this section are mandatory and cannot be waived.

(4) The stalking no-contact order shall be issued and entered with the appropriate law enforcement agency pursuant to the procedures outlined in chapter 7.-- RCW (the new chapter created in section 32 of this act).

Sec. 28. RCW 9A.46.110 and 2007 c 201 s 1 are each amended to read as follows:

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

(a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and

(b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker either:

(i) Intends to frighten, intimidate, or harass the person; or

(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another is guilty of a class ((€)) B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW ((9.94A.602)) 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

Sec. 29. RCW 10.14.070 and 2005 c 144 s 1 are each amended to read as follows:

Upon receipt of the petition alleging a prima facie case of harassment, other than a petition alleging a sex offense as defined in chapter 9A.44 RCW or a petition for a stalking protection order under chapter 7.-- RCW (the new chapter created in section 32 of this act), the court shall order a hearing which shall be held not later than fourteen days from the date of the order. If the petition alleges a sex offense as defined in chapter 9A.44 RCW, the court shall order a hearing which shall be held not later than fourteen days from the date of the order. Except as provided in RCW 10.14.085, personal service shall be made upon the respondent not less than five court days before the hearing. If timely personal service cannot be made, the court shall set a new hearing date and shall either require additional attempts at obtaining personal service or permit service by publication as provided by RCW 10.14.085. If the court permits service by publication, the court shall set the hearing date not later than twenty-four days from the date of the order. The court may issue an ex parte order for protection pending the hearing as provided in RCW 10.14.080 and 10.14.085.

Sec. 30. RCW 26.50.110 and 2009 c 439 s 3 and 2009 c 288 s 3 are each reenacted and amended to read as follows:

(1)(a) Whenever an order is granted under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or there is a valid foreign protection order as defined in RCW 26.52.020, and the respondent or person to be restrained knows of the order, a violation of any of the following provisions of the order is a gross misdemeanor, except as provided in subsections (4) and (5) of this section:

(i) The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or restraint provisions prohibiting contact with a protected party;

(ii) A provision excluding the person from a residence, workplace, school, or day care;

(iii) A provision prohibiting a person from knowingly coming within, or knowingly remaining within, a specified distance of a location;

(iv) A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, respondent, or a minor child residing with either the petitioner or the respondent; or

(v) A provision of a foreign protection order specifically indicating that a violation will be a crime.

(b) Upon conviction, and in addition to any other penalties provided by law, the court may require that the respondent submit to electronic monitoring. The court shall specify who shall provide the electronic monitoring services, and the terms under which the monitoring shall be performed. The order also may include a requirement that the respondent pay the costs of the monitoring. The court shall consider the ability of the convicted person to pay for electronic monitoring.

(2) A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, that restrains the person or excludes the person from a residence, workplace, school, or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

(3) A violation of an order issued under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, shall also constitute contempt of court, and is subject to the penalties prescribed by law.

(4) Any assault that is a violation of an order issued under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, and that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony.

(5) A violation of a court order issued under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or of a valid foreign protection order as defined in RCW 26.52.020, is a class C felony if the offender has at least two previous convictions for violating the provisions of an order issued under this chapter, chapter 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020. The

previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

(6) Upon the filing of an affidavit by the petitioner or any peace officer alleging that the respondent has violated an order granted under this chapter, chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 9.94A, 10.99, 26.09, 26.10, 26.26, or 74.34 RCW, or a valid foreign protection order as defined in RCW 26.52.020, the court may issue an order to the respondent, requiring the respondent to appear and show cause within fourteen days why the respondent should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

Sec. 31. RCW 10.31.100 and 2010 c 274 s 201 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (10) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.-- (the new chapter created in section 32 of this act), 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to

arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(6) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(7) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(8) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(9) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(10) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(11) Except as specifically provided in subsections (2), (3), (4), and (6) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(12) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (8) of this section if the police officer acts in good faith and without malice.

NEW SECTION. Sec. 32. Sections 1 through 19, 22, and 23 of this act constitute a new chapter in Title 7 RCW."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5476 Prime Sponsor, Senator Hewitt: Clarifying the employment status of independent contractors in the news business. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5510 Prime Sponsor, Senator Becker: Concerning the abuse of vulnerable adults. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.34.020 and 2012 c 10 s 62 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and exploitation of a vulnerable adult, which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual contact, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse includes any sexual contact between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, prodding, or the use of chemical restraints or physical restraints unless the restraints are consistent with licensing requirements, and includes restraints that are otherwise being used inappropriately.

(c) "Mental abuse" means any willful action or inaction of mental or verbal abuse. Mental abuse includes, but is not limited to, coercion, harassment, inappropriately isolating a vulnerable adult from family, friends, or regular activity, and verbal assault that includes ridiculing, intimidating, yelling, or swearing.

(d) "Exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(3) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(4) "Department" means the department of social and health services.

(5) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department.

(6) "Financial exploitation" means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

(7) "Financial institution" has the same meaning as in RCW 30.22.040 and 30.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(8) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

(9) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

(10) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(11) "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

(12) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a

vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

(13) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

(14) "Protective services" means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement, arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

(15) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

(16) "Social worker" means:

(a) A social worker as defined in RCW 18.320.010(2); or

(b) Anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of vulnerable adults, or providing social services to vulnerable adults, whether in an individual capacity or as an employee or agent of any public or private organization or institution.

(17) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

Sec. 2. RCW 74.34.035 and 2010 c 133 s 4 are each amended to read as follows:

(1) When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred, mandated reporters shall immediately report to the department.

(2) When there is reason to suspect that sexual assault has occurred, mandated reporters shall immediately report to the appropriate law enforcement agency and to the department.

(3) When there is reason to suspect that physical assault has occurred or there is reasonable cause to believe that an act has caused fear of imminent harm:

(a) Mandated reporters shall immediately report to the department; and

(b) Mandated reporters shall immediately report to the appropriate law enforcement agency, except as provided in subsection (4) of this section.

(4) A mandated reporter is not required to report to a law enforcement agency, unless requested by the injured vulnerable adult or his or her legal representative or family member, an incident of

physical assault between vulnerable adults that causes minor bodily injury and does not require more than basic first aid, unless:

(a) The injury appears on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal area;

(b) There is a fracture;

(c) There is a pattern of physical assault between the same vulnerable adults or involving the same vulnerable adults; or

(d) There is an attempt to choke a vulnerable adult.

(5) When there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect, or abandonment by another person, mandated reporters shall, pursuant to RCW 68.50.020, report the death to the medical examiner or coroner having jurisdiction, as well as the department and local law enforcement, in the most expeditious manner possible. A mandated reporter is not relieved from the reporting requirement provisions of this subsection by the existence of a previously signed death certificate. If abuse, neglect, or abandonment caused or contributed to the death of a vulnerable adult, the death is a death caused by unnatural or unlawful means, and the body shall be the jurisdiction of the coroner or medical examiner pursuant to RCW 68.50.010.

(6) Permissive reporters may report to the department or a law enforcement agency when there is reasonable cause to believe that a vulnerable adult is being or has been abandoned, abused, financially exploited, or neglected.

(7) No facility, as defined by this chapter, agency licensed or required to be licensed under chapter 70.127 RCW, or facility or agency under contract with the department to provide care for vulnerable adults may develop policies or procedures that interfere with the reporting requirements of this chapter.

(8) Each report, oral or written, must contain as much as possible of the following information:

(a) The name and address of the person making the report;

(b) The name and address of the vulnerable adult and the name of the facility or agency providing care for the vulnerable adult;

(c) The name and address of the legal guardian or alternate decision maker;

(d) The nature and extent of the abandonment, abuse, financial exploitation, neglect, or self-neglect;

(e) Any history of previous abandonment, abuse, financial exploitation, neglect, or self-neglect;

(f) The identity of the alleged perpetrator, if known; and

(g) Other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect, or the cause of death of the deceased vulnerable adult.

(9) Unless there is a judicial proceeding or the person consents, the identity of the person making the report under this section is confidential.

(10) In conducting an investigation of abandonment, abuse, financial exploitation, self-neglect, or neglect, the department or law enforcement, upon request, must have access to all relevant records related to the vulnerable adult that are in the possession of mandated reporters and their employees, unless otherwise prohibited by law. Records maintained under RCW 4.24.250, 18.20.390, 43.70.510, 70.41.200, 70.230.080, and 74.42.640 shall not be subject to the requirements of this subsection. Providing access to records relevant to an investigation by the department or law enforcement under this provision may not be deemed a violation of any confidential communication privilege.

Sec. 3. RCW 74.34.067 and 2011 c 170 s 2 are each amended to read as follows:

(1) Where appropriate, an investigation by the department may include a private interview with the vulnerable adult regarding the alleged abandonment, abuse, financial exploitation, neglect, or self-neglect.

(2) In conducting the investigation, the department shall interview the complainant, unless anonymous, and shall use its best efforts to

interview the vulnerable adult or adults harmed, and, consistent with the protection of the vulnerable adult shall interview facility staff, any available independent sources of relevant information, including if appropriate the family members of the vulnerable adult.

(3) The department may conduct ongoing case planning and consultation with: (a) Those persons or agencies required to report under this chapter or submit a report under this chapter; (b) consultants designated by the department; and (c) designated representatives of Washington Indian tribes if client information exchanged is pertinent to cases under investigation or the provision of protective services. Information considered privileged by statute and not directly related to reports required by this chapter must not be divulged without a valid written waiver of the privilege.

(4) The department shall prepare and keep on file a report of each investigation conducted by the department for a period of time in accordance with policies established by the department.

(5) If the department has reason to believe that the vulnerable adult has suffered from abandonment, abuse, financial exploitation, neglect, or self-neglect, and lacks the ability or capacity to consent, and needs the protection of a guardian, the department may bring a guardianship action under chapter 11.88 RCW.

(6) For purposes consistent with this chapter, the department, the certified professional guardian board, and the office of public guardianship may share information contained in reports and investigations of the abuse, abandonment, neglect, self-neglect, and financial exploitation of vulnerable adults. This information may be used solely for (a) recruiting or appointing appropriate guardians and (b) monitoring, or when appropriate, disciplining certified professional or public guardians. Reports of abuse, abandonment, neglect, self-neglect, and financial exploitation are confidential under RCW 74.34.095 and other laws, and secondary disclosure of information shared under this section is prohibited.

(7) When the investigation is completed and the department determines that an incident of abandonment, abuse, financial exploitation, neglect, or self-neglect has occurred, the department shall inform the vulnerable adult of their right to refuse protective services, and ensure that, if necessary, appropriate protective services are provided to the vulnerable adult, with the consent of the vulnerable adult. The vulnerable adult has the right to withdraw or refuse protective services.

~~((7))~~ (8) The department's adult protective services division may enter into agreements with federally recognized tribes to investigate reports of abandonment, abuse, financial exploitation, neglect, or self-neglect of vulnerable adults on property over which a federally recognized tribe has exclusive jurisdiction. If the department has information that abandonment, abuse, financial exploitation, or neglect is criminal or is placing a vulnerable adult on tribal property at potential risk of personal or financial harm, the department may notify tribal law enforcement or another tribal representative specified by the tribe. Upon receipt of the notification, the tribe may assume jurisdiction of the matter. Neither the department nor its employees may participate in the investigation after the tribe assumes jurisdiction. The department, its officers, and its employees are not liable for any action or inaction of the tribe or for any harm to the alleged victim, the person against whom the allegations were made, or other parties that occurs after the tribe assumes jurisdiction. Nothing in this section limits the department's jurisdiction and authority over facilities or entities that the department licenses or certifies under federal or state law.

~~((8))~~ (9) The department may photograph a vulnerable adult or their environment for the purpose of providing documentary evidence of the physical condition of the vulnerable adult or his or her environment. When photographing the vulnerable adult, the department shall obtain permission from the vulnerable adult or his or her legal representative unless immediate photographing is necessary to preserve evidence. However, if the legal representative is alleged

to have abused, neglected, abandoned, or exploited the vulnerable adult, consent from the legal representative is not necessary. No such consent is necessary when photographing the physical environment.

~~((9))~~ (10) When the investigation is complete and the department determines that the incident of abandonment, abuse, financial exploitation, or neglect has occurred, the department shall inform the facility in which the incident occurred, consistent with confidentiality requirements concerning the vulnerable adult, witnesses, and complainants."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5556 Prime Sponsor, Committee on Law & Justice:
Concerning missing endangered persons.
Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.60.010 and 2009 c 20 s 1 are each amended to read as follows:

(1) The Washington state patrol shall establish a missing children and endangered person clearinghouse which shall include the maintenance and operation of a toll-free(~~(twenty four hour)~~) telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of social and health services, and the general public regarding missing children and endangered persons. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children and endangered persons. The state patrol shall also maintain a regularly updated computerized link with national and other statewide missing person systems or clearinghouses, and within existing resources, shall develop and implement a plan, commonly known as an "amber alert plan" or an "endangered missing person advisory plan," for voluntary cooperation between local, state, tribal, and other law enforcement agencies, state government agencies, radio and television stations, ~~(and)~~ cable and satellite systems, and social media pages and sites to enhance the public's ability to assist in recovering abducted children and missing endangered persons consistent with the state endangered missing person advisory plan.

(2) For the purposes of this chapter:

(a) "Child" or "children(~~(s)~~)" (~~(as used in this chapter,)~~) means an individual under eighteen years of age.

(b) "Missing endangered person" means a person with a developmental disability as defined in RCW 71A.10.020(4) or a vulnerable adult as defined in RCW 74.34.020(17), believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance.

Sec. 2. RCW 13.60.020 and 1985 c 443 s 23 are each amended to read as follows:

Local law enforcement agencies shall file an official missing person report and enter biographical information into the state missing person computerized network within ~~(twelve)~~ six hours

after notification of a missing child or endangered person is received under RCW 13.32A.050 (1)(a), ~~((3))~~ (c), or ~~((4))~~ (d), or an endangered missing person received pursuant to the state endangered missing person advisory plan. The patrol shall collect such information as will enable it to retrieve immediately the following information about a missing child or endangered person: Name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate."
Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 2, 2013

ESSB 5577 Prime Sponsor, Committee on Human Services & Corrections: Protecting public employees who act ethically and legally. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Manweller; Orwall and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Assistant Ranking Minority Member and Kristiansen.

Passed to Committee on Rules for second reading.

April 1, 2013

SB 5627 Prime Sponsor, Senator Eide: Concerning the taxation of commuter air carriers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 2, 2013

ESSB 5669 Prime Sponsor, Committee on Law & Justice: Concerning trafficking. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 2, 2013

E2SSB 5680 Prime Sponsor, Committee on Ways & Means: Promoting economic development by providing information to businesses. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Passed to Committee on Rules for second reading.

April 1, 2013

SSB 5697 Prime Sponsor, Committee on Trade & Economic Development: Reducing the frequency of local sales and use tax changes. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.14.055 and 2003 c 168 s 206 are each amended to read as follows:

(1) Except as provided in subsections (2), (3), and (4) of this section, a local sales and use tax change ~~((shall))~~ may take effect (a) no sooner than seventy-five days after the department receives notice of the change and (b) only on the first day of January, April, or July(~~or October~~).

(2) In the case of a local sales and use tax that is a credit against the state sales tax or use tax, a local sales and use tax change ~~((shall))~~ may take effect (a) no sooner than thirty days after the department receives notice of the change and (b) only on the first day of a month.

(3)(a) A local sales and use tax rate increase imposed on services applies to the first billing period starting on or after the effective date of the increase.

(b) A local sales and use tax rate decrease imposed on services applies to bills rendered on or after the effective date of the decrease.

(c) For the purposes of this subsection (3), "services" means retail services such as installing and constructing and retail services such as telecommunications, but does not include services such as tattooing.

(4) For the purposes of this section, "local sales and use tax change" means enactment or revision of local sales and use taxes under this chapter or any other statute, including changes resulting from referendum or annexation."

Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 1, 2013

SSB 5705 Prime Sponsor, Committee on Governmental Operations: Concerning amounts received by taxing districts from property tax refunds and abatements. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey,

Ranking Minority Member; Fitzgibbon; Lytton; Pollet; Reykdal; Springer and Wilcox.

MINORITY recommendation: Without recommendation. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Condotta and Vick.

Passed to Committee on Rules for second reading.

April 1, 2013
SB 5715 Prime Sponsor, Senator Hill: Addressing the evasion of taxes by the use of certain electronic means. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 2, 2013
SSB 5718 Prime Sponsor, Committee on Trade & Economic Development: Providing monitoring of the development of a one-stop portal for Washington businesses. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations.

April 2, 2013
SB 5784 Prime Sponsor, Senator Holmquist Newbry: Concerning the joint center for aerospace technology innovation. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Referred to Committee on Appropriations.

April 2, 2013
2SSB 5794 Prime Sponsor, Committee on Ways & Means: Concerning alternative learning experience courses. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read as follows:

(1) Under Article IX of the Washington state Constitution, all children are entitled to an opportunity to receive a basic education.

Although the state must assure that students in public schools have opportunities to participate in the instructional program of basic education, there is no obligation for either the state or school districts to provide that instruction using a particular delivery method or through a particular program.

(2) The legislature finds ample evidence of the need to examine and reconsider policies under which alternative learning that occurs outside the classroom using an individual student learning plan may be considered equivalent to full-time attendance in school, including for funding purposes. Previous legislative studies have raised questions about financial practices and accountability in alternative learning experience ~~((programs))~~ courses. Since 2005, there has been significant enrollment growth in alternative learning experience online ~~((programs))~~ courses, with evidence of unexpected financial impact when large numbers of nonresident students enroll in ~~((programs))~~ courses. Based on this evidence, there is a rational basis on which to conclude that there are different costs associated with providing ~~((a program))~~ courses not primarily based on full-time, daily contact between teachers and students and not primarily occurring on-site in a classroom.

(3) For these reasons, the legislature intends to allow for continuing review and revision of the way in which state funding allocations are used to support alternative learning experience ~~((programs))~~ courses.

Sec. 2. RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each amended to read as follows:

(1) ~~((For purposes of this chapter.))~~ The definitions in this subsection apply throughout this chapter unless the context clearly requires otherwise.

(a) "Alternative learning experience ~~((program))~~ course" means a course ~~((or set of courses))~~ that is a delivery method for the program of basic education and is:

~~((a))~~ (i) Provided in whole or in part independently from a regular classroom setting or schedule, but may include some components of direct instruction;

~~((b))~~ (ii) Supervised, instructed, monitored, assessed, evaluated, and documented by a certificated teacher employed by the school district or under contract as permitted by applicable rules; and

~~((c))~~ (iii) Provided in accordance with a written student learning plan that is implemented pursuant to the school district's policy and rules adopted by the superintendent of public instruction for alternative learning experiences.

(b) "In-person" means face-to-face instructional contact in a physical classroom environment.

(c) "Instructional contact time" means instructional time with a certificated teacher. Instructional contact time must be for the purposes of actual instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the student's written student learning plan. Instructional contact time must be related to an alternative learning experience course identified in the student's written student learning plan. Instructional contact time may occur in a group setting between the teacher and multiple students and may be delivered either in-person or remotely using technology.

(d) "Online course" has the same meaning as provided in RCW 28A.250.010.

(e) "Remote course" means an alternative learning experience course that is not an online course where the student has in-person instructional contact time for less than twenty percent of the total weekly time for the course.

(f) "Site-based course" means an alternative learning experience course where the student has in-person instructional contact time for at least twenty percent of the total weekly time for the course.

(g) "Total weekly time" means the estimated average hours per school week the student will engage in learning activities to meet the requirements of the written student learning plan.

(2) ~~((The broad categories of alternative learning experience programs include, but are not limited to:~~

~~—(a) Online programs as defined in RCW 28A.150.262;~~
~~—(b) Parent partnership programs that include significant participation and partnership by parents and families in the design and implementation of a student's learning experience; and~~
~~—(c) Contract based learning programs))~~ School districts may claim state funding under section 4 of this act, to the extent otherwise allowed by state law including the provisions of RCW 28A.250.060, for students enrolled in remote, site-based, or online alternative learning experience courses. High school courses must meet district or state graduation requirements and be offered for high school credit.

(3) School districts that offer alternative learning experience ~~((programs))~~ courses may not provide any compensation, reimbursement, gift, reward, or gratuity to any parents, guardians, or students for participation in the courses. School district employees are prohibited from receiving any compensation or payment as an incentive to increase student enrollment of out-of-district students in ~~((an))~~ alternative learning experience ~~((program))~~ courses. This prohibition includes, but is not limited to, providing funds to parents, guardians, or students for the purchase of educational materials, supplies, experiences, services, or technological equipment. A district may purchase educational materials, equipment, or other nonconsumable supplies for students' use in alternative learning experience ~~((programs))~~ courses if the purchase is consistent with the district's approved curriculum, conforms to applicable laws and rules, and is made in the same manner as such purchases are made for students in the district's regular instructional program. Items so purchased remain the property of the school district upon program completion. School districts may not purchase or contract for instructional or cocurricular experiences and services that are included in an alternative learning experience written student learning plan, including but not limited to lessons, trips, and other activities, unless substantially similar experiences and services are available to students enrolled in the district's regular instructional program. School districts that purchase or contract for such experiences and services for students enrolled in an alternative learning experience ~~((program))~~ course must submit an annual report to the office of the superintendent of public instruction detailing the costs and purposes of the expenditures. These requirements extend to contracted providers of alternative learning experience ~~((programs))~~ courses, and each district shall be responsible for monitoring the compliance of its providers with these requirements. However, nothing in this ~~((section))~~ subsection shall prohibit school districts from contracting with school district employees to provide services or experiences to students, or from contracting with online providers approved by the office of the superintendent of public instruction pursuant to chapter 28A.250 RCW.

(4) ~~((Part-time enrollment in alternative learning experiences is subject to the provisions of RCW 28A.150.350.~~

~~—(5) The superintendent of public instruction shall adopt rules defining minimum requirements and accountability for alternative learning experience programs))~~ Each school district offering or contracting to offer alternative learning experience courses must:

—(a) Report annually to the superintendent of public instruction regarding the course types and offerings, and number of students participating in each; and

—(b) Document the district of residence for each student enrolled in an alternative learning experience course.

(5) A school district offering or contracting to offer an alternative learning experience course to a nonresident student must inform the resident school district if the student drops out of the course or is otherwise no longer enrolled.

(6) School districts must assess the educational progress of enrolled students at least annually, using, for full-time students, the state assessment for the student's grade level and using any other

annual assessments required by the school district. Part-time students must also be assessed at least annually. However, part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in an approved private school under chapter 28A.195 RCW are not required to participate in the assessments required under chapter 28A.655 RCW. The rules must address how students who reside outside the geographic service area of the school district are to be assessed.

(7) Beginning with the 2013-14 school year, school districts must designate alternative learning experience courses as such when reporting course information to the office of the superintendent of public instruction under RCW 28A.300.500.

(8) The superintendent of public instruction shall adopt rules necessary to implement this section.

Sec. 3. RCW 28A.150.262 and 2011 1st sp.s. c 34 s 3 are each amended to read as follows:

Under RCW 28A.150.260, the superintendent of public instruction shall revise the definition of a full-time equivalent student to include students who receive instruction through alternative learning experience online ~~((programs))~~ courses. As used in this section ~~((and RCW 28A.150.325)),~~ an "alternative learning experience online ~~((program))~~ course" is ~~((a set of online courses or))~~ an online ~~((school program))~~ course as defined in RCW 28A.250.010 that is delivered to students in whole or in part independently from a regular classroom schedule. Beginning in the 2013-14 school year, alternative learning experience online ~~((programs))~~ courses must be offered by an online provider approved by the superintendent of public instruction under RCW 28A.250.020 to meet the definition in this section. The rules shall include but not be limited to the following:

(1) Defining a full-time equivalent student under RCW 28A.150.260 or part-time student under RCW 28A.150.350 based upon the district's estimated average weekly hours of learning activity as identified in the student's learning plan, as long as the student is found, through monthly evaluation, to be making satisfactory progress~~((;)).~~ The rules shall ~~((require districts providing programs under this section to nonresident students to))~~ establish procedures that address ~~((, at a minimum, the coordination of student counting))~~ how the counting of students must be coordinated by resident and nonresident districts for state funding so that no student is counted for more than one full-time equivalent in the aggregate;

(2) Requiring the board of directors of a school district offering, or contracting under RCW 28A.150.305 to offer, an alternative learning experience online ~~((program))~~ course to adopt and annually review written policies for each program and program provider and to receive an annual report on its ~~((digital))~~ alternative learning experience online ~~((programs))~~ courses from its staff;

(3) Requiring each school district offering or contracting to offer an alternative learning experience online ~~((program))~~ course to report annually to the superintendent of public instruction on the types of ~~((programs and))~~ course offerings, and number of students participating;

(4) Requiring completion of a ~~((program))~~ self-evaluation;

(5) Requiring documentation of the district of the student's physical residence;

(6) Requiring that instruction, supervision, monitoring, assessment, and evaluation of the alternative learning experience online ~~((program))~~ course be provided by a certificated teacher;

(7) Requiring each school district offering courses ~~((or programs))~~ to identify the ratio of certificated instructional staff to full-time equivalent students enrolled in such courses ~~((or programs)),~~ and to include a description of their ratio as part of the reports required under subsections (2) and (3) of this section;

(8) Requiring reliable methods to verify a student is doing his or her own work; the methods may include proctored examinations or projects, including the use of web cams or other technologies.

"Proctored" means directly monitored by an adult authorized by the school district;

(9) Requiring, for each student receiving instruction in an alternative learning experience online (~~(program)~~ course, a learning plan that includes a description of course objectives and information on the requirements a student must meet to successfully complete the (~~(program or courses)~~ course. The rules shall allow course syllabi and other additional information to be used to meet the requirement for a learning plan;

(10) Requiring that the district assess the educational progress of enrolled students at least annually, using, for full-time students, the state assessment for the student's grade level and using any other annual assessments required by the school district. Part-time students shall also be assessed at least annually. However, part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in an approved private school under chapter 28A.195 RCW are not required to participate in the assessments required under chapter 28A.655 RCW. The rules shall address how students who reside outside the geographic service area of the school district are to be assessed;

(11) Requiring that each student enrolled in the (~~(program)~~ course have direct personal contact with a certificated teacher at least weekly until the student completes the course objectives or the requirements in the learning plan. Direct personal contact is for the purposes of instruction, review of assignments, testing, evaluation of student progress, or other learning activities. Direct personal contact may include the use of telephone, e-mail, instant messaging, interactive video communication, or other means of digital communication. The superintendent may not adopt a rule specifying a minimum duration of weekly personal contact;

(12) Requiring state-funded public schools or public school programs whose primary purpose is to provide alternative learning experience online (~~(learning programs)~~ courses to receive accreditation through the Northwest accreditation commission or another national, regional, or state accreditation program listed by the office of the superintendent of public instruction after consultation with the (~~(Washington coalition for)~~ online learning advisory committee;

(13) Requiring state-funded public schools or public school programs whose primary purpose is to provide alternative learning experience online (~~(learning)~~ courses to provide information to students and parents on whether or not the courses (~~(or programs)~~): Cover one or more of the school district's learning goals or of the state's essential academic learning requirements or whether they permit the student to meet one or more of the state's or district's graduation requirements; and

(14) Requiring that a school district that provides one or more alternative learning experience online courses to a student provide the parent or guardian of the student, prior to the student's enrollment, with a description of any difference between home-based education as described in chapter 28A.200 RCW and the enrollment option selected by the student. The parent or guardian shall sign documentation attesting to his or her understanding of the difference and the documentation shall be retained by the district and made available for audit.

NEW SECTION. Sec. 4. The superintendent of public instruction shall separately calculate and allocate moneys appropriated under RCW 28A.150.260 to school districts for each full-time equivalent student enrolled in an alternative learning experience course. The calculation shall be based on the estimated statewide annual average allocation per full-time equivalent student in grades nine through twelve in general education, excluding small high school enhancements, and including applicable rules and provisions of the omnibus appropriations act.

Sec. 5. RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Multidistrict online provider" means:

(i) A private or nonprofit organization that enters into a contract with a school district to provide online courses or programs to K-12 students from more than one school district;

(ii) A private or nonprofit organization that enters into contracts with multiple school districts to provide online courses or programs to K-12 students from those districts; or

(iii) Except as provided in (b) of this subsection, a school district that provides online courses or programs to students who reside outside the geographic boundaries of the school district.

(b) "Multidistrict online provider" does not include a school district online learning program in which fewer than ten percent of the students enrolled in the program are from other districts under the interdistrict student transfer provisions of RCW 28A.225.225. "Multidistrict online provider" also does not include regional online learning programs that are jointly developed and implemented by two or more school districts or an educational service district through an interdistrict cooperative program agreement that addresses, at minimum, how the districts share student full-time equivalency for state basic education funding purposes and how categorical education programs, including special education, are provided to eligible students.

(2)(a) "Online course" means a course where:

(i) More than half of the course content is delivered electronically using the internet or other computer-based methods; (~~and~~)

(ii) More than half of the teaching is conducted from a remote location through an online course learning management system or other online or electronic tools; and

(iii) The student's primary instructional interaction is with a certificated teacher. Instructional interaction between the teacher and the student includes, but is not limited to, direct instruction, review of assignments, assessment, testing, progress monitoring, and educational facilitation.

(b) "Online school program" means a school program that:

(i) Offers courses or grade-level coursework that is delivered primarily electronically using the internet or other computer-based methods;

(ii) Offers courses or grade-level coursework that is taught by a teacher primarily from a remote location using online or other electronic tools. Students enrolled in an online program may have access to the teacher synchronously, asynchronously, or both;

(iii) Offers a sequential set of online courses or grade-level coursework that may be taken in a single school term or throughout the school year in a manner that could provide a full-time basic education program if so desired by the student. Students may enroll in the program as part-time or full-time students; and

(iv) Has an online component of the program with online lessons and tools for student and data management.

(c) An online course or online school program may be delivered to students at school as part of the regularly scheduled school day. An online course or online school program also may be delivered to students, in whole or in part, independently from a regular classroom schedule, but such courses or programs must comply with RCW 28A.150.262 (as recodified by this act) to qualify for state basic education funding.

(3) "Online provider" means any provider of an online course or program, including multidistrict online providers, all school district online learning programs, and all regional online learning programs.

Sec. 6. RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each amended to read as follows:

(1) The superintendent of public instruction, in collaboration with the state board of education, shall develop and implement approval criteria and a process for approving online providers; a process for monitoring and if necessary rescinding the approval of courses or

programs offered by an online provider; and an appeals process. The criteria and processes for multidistrict online providers shall be adopted by rule by December 1, 2009.

(2) When developing the approval criteria, the superintendent of public instruction shall require that providers offering online courses or programs have accreditation, or are candidates for accreditation, through the Northwest accreditation commission or another national, regional, or state accreditation program listed by the office of the superintendent of public instruction (~~(after consultation with the Washington coalition for online learning)~~). In addition to other criteria, the approval criteria shall include the degree of alignment with state academic standards and require that all teachers be certificated in accordance with Washington state law. When reviewing online providers that offer high school courses, the superintendent of public instruction shall assure that the courses offered by the provider are eligible for high school credit. However, final decisions regarding whether credit meets the school district's graduation requirements shall remain the responsibility of the school districts.

(3) Initial approval of online providers by the superintendent of public instruction shall be for four years. The superintendent of public instruction shall develop a process for the renewal of approvals and for rescinding approvals based on noncompliance with approval requirements. Any multidistrict online provider that was approved by the digital learning commons or accredited by the Northwest association of accredited schools before July 26, 2009, and that meets the teacher certification requirements of subsection (2) of this section, is exempt from the initial approval process under this section until August 31, 2012, but must comply with the process for renewal of approvals and must comply with approval requirements.

(4) The superintendent of public instruction shall make the first round of decisions regarding approval of multidistrict online providers by April 1, 2010. The first round of decisions regarding approval of online providers that are not multidistrict online providers shall be made by April 1, 2013. Thereafter, the superintendent of public instruction shall make annual approval decisions no later than November 1st of each year.

(5) The superintendent of public instruction shall establish an online learning advisory committee within existing resources that shall provide advice to the superintendent regarding the approval criteria, major components of the web site, the model school district policy, model agreements, and other related matters. The committee shall include a representative of each of the following groups: Private and public online providers, parents of online students, accreditation organizations, educational service districts, school principals, teachers, school administrators, school board members, institutions of higher education, and other individuals as determined by the superintendent. Members of the advisory committee shall be selected by the superintendent based on nominations from statewide organizations, shall serve three-year terms, and may be reappointed. The superintendent shall select the chair of the committee.

Sec. 7. RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each amended to read as follows:

(1) By August 31, 2010, all school district boards of directors shall develop policies and procedures regarding student access to online courses and online learning programs. The policies and procedures shall include but not be limited to: Student eligibility criteria; the types of online courses available to students through the school district; the methods districts will use to support student success, which may include a local advisor; when the school district will and will not pay course fees and other costs; the granting of high school credit; and a process for students and parents or guardians to formally acknowledge any course taken for which no credit is given. The policies and procedures shall take effect beginning with the 2010-11 school year. School districts shall submit their policies to the superintendent of public instruction by September 15, 2010. By

December 1, 2010, the superintendent of public instruction shall summarize the school district policies regarding student access to online courses and submit a report to the legislature.

(2) School districts must award credit and grades for online high school courses successfully completed by a student that meet the school district's graduation requirements and are provided by an approved online provider.

(3) School districts shall provide students with information regarding online courses that are available through the school district. The information shall include the types of information described in subsection (1) of this section.

(4) When developing local or regional online learning programs, school districts shall incorporate into the program design the approval criteria developed by the superintendent of public instruction under RCW 28A.250.020.

Sec. 8. RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each amended to read as follows:

(1) Beginning with the 2011-12 school year, school districts may claim state funding under (~~RCW 28A.150.260~~) section 4 of this act, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are:

(a) Offered by a multidistrict online provider approved under RCW 28A.250.020 by the superintendent of public instruction;

(b) Offered by a school district online learning program if the program serves students who reside within the geographic boundaries of the school district, including school district programs in which fewer than ten percent of the program's students reside outside the school district's geographic boundaries; or

(c) Offered by a regional online learning program where courses are jointly developed and offered by two or more school districts or an educational service district through an interdistrict cooperative program agreement.

(2) Beginning with the 2013-14 school year, school districts may claim state funding under RCW 28A.150.260, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are offered by an online provider approved under RCW 28A.250.020 by the superintendent of public instruction.

(3) Criteria shall be established by the superintendent of public instruction to allow online courses that have not been approved by the superintendent of public instruction to be eligible for state funding if the course is in a subject matter in which no courses have been approved and, if it is a high school course, the course meets Washington high school graduation requirements.

Sec. 9. RCW 28A.250.070 and 2009 c 542 s 8 are each amended to read as follows:

Nothing in this chapter is intended to diminish the rights of students to attend a nonresident school district in accordance with RCW 28A.225.220 through 28A.225.230 for the purposes of enrolling in online courses or online school programs. The office of online learning under RCW 28A.250.030 shall develop a standard form, which must be used by all school districts, for releasing a student to a nonresident school district for the purposes of enrolling in an online course or online school program.

NEW SECTION. Sec. 10. A new section is added to chapter 28A.250 RCW to read as follows:

An online school program may request a waiver from the office of the superintendent of public instruction to administer one or more sections of the statewide student assessment for grades three through eight for some or all students enrolled in the program on alternate days or on an alternate schedule, as long as the administration is within the testing period established by the office. The office may deny a request for a waiver if the online school program's proposal does not maintain adequate test security or would reduce the reliability of the assessment results by providing an inequitable advantage for some students.

Sec. 11. RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2 are each reenacted and amended to read as follows:

(1) Any board of directors may make agreements with adults choosing to attend school, and may charge the adults reasonable tuition.

(2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district or the request of a parent or guardian for his or her child to transfer as a student receiving home-based instruction.

(3) A district shall release a student to a nonresident district that agrees to accept the student if:

(a) A financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer; or

(b) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or

(c) There is a special hardship or detrimental condition; or

(d) The purpose of the transfer is for the student to enroll in an online course or online school program offered by an online provider approved under RCW 28A.250.020.

(4) A district may deny the request of a resident student to transfer to a nonresident district if the release of the student would adversely affect the district's existing desegregation plan.

(5) For the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire.

(6) Beginning with the 1993-94 school year, school districts may not charge transfer fees or tuition for nonresident students enrolled under subsection (3) of this section and RCW 28A.225.225. Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a transfer fee as affecting the apportionment of current state school funds.

Sec. 12. RCW 28A.225.225 and 2009 c 380 s 7 are each amended to read as follows:

(1) Except for students who reside out-of-state and students under RCW 28A.225.217, a district shall accept applications from nonresident students who are the children of full-time certificated and classified school employees, and those children shall be permitted to enroll:

(a) At the school to which the employee is assigned;

(b) At a school forming the district's K through 12 continuum which includes the school to which the employee is assigned; or

(c) At a school in the district that provides early intervention services pursuant to RCW 28A.155.065 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

(2) A district may reject applications under this section if:

(a) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;

(b) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (2)(b) must apply uniformly to both resident and nonresident applicants; ~~((or))~~

(c) Enrollment of a child under this section would displace a child who is a resident of the district, except that if a child is admitted under subsection (1) of this section, that child shall be permitted to remain enrolled at that school, or in that district's kindergarten through twelfth grade continuum, until he or she has completed his or her schooling; or

(d) The student has repeatedly failed to comply with requirements

for participation in an online school program, such as participating in weekly direct contact with the teacher or monthly progress evaluations.

(3) Except as provided in subsection (1) of this section, all districts accepting applications from nonresident students or from students receiving home-based instruction for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990. The policy may include rejection of a nonresident student if:

(a) Acceptance of a nonresident student would result in the district experiencing a financial hardship;

(b) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership; or

(c) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (3)(c) must apply uniformly to both resident and nonresident applicants.

For purposes of subsections (2)(a) and (3)(b) of this section, "gang" means a group which: (i) Consists of three or more persons; (ii) has identifiable leadership; and (iii) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

(4) The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3).

Sec. 13. RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each amended to read as follows:

(1) For the purposes of this section and RCW 28A.150.410 and 28A.400.200, "basic education certificated instructional staff" means all full-time equivalent classroom teachers, teacher librarians, guidance counselors, certificated student health services staff, and other certificated instructional staff in the following programs as defined for statewide school district accounting purposes: Basic education, secondary vocational education, general instructional support, and general supportive services.

(2) Each school district shall maintain a ratio of at least forty-six basic education certificated instructional staff to one thousand annual average full-time equivalent students. This requirement does not apply to that portion of a district's annual average full-time equivalent enrollment that is enrolled in alternative learning experience ~~((programs))~~ courses as defined in RCW 28A.150.325 (as recodified by this act).

Sec. 14. RCW 28A.525.162 and 2012 c 244 s 2 are each amended to read as follows:

(1) Funds appropriated to the superintendent of public instruction from the common school construction fund shall be allotted by the superintendent of public instruction in accordance with this chapter.

(2) No allotment shall be made to a school district until such district has provided local funds equal to or greater than the difference between the total approved project cost and the amount of state funding assistance to the district for financing the project computed pursuant to RCW 28A.525.166, with the following exceptions:

(a) The superintendent of public instruction may waive the local requirement for state funding assistance for districts which have provided funds for school building construction purposes through the authorization of bonds or through the authorization of excess tax levies or both in an amount equivalent to two and one-half percent of the value of its taxable property, as defined in RCW 39.36.015.

(b) No such local funds shall be required as a condition to the allotment of funds from the state for the purpose of making major or minor structural changes to existing school facilities in order to bring

such facilities into compliance with the barrier free access requirements of section 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and rules implementing the act.

(3) For the purpose of computing the state funding assistance percentage under RCW 28A.525.166 when a school district is granted authority to enter into contracts, adjusted valuation per pupil shall be calculated using headcount student enrollments from the most recent October enrollment reports submitted by districts to the superintendent of public instruction, adjusted as follows:

(a) In the case of projects for which local bonds were approved after May 11, 1989:

(i) For districts which have been designated as serving high school districts under RCW 28A.540.110, students residing in the nonhigh district so designating shall be excluded from the enrollment count if the student is enrolled in any grade level not offered by the nonhigh district;

(ii) The enrollment of nonhigh school districts shall be increased by the number of students residing within the district who are enrolled in a serving high school district so designated by the nonhigh school district under RCW 28A.540.110, including only students who are enrolled in grade levels not offered by the nonhigh school district; and

(iii) The number of preschool students with disabilities included in the enrollment count shall be multiplied by one-half;

(b) In the case of construction or modernization of high school facilities in districts serving students from nonhigh school districts, the adjusted valuation per pupil shall be computed using the combined adjusted valuations and enrollments of each district, each weighted by the percentage of the district's resident high school students served by the high school district;

(c) The number of kindergarten students included in the enrollment count shall be counted as one headcount student; and

(d) The number of students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~ courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the total.

(4) In lieu of the exclusion in subsection (3)(d) of this section, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~ courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a regular duration by out-of-district alternative learning experience (~~(program)~~ students subtracted by the headcount of in-district alternative learning experience (~~(program)~~ students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel, shall prescribe such rules as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

(6) For the purposes of this section, "preschool students with disabilities" means children of preschool age who have developmental disabilities who are entitled to services under RCW 28A.155.010 through 28A.155.100 and are not included in the kindergarten enrollment count of the district.

Sec. 15. RCW 28A.525.166 and 2012 c 244 s 3 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

$$\begin{array}{rcl}
 & \text{District adjusted} & \text{Total state} \\
 & \text{3-valuation} & \div \text{ adjusted valuation} \\
 \text{Computed} & \text{per pupil} & \text{per pupil} & \text{State} \\
 \text{State} & = & \frac{\text{District adjusted}}{\text{3+valuation}} \div \frac{\text{Total state}}{\text{adjusted valuation}} & = \% \text{ Funding} \\
 \text{Ratio} & & & \text{Assistance}
 \end{array}$$

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~ courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~ courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience (~~(program)~~ students subtracted by the headcount of in-district alternative learning experience (~~(program)~~ students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction.

The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

NEW SECTION. Sec. 16. (1) The office of financial management shall conduct a study, in consultation with, at minimum, one representative each from school districts that administer remote, site-based, and online alternative learning experience courses; the office of the superintendent of public instruction; the Washington state institute for public policy; individuals with expertise in outcome-based public school funding models; a Washington state nonprofit organization with expertise in alternative learning education; and the legislative evaluation and accountability program committee.

(2) The purpose of the study is to create a proposal for efficiently and sustainably funding alternative learning experience courses and to recommend steps to increase the focus on educational outcomes. The study may recommend the funding method established in section 4 of this act or another method of funding. The study shall review alternative learning funding models used in other states and consider the advantages and disadvantages of applying state policies, including funding policies, differentially depending on the type of alternative learning experience course. The study should also include but not be limited to, recommendations for establishing baseline data regarding alternative learning experience student proficiency and achievement in relation to students in a comparable demographic, identifying outcome targets and methods to measure progress toward targets, identifying methods to ensure ongoing evaluation of outcomes that account for the student demographics being served, and improving alternative learning experience accountability.

(3) The office of financial management shall report its findings from the study to the education and fiscal committees of the legislature by November 1, 2013.

NEW SECTION. Sec. 17. (1) RCW 28A.150.262 and 28A.150.325 are each recodified as sections in chapter 28A.-- RCW (the new chapter created in section 18 of this act).

(2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter 28A.-- RCW (the new chapter created in section 18 of this act).

NEW SECTION. Sec. 18. Sections 1 and 4 of this act constitute a new chapter in Title 28A RCW."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist; Fagan; Haigh; Hargrove; Hawkins; Hayes; Hunt; Klippert; Lytton; Maxwell; McCoy; Orwall; Parker; Pike; Pollet; Seaquist and Warnick.

Referred to Committee on Appropriations.

April 1, 2013

SB 5806 Prime Sponsor, Senator Smith: Repealing an obsolete provision for a credit against property taxes paid on timber on public land. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 2, 2013

SSJM 8007 Prime Sponsor, Committee on Trade & Economic Development: Requesting that congress pass legislation reforming the harbor maintenance tax. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Hudgins; Kochmar; Magendanz; Maxwell; Morrell; Stonier; Tarleton; Vick; Walsh; Wylie and Zeiger.

Passed to Committee on Rules for second reading.

SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 2, 2013

SSB 5031 Prime Sponsor, Committee on Law & Justice: Concerning actions for damage to real property resulting from construction, alteration, or repair on adjacent property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5045 Prime Sponsor, Committee on Commerce & Labor: Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the

premises. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 66.20 RCW to read as follows:

(1) There shall be a permit known as a day spa permit to allow the holder to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. The customer must be at least twenty-one years of age and may only be offered one glass of wine or beer, and wine or beer served or consumed shall be purchased from a Washington state licensed retailer. A day spa offering wine or beer without charge may not advertise the service of complimentary wine or beer and may not sell wine or beer in any manner. Any employee involved in the service of wine or beer must complete a board-approved alcohol server training program.

(2) For the purposes of this section, "day spa" means a business that offers at least three of the following types of beauty services:

(a) Hair care, including shampooing, cutting, styling, and dyeing hair;

(b) Skin care, such as facials or body wraps;

(c) Massages; or

(d) Body toning equipment.

(3) The annual fee for this permit is one hundred twenty-five dollars."

Correct the title.

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Kirby; Moscoso; Shea and Smith.

Referred to Committee on Appropriations.

April 2, 2013

ESB 5048 Prime Sponsor, Senator Sheldon: Concerning notice against trespass. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.52.010 and 2011 c 336 s 369 are each reenacted and amended to read as follows:

The following definitions apply in this chapter:

(1) "Access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, directly or by electronic means.

(2) "Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data.

(3) "Data" means a representation of information, knowledge, facts, concepts, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a computer.

(4) "Enter." The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his or her body, or any instrument or weapon held in his or her hand and used or intended to be used to threaten or intimidate a person or to detach or remove property.

(5) "Enters or remains unlawfully." A person "enters or remains unlawfully" in or upon premises when he or she is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him or her by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner. Land that is used for commercial aquaculture or for growing an agricultural crop or crops, other than timber, is not unimproved and apparently unused land if a crop or any other sign of cultivation is clearly visible or if notice is given by posting in a conspicuous manner. Similarly, a field fenced in any manner is not unimproved and apparently unused land. A license or privilege to enter or remain on improved and apparently used land that is open to the public at particular times, which is neither fenced nor otherwise enclosed in a manner to exclude intruders, is not a license or privilege to enter or remain on the land at other times if notice of prohibited times of entry is posted in a conspicuous manner.

(6) "Posting in a conspicuous manner" includes posting a sign or signs reasonably likely to come to the attention of intruders, indicating that entry is restricted or the placement of identifying fluorescent orange paint marks on trees or posts on property.

(a) Identifying fluorescent orange marks must be:

(i) Vertical lines not less than eight inches in length and not less than one inch in width;

(ii) Placed so that the bottom of the mark is between three and five feet from the ground; and

(iii) Placed at locations that are readily visible to any person approaching the property and no more than one hundred feet apart on forest land, as defined in RCW 76.09.020, or one thousand feet apart on land other than forest land.

(b) A landowner must use signs for posting in a conspicuous manner on access roads.

(c) A landowner may use fluorescent orange paint marks to provide notice against trespass only on farm and agricultural land, as defined in RCW 84.34.020(2) (a), (b), and (d), and forest land, as defined in RCW 76.09.020.

(7) "Premises" includes any building, dwelling, structure used for commercial aquaculture, or any real property."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 3, 2013

SSB 5211 Prime Sponsor, Committee on Commerce & Labor: Concerning social networking accounts and profiles. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Holy; Moeller; Ormsby and Short.

MINORITY recommendation: Do not pass. Signed by Representative Green.

Passed to Committee on Rules for second reading.

April 3, 2013

SSB 5227 Prime Sponsor, Committee on Commerce & Labor: Changing the corporate officer provisions of the employment security act. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 50.12.070 and 2009 c 432 s 11 are each amended to read as follows:

(1)(a) Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his or her authorized representatives at any reasonable time and as often as may be necessary. The commissioner may require from any employing unit any sworn or unsworn reports with respect to persons employed by it, which he or she deems necessary for the effective administration of this title.

(b) An employer who contracts with another person or entity for work subject to chapter 18.27 or 19.28 RCW shall obtain and preserve a record of the unified business identifier account number for and compensation paid to the person or entity performing the work. In addition to the penalty in subsection (3) of this section, failure to obtain or maintain the record is subject to RCW 39.06.010.

(2)(a) Each employer shall register with the department and obtain an employment security account number. ~~(Registration must include the names and social security numbers of the owners, partners, members, or corporate officers of the business, as well as their mailing addresses and telephone numbers and other information the commissioner may by rule prescribe. Registration of corporations must also include the percentage of stock ownership for each corporate officer, delineated by zero percent, less than ten percent, or ten percent or more. Any changes in the owners, partners, members, or corporate officers of the business, and changes in percentage of ownership of the outstanding shares of stock of the corporation, must be reported to the department at intervals prescribed by the commissioner under (b) of this subsection.~~

~~(b))~~ Each employer shall make periodic reports at such intervals as the commissioner may by regulation prescribe, setting forth the remuneration paid for employment to workers in its employ, the full names and social security numbers of all such workers, and the total hours worked by each worker and such other information as the commissioner may by regulation prescribe.

~~(c))~~ (b) If the employing unit fails or has failed to report the number of hours in a reporting period for which a worker worked, such number will be computed by the commissioner and given the same force and effect as if it had been reported by the employing unit. In computing the number of such hours worked, the total wages for the reporting period, as reported by the employing unit, shall be divided by the dollar amount of the state's minimum wage in effect for such reporting period and the quotient, disregarding any remainder, shall be credited to the worker: PROVIDED, That although the computation so made will not be subject to appeal by the employing unit, monetary entitlement may be redetermined upon request if the department is provided with credible evidence of the actual hours worked. Benefits paid using computed hours are not considered an overpayment and are not subject to collections when the correction of computed hours results in an invalid or reduced claim; however:

(i) A contribution paying employer who fails to report the number of hours worked will have its experience rating account charged for all benefits paid that are based on hours computed under this subsection; and

(ii) An employer who reimburses the trust fund for benefits paid to workers and fails to report the number of hours worked shall reimburse the trust fund for all benefits paid that are based on hours computed under this subsection.

(3) Any employer who fails to keep and preserve records required by this section shall be subject to a penalty determined by the commissioner but not to exceed two hundred fifty dollars or two hundred percent of the quarterly tax for each offense, whichever is greater.

Sec. 2. RCW 50.04.165 and 2007 c 146 s 4 are each amended to read as follows:

~~((1)(a))~~ Services performed by a person appointed as an officer of a corporation under RCW 23B.08.400 ~~((are))~~, other than those covered by chapters 50.44 and 50.50 RCW, shall not be considered services in employment. However, a corporation ~~((other than those covered by chapters 50.44 and 50.50 RCW))~~ may elect to ~~((exempt from coverage under this title as provided in subsection (2) of this section, any bona fide officer of a public company as defined in RCW 23B.01.400 who:~~

~~— (i) Is voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation;~~

~~— (ii) Is a shareholder of the corporation;~~

~~— (iii) Exercises substantial control in the daily management of the corporation; and~~

~~— (iv) Whose primary responsibilities do not include the performance of manual labor.~~

~~(b) A corporation, other than those covered by chapters 50.44 and 50.50 RCW, that is not a public company as defined in RCW 23B.01.400 may exempt from coverage under this title as provided in subsection (2) of this section:~~

~~— (i) Eight or fewer bona fide officers who: Voluntarily agree to be exempted from coverage; are voluntarily elected or voluntarily appointed in accordance with the articles of incorporation or bylaws of the corporation; and who exercise substantial control in the daily management of the corporation, from coverage under this title without regard to the officers' performance of manual labor if the exempted officer is a shareholder of the corporation; and~~

~~— (ii) Any number of officers if all the exempted officers are related by blood within the third degree or marriage.~~

~~— (c) Determinations with respect to the status of persons performing services for a corporation must be made, in part, by reference to Title 23B RCW and to compliance by the corporation with its own articles of incorporation and bylaws. For the purpose of determining coverage under this title, substance controls over form, and mandatory coverage under this title extends to all workers of this state, regardless of honorary titles conferred upon those actually serving as workers.~~

~~— (2)(a) The corporation must notify the department when it elects to exempt one or more corporate officers from coverage. The notice must be in a format prescribed by the department and signed by the officer or officers being exempted and by another corporate officer verifying the decision to be exempt from coverage.~~

~~— (b) The election to exempt one or more corporate officers from coverage under this title may be made when the corporation registers as required under RCW 50.12.070. The corporation may also elect exemption at any time following registration; however, an exemption will be effective only as of the first day of a calendar year. A written notice from the corporation must be sent to the department by January 15th following the end of the last calendar year of coverage. Exemption from coverage will not be retroactive, and the corporation is not eligible for a refund or credit for contributions paid for corporate officers for periods before the effective date of the~~

~~exemption:~~

~~—(3) A corporation may elect to reinstate coverage for one or more officers previously exempted under this section, subject to the following:~~

~~—(a) Coverage may be reinstated only at set intervals of five years beginning with the calendar year that begins five years after January 1, 2009.~~

~~—(b) Coverage may only be reinstated effective the first day of the calendar year. A written notice from the corporation must be sent to the department by January 15th following the end of the last calendar year the exemption from coverage will apply.~~

~~—(c) Coverage will not be reinstated if the corporation: Has committed fraud related to the payment of contributions within the previous five years; is delinquent in the payment of contributions; or is assigned the array calculation factor rate for nonqualified employers because of a failure to pay contributions when due as provided in RCW 50.29.025, or for related reasons as determined by the commissioner.~~

~~—(d) Coverage will not be reinstated retroactively.~~

~~—(4) Except for corporations covered by chapters 50.44 and 50.50 RCW, personal services performed by bona fide corporate officers for corporations described under RCW 50.04.080(3) and 50.04.090(2) are not considered services in employment, unless the corporation registers with the department as required in RCW 50.12.070 and elects to provide coverage for its corporate officers under RCW 50.24.160)) cover not less than all of its corporate officers under RCW 50.24.160. If an employer does not elect to cover its corporate officers under RCW 50.24.160, the employer must notify its corporate officers in writing that they are ineligible for unemployment benefits. However, if the employer fails to provide notice, the individual's status as a corporate officer is unchanged and the person remains ineligible for unemployment benefits.~~

Sec. 3. RCW 50.04.080 and 2007 c 146 s 19 are each amended to read as follows:

((4)) "Employer" means any individual or type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, limited liability company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee, or the legal representative of a deceased person, having any person in employment or, having become an employer, has not ceased to be an employer as provided in this title.

~~((2) For the purposes of collection remedies available under chapter 50.24 RCW, "employer," in the case of a corporation or limited liability company, includes persons found personally liable for any unpaid contributions and interest and penalties on those contributions under RCW 50.24.230.~~

~~—(3) Except for corporations covered by chapters 50.44 and 50.50 RCW, "employer" does not include a corporation when all personal services are performed only by bona fide corporate officers, unless the corporation registers with the department as required in RCW 50.12.070 and elects to provide coverage for its corporate officers under RCW 50.24.160.)~~

Sec. 4. RCW 50.04.090 and 2007 c 146 s 20 are each amended to read as follows:

((4)) "Employing unit" means any individual or any type of organization, including any partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1937, had in its employ or in its "employment" one or more individuals performing services within this state. The state and its political subdivisions shall be deemed employing units as to any transactions occurring on or after September 21, 1977, which would render an employing unit liable for contributions, interest, or penalties under RCW 50.24.130.

"Employing unit" includes Indian tribes as defined in RCW 50.50.010.

~~((2) Except for corporations covered by chapters 50.44 and 50.50 RCW, "employing unit" does not include a corporation when all personal services are performed only by bona fide corporate officers, unless the corporation registers with the department as required in RCW 50.12.070 and elects to provide coverage for its corporate officers under RCW 50.24.160.)~~

NEW SECTION. Sec. 5. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. This act takes effect December 29, 2013."

Correct the title.

Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Manweller, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Green; Holy; Moeller; Ormsby and Short.

Passed to Committee on Rules for second reading.

April 2, 2013

ESB 5236 Prime Sponsor, Senator Kline: Creating the uniform correction or clarification of defamation act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Goodman; Jinkins; Kirby; Klippert; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives O'Ban, Assistant Ranking Minority Member; Nealey and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

E2SSB 5237 Prime Sponsor, Committee on Ways & Means: Establishing accountability for student performance in reading. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that literacy is an ongoing cognitive process that begins at birth. It involves the integration of listening, speaking, reading, writing, and critical thinking. Literacy also includes the knowledge that enables the speaker, writer, or reader to recognize and use language appropriate to a situation in an increasingly complex literate environment. Active literacy allows people to think, create, question, solve problems, and

reflect in order to participate effectively in a democratic, multicultural society.

(2) The legislature finds ample evidence of the importance of early literacy, particularly having students reading at grade level by the end of third grade. According to the national research council, high school graduation can be predicted with reasonable accuracy by knowing someone's reading skill at the end of third grade. Researchers at Yale University identified that three-quarters of students who are poor readers in third grade will remain poor readers in high school.

(3) The legislature further finds building an accountability system focused solely on a reader's performance in third grade will not result in the desired outcome. Identification, diagnosis, targeted and appropriate assistance, and progress monitoring must all begin as soon as an at-risk reader reaches the schoolhouse door. The legislature intends that the statewide assessment in third grade reading or English language arts serve as a checkpoint for the comprehensive system of instruction and services provided in grades kindergarten through three to support reading and early literacy skills.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Responsibility for supporting reading and early literacy is shared among local school districts, state and regional education agencies, and the legislature itself. The legislature's responsibility is to continue to provide funding for the program of basic education, including statewide implementation of full-day kindergarten and reduced class sizes in grades kindergarten through three as provided under RCW 28A.150.260. In addition, the legislature provides support for such initiatives as the Washington reading corps, early learning programs for at-risk children, and professional development for educators.

(2) The office of the superintendent of public instruction is responsible for:

(a) Continuing to work collaboratively with state and regional partners such as the department of early learning and the educational service districts to establish early literacy benchmarks and standards and to implement the Washington state comprehensive literacy plan;

(b) Disseminating research and information to school districts about evidence-based programs and practices in such areas as reading and early literacy, English language acquisition, and instruction for students with dyslexia and other learning disabilities, as well as research on how neuroscience can inform reading instruction;

(c) Providing statewide models to support school districts that are implementing responses to intervention, positive behavior intervention support systems, or other similar comprehensive models of data-based identification and early intervention; and

(d) Within available funds and in partnership with the educational service districts, providing technical assistance and professional development opportunities for school districts.

(3) The responsibility of school districts is to provide a comprehensive system of instruction and services in reading and early literacy to kindergarten through third grade students and their parents or guardians that is tiered based on the degree of student need for additional support. Reading and early literacy systems provided by school districts must include:

(a) Annual use of screening assessments and other tools to identify at-risk readers in kindergarten through third grade, such as the Washington kindergarten inventory of developing skills, the Washington state early learning and development guidelines for birth through third grade, and the second grade reading assessment under RCW 28A.300.310;

(b) Based on the results of screening assessments and progress monitoring of at-risk readers, use of appropriate diagnostic assessments and evaluations to identify potential causes of low reading and literacy skills, such as evaluations to determine whether the student has a form of dyslexia or other learning disability; has

another type of disability that requires development of an individualized education program or a section 504 plan; is an English language learner whose language proficiency is impeding the student's reading; has a vision, hearing, or other physical challenge that may be affecting the student's reading; or has other social-emotional or behavioral challenges that are affecting school performance;

(c) Provision of a range of research and evidence-based strategies to assist students in reaching grade-level performance in reading and early literacy, which may include supplemental instruction, specialized curriculum, use of literacy specialists and coaches, special education, section 504 accommodations, transitional bilingual instruction, and referral to social and health service resources in the school district or community;

(d) Continuous use of data, gathered using multiple measures and methods, for identification, assessment, evaluation, progress monitoring, and adjustment of appropriate interventions and support;

(e) To the extent appropriate organizations exist in the local community, creation of partnerships with early learning providers and organizations, out-of-school education service providers, and social and health service organizations and providers, to align and coordinate provision of in and out-of-school services in a wraparound manner that supports all aspects of students' needs; and

(f) Research-based family involvement and engagement strategies, including strategies to help families and guardians assist in improving students' reading and early literacy skills at home.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.320 RCW to read as follows:

(1) The results from the third grade statewide student assessment in reading or English language arts serve as a key accountability measure for the comprehensive system of instruction and services under section 2 of this act to support reading and early literacy.

(2) The state board of education shall annually monitor school and district progress on the third grade statewide student assessment in reading or English language arts, as well as progress on the reading or English language arts assessments in fourth through eighth grade. The board shall examine the results longitudinally to identify patterns and trends within schools and among elementary schools and feeder middle schools. The board shall also examine data disaggregated by student subgroups. The board shall establish benchmarks for identifying warning signs of systemic problems in schools and school districts based on assessment results in reading or English language arts over a three-year period.

(3) The state board of education shall submit a biennial report to the superintendent of public instruction on its analysis and findings under subsection (2) of this section. Based on the report, the superintendent of public instruction shall consult with reading and language arts teachers, the department of early learning, educational service districts, out-of-school education service providers, and other experts to develop recommendations for actions that may be taken, including but not limited to legislative actions, to improve outcomes in reading and early literacy. The recommendations from the superintendent of public instruction must be submitted to the education committees of the legislature biennially, no later than December 1st of each even-numbered year.

NEW SECTION. Sec. 4. Subject to funds appropriated for this specific purpose, the University of Washington shall conduct a research study during the 2013-2015 biennium on the neuroscience associated with children achieving early literacy. The study shall report not only scientific findings, but also explain and illustrate the implications and relevance of the findings for improving reading and literacy instruction and suggest strategies for elementary level classroom teachers and reading specialists to incorporate the results into their practice."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Referred to Committee on Appropriations.

April 2, 2013

SSB 5256 Prime Sponsor, Committee on Law & Justice: Concerning the confidentiality of certain autopsy and postmortem reports and records. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 68.50.105 and 2011 c 61 s 1 are each amended to read as follows:

(1) Reports and records of autopsies or postmortems shall be confidential, except that the following persons may examine and obtain copies of any such report or record: The personal representative of the decedent as defined in RCW 11.02.005, any family member, the attending physician or advanced registered nurse practitioner, the prosecuting attorney or law enforcement agencies having jurisdiction, public health officials, the department of labor and industries in cases in which it has an interest under RCW 68.50.103, or the secretary of the department of social and health services or his or her designee in cases being reviewed under RCW 74.13.640.

(2)(a) Notwithstanding the restrictions contained in this section regarding the dissemination of records and reports of autopsies or postmortems, nor the exemptions referenced under RCW 42.56.240(1), nothing in this chapter prohibits a coroner, medical examiner, or his or her designee, from publicly discussing his or her findings as to any death subject to the jurisdiction of his or her office where actions of a law enforcement officer or corrections officer have been determined to be a proximate cause of the death, except as provided in (b) of this subsection.

(b) A coroner, medical examiner, or his or her designee may not publicly discuss his or her findings outside of formal court or inquest proceedings if there is a pending or active criminal investigation, or a criminal or civil action, concerning a death that has commenced prior to the effective date of this section.

(3) The coroner, the medical examiner, or the attending physician shall, upon request, meet with the family of the decedent to discuss the findings of the autopsy or postmortem. For the purposes of this section, the term "family" means the surviving spouse, state registered domestic partner, or any child, parent, grandparent, grandchild, brother, or sister of the decedent, or any person who was guardian of the decedent at the time of death.

NEW SECTION. Sec. 2. A new section is added to chapter 68.50 RCW to read as follows:

No coroner, medical examiner, or his or her designee shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of any information related to his or her findings under RCW 68.50.105 if the coroner, medical examiner, or his or her designee acted in good faith in attempting to comply with the provisions of this chapter.

NEW SECTION. Sec. 3. This act takes effect January 1, 2014." Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

E2SSB 5330 Prime Sponsor, Committee on Ways & Means: Improving student achievement and student outcomes. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; McCoy; Orwall; Pike; Pollet; Seaquist and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Lytton; Maxwell and Parker.

Referred to Committee on Appropriations.

April 2, 2013

SSB 5456 Prime Sponsor, Committee on Human Services & Corrections: Concerning detentions under the involuntary treatment act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 71.05 RCW to read as follows:

A designated mental health professional conducting an evaluation of a person under RCW 71.05.150 or 71.05.153 must consult with any examining emergency room physician regarding the physician's observations and opinions relating to the person's condition, and whether, in the view of the physician, detention is appropriate. The designated mental health professional shall take serious consideration of observations and opinions by examining emergency room physicians in determining whether detention under this chapter is appropriate. The designated mental health professional must document the consultation with an examining emergency room physician, including the physician's observations or opinions regarding whether detention of the person is appropriate.

NEW SECTION. Sec. 2. A new section is added to chapter 71.05 RCW to read as follows:

A designated mental health professional who conducts an evaluation for imminent likelihood of serious harm or imminent danger because of being gravely disabled under RCW 71.05.153 must also evaluate the person under RCW 71.05.150 for likelihood of serious harm or grave disability that does not meet the imminent standard for emergency detention."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013
ESSB 5551 Prime Sponsor, Committee on Ways & Means:
 Concerning competency to stand trial evaluations.
 Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 10.77 RCW to read as follows:

(1) If, at the time of a referral for an evaluation of competency to stand trial in a jail for an in-custody defendant, the department has not met the performance target for timely completion of competency evaluations under RCW 10.77.068(1)(a)(ii) during the most recent quarter in fifty percent of cases submitted by the referring county, as documented in the most recent quarterly report under RCW 10.77.068(3) or confirmed by records maintained by the department, the department shall reimburse the county for the cost of appointing a qualified expert or professional person under RCW 10.77.060(1)(a) subject to subsections (2) and (3) of this section.

(2) Appointment of a qualified expert or professional person under this section must be from a list of qualified experts or professional persons assembled with participation by representatives of the prosecuting attorney and the defense bar of the county. The qualified expert or professional person shall complete an evaluation and report that includes the components specified in RCW 10.77.060(3).

(3) The county shall provide a copy of the evaluation report to the applicable state hospital upon referral of the defendant for admission to the state hospital. The county shall maintain data on the timeliness of competency evaluations completed under this section.

(4) A qualified expert or professional person appointed by a court under this section must be compensated for competency evaluations in an amount that will encourage in-depth evaluation reports. Subject to the availability of amounts appropriated for this specific purpose, the department shall reimburse the county in an amount determined by the department to be fair and reasonable with the county paying any excess costs. The amount of reimbursement established by the department must at least meet the equivalent amount for evaluations conducted by the department.

(4) Nothing in this section precludes either party from objecting to the appointment of an evaluator on the basis that an inpatient evaluation is appropriate under RCW 10.77.060(1)(d).

(5) This section expires June 30, 2016.

NEW SECTION. Sec. 2. Within current resources, the office of the state human resources director shall gather market salary data related to psychologists and psychiatrists employed by the department of social and health services and department of corrections and report to the governor and relevant committees of the legislature by June 30, 2013.

NEW SECTION. Sec. 3. Section 2 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Referred to Committee on Appropriations.

April 2, 2013

SSB 5568

Prime Sponsor, Committee on Financial Institutions, Housing & Insurance: Concerning the disclosure of certain information when screening tenants. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

ESB 5666

Prime Sponsor, Senator Dammeier: Concerning disclosure of information by health care quality improvement programs, quality assurance programs, and peer review committees. (REVISED FOR PASSED LEGISLATURE: Concerning health care quality improvement measures.) Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 7.71.030 and 2012 c 165 s 1 are each amended to read as follows:

(1) If the limitation on damages under RCW 7.71.020 and P.L. 99-660 Sec. 411(1) does not apply, this section shall provide the exclusive ((remedy)) remedies in any lawsuit by a health care provider for any action taken by a professional peer review body of health care providers as defined in RCW 7.70.020((, that is found to be based on matters not related to the competence or professional conduct of a health care provider)).

(2) ((Actions)) Remedies shall be limited to appropriate injunctive relief, and damages shall be allowed only for lost earnings directly attributable to the action taken by the professional peer review body, incurred between the date of such action and the date the action is functionally reversed by the professional peer review body.

(3) Reasonable attorneys' fees and costs shall be awarded if approved by the court under RCW 7.71.035.

(4) The statute of limitations for actions under this section shall be one year from the date of the action of the professional peer review body.

Sec. 2. RCW 70.41.200 and 2007 c 273 s 22 and 2007 c 261 s 3 are each reenacted and amended to read as follows:

(1) Every hospital shall maintain a coordinated quality improvement program for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The program shall include at least the following:

(a) The establishment of ((a)) one or more quality improvement committees with the responsibility to review the services rendered in the hospital, both retrospectively and prospectively, in order to improve the quality of medical care of patients and to prevent medical malpractice. ((The)) Different quality improvement committees may be established as a part of a quality improvement program to review different health care services. Such committees shall oversee and coordinate the quality improvement and medical malpractice prevention program and shall ensure that information gathered

pursuant to the program is used to review and to revise hospital policies and procedures;

(b) A process, including a medical staff privileges sanction procedure which must be conducted substantially in accordance with medical staff bylaws and applicable rules, regulations, or policies of the medical staff through which credentials, physical and mental capacity, professional conduct, and competence in delivering health care services are periodically reviewed as part of an evaluation of staff privileges;

(c) ((The)) A process for the periodic review of the credentials, physical and mental capacity, professional conduct, and competence in delivering health care services of all ((persons)) other health care providers who are employed or associated with the hospital;

(d) A procedure for the prompt resolution of grievances by patients or their representatives related to accidents, injuries, treatment, and other events that may result in claims of medical malpractice;

(e) The maintenance and continuous collection of information concerning the hospital's experience with negative health care outcomes and incidents injurious to patients including health care-associated infections as defined in RCW 43.70.056, patient grievances, professional liability premiums, settlements, awards, costs incurred by the hospital for patient injury prevention, and safety improvement activities;

(f) The maintenance of relevant and appropriate information gathered pursuant to (a) through (e) of this subsection concerning individual physicians within the physician's personnel or credential file maintained by the hospital;

(g) Education programs dealing with quality improvement, patient safety, medication errors, injury prevention, infection control, staff responsibility to report professional misconduct, the legal aspects of patient care, improved communication with patients, and causes of malpractice claims for staff personnel engaged in patient care activities; and

(h) Policies to ensure compliance with the reporting requirements of this section.

(2) Any person who, in substantial good faith, provides information to further the purposes of the quality improvement and medical malpractice prevention program or who, in substantial good faith, participates on the quality improvement committee shall not be subject to an action for civil damages or other relief as a result of such activity. Any person or entity participating in a coordinated quality improvement program that, in substantial good faith, shares information or documents with one or more other programs, committees, or boards under subsection (8) of this section is not subject to an action for civil damages or other relief as a result of the activity. For the purposes of this section, sharing information is presumed to be in substantial good faith. However, the presumption may be rebutted upon a showing of clear, cogent, and convincing evidence that the information shared was knowingly false or deliberately misleading.

(3) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to review or disclosure, except as provided in this section, or discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings

or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by regulation of the department of health to be made regarding the care and treatment received.

(4) Each quality improvement committee shall, on at least a semiannual basis, report to the governing board of the hospital in which the committee is located. The report shall review the quality improvement activities conducted by the committee, and any actions taken as a result of those activities.

(5) The department of health shall adopt such rules as are deemed appropriate to effectuate the purposes of this section.

(6) The medical quality assurance commission or the board of osteopathic medicine and surgery, as appropriate, may review and audit the records of committee decisions in which a physician's privileges are terminated or restricted. Each hospital shall produce and make accessible to the commission or board the appropriate records and otherwise facilitate the review and audit. Information so gained shall not be subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section. Failure of a hospital to comply with this subsection is punishable by a civil penalty not to exceed two hundred fifty dollars.

(7) The department, the joint commission on accreditation of health care organizations, and any other accrediting organization may review and audit the records of a quality improvement committee or peer review committee in connection with their inspection and review of hospitals. Information so obtained shall not be subject to the discovery process, and confidentiality shall be respected as required by subsection (3) of this section. Each hospital shall produce and make accessible to the department the appropriate records and otherwise facilitate the review and audit.

(8) A coordinated quality improvement program may share information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee or a peer review committee under RCW 4.24.250 with one or more other coordinated quality improvement programs maintained in accordance with this section or RCW 43.70.510, a coordinated quality improvement committee maintained by an ambulatory surgical facility under RCW 70.230.070, a quality assurance committee maintained in accordance with RCW 18.20.390 or 74.42.640, or a peer review committee under RCW 4.24.250, for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The privacy protections of chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and its implementing regulations apply to the sharing of individually identifiable patient

information held by a coordinated quality improvement program. Any rules necessary to implement this section shall meet the requirements of applicable federal and state privacy laws. Information and documents disclosed by one coordinated quality improvement program to another coordinated quality improvement program or a peer review committee under RCW 4.24.250 and any information and documents created or maintained as a result of the sharing of information and documents shall not be subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section, RCW 18.20.390 (6) and (8), 74.42.640 (7) and (9), and 4.24.250.

(9) A hospital that operates a nursing home as defined in RCW 18.51.010 may conduct quality improvement activities for both the hospital and the nursing home through a quality improvement committee under this section, and such activities shall be subject to the provisions of subsections (2) through (8) of this section.

(10) Violation of this section shall not be considered negligence per se.

Sec. 3. RCW 70.41.230 and 1994 sp.s. c 9 s 744 are each amended to read as follows:

(1) Prior to granting or renewing clinical privileges or association of any physician or hiring a physician, a hospital or facility approved pursuant to this chapter shall request from the physician and the physician shall provide the following information:

(a) The name of any hospital or facility with or at which the physician had or has any association, employment, privileges, or practice during the prior five years: PROVIDED, That the hospital may request additional information going back further than five years, and the physician shall use his or her best efforts to comply with such a request for additional information;

(b) (If such association, employment, privilege, or practice was discontinued, the reasons for its discontinuation) Whether the physician has ever been or is in the process of being denied, revoked, terminated, suspended, restricted, reduced, limited, sanctioned, placed on probation, monitored, or not renewed for any professional activity listed in (b)(i) through (x) of this subsection, or has ever voluntarily or involuntarily relinquished, withdrawn, or failed to proceed with an application for any professional activity listed in (b)(i) through (x) of this subsection in order to avoid an adverse action or to preclude an investigation or while under investigation relating to professional competence or conduct:

(i) License to practice any profession in any jurisdiction;

(ii) Other professional registration or certification in any jurisdiction;

(iii) Specialty or subspecialty board certification;

(iv) Membership on any hospital medical staff;

(v) Clinical privileges at any facility, including hospitals, ambulatory surgical centers, or skilled nursing facilities;

(vi) Medicare, medicaid, the food and drug administration, the national institute of health (office of human research protection), governmental, national, or international regulatory agency, or any public program;

(vii) Professional society membership or fellowship;

(viii) Participation or membership in a health maintenance organization, preferred provider organization, independent practice association, physician-hospital organization, or other entity;

(ix) Academic appointment;

(x) Authority to prescribe controlled substances (drug enforcement agency or other authority);

(c) Any pending professional medical misconduct proceedings or any pending medical malpractice actions in this state or another state, the substance of the allegations in the proceedings or actions, and any additional information concerning the proceedings or actions as the physician deems appropriate;

(d) The substance of the findings in the actions or proceedings and any additional information concerning the actions or proceedings as the physician deems appropriate;

(e) A waiver by the physician of any confidentiality provisions concerning the information required to be provided to hospitals pursuant to this subsection; and

(f) A verification by the physician that the information provided by the physician is accurate and complete.

(2) Prior to granting privileges or association to any physician or hiring a physician, a hospital or facility approved pursuant to this chapter shall request from any hospital with or at which the physician had or has privileges, was associated, or was employed, during the preceding five years, the following information concerning the physician:

(a) Any pending professional medical misconduct proceedings or any pending medical malpractice actions, in this state or another state;

(b) Any judgment or settlement of a medical malpractice action and any finding of professional misconduct in this state or another state by a licensing or disciplinary board; and

(c) Any information required to be reported by hospitals pursuant to RCW 18.71.0195.

(3) The medical quality assurance commission shall be advised within thirty days of the name of any physician denied staff privileges, association, or employment on the basis of adverse findings under subsection (1) of this section.

(4) A hospital or facility that receives a request for information from another hospital or facility pursuant to subsections (1) and (2) of this section shall provide such information concerning the physician in question to the extent such information is known to the hospital or facility receiving such a request, including the reasons for suspension, termination, or curtailment of employment or privileges at the hospital or facility. A hospital, facility, or other person providing such information in good faith is not liable in any civil action for the release of such information.

(5) Information and documents, including complaints and incident reports, created specifically for, and collected, and maintained by a quality improvement committee are not subject to discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or

revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by regulation of the department of health to be made regarding the care and treatment received.

(6) Hospitals shall be granted access to information held by the medical quality assurance commission and the board of osteopathic medicine and surgery pertinent to decisions of the hospital regarding credentialing and recredentialing of practitioners.

(7) Violation of this section shall not be considered negligence per se.

Sec. 4. RCW 70.230.080 and 2007 c 273 s 9 are each amended to read as follows:

(1) Every ambulatory surgical facility shall maintain a coordinated quality improvement program for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The program shall include at least the following:

(a) The establishment of ((a)) one or more quality improvement committees with the responsibility to review the services rendered in the ambulatory surgical facility, both retrospectively and prospectively, in order to improve the quality of medical care of patients and to prevent medical malpractice. ((The)) Different quality improvement committees may be established as a part of the quality improvement program to review different health care services. Such committees shall oversee and coordinate the quality improvement and medical malpractice prevention program and shall ensure that information gathered pursuant to the program is used to review and to revise the policies and procedures of the ambulatory surgical facility;

(b) A process, including a medical staff privileges sanction procedure which must be conducted substantially in accordance with medical staff bylaws and applicable rules, regulations, or policies of the medical staff through which credentials, physical and mental capacity, professional conduct, and competence in delivering health care services are periodically reviewed as part of an evaluation of staff privileges;

(c) The periodic review of the credentials, physical and mental capacity, and competence in delivering health care services of all persons who are employed or associated with the ambulatory surgical facility;

(d) A procedure for the prompt resolution of grievances by patients or their representatives related to accidents, injuries, treatment, and other events that may result in claims of medical malpractice;

(e) The maintenance and continuous collection of information concerning the ambulatory surgical facility's experience with negative health care outcomes and incidents injurious to patients, patient grievances, professional liability premiums, settlements, awards, costs incurred by the ambulatory surgical facility for patient injury prevention, and safety improvement activities;

(f) The maintenance of relevant and appropriate information gathered pursuant to (a) through (e) of this subsection concerning individual practitioners within the practitioner's personnel or credential file maintained by the ambulatory surgical facility;

(g) Education programs dealing with quality improvement, patient safety, medication errors, injury prevention, staff responsibility to report professional misconduct, the legal aspects of patient care, improved communication with patients, and causes of malpractice claims for staff personnel engaged in patient care activities; and

(h) Policies to ensure compliance with the reporting requirements of this section.

(2) Any person who, in substantial good faith, provides information to further the purposes of the quality improvement and medical malpractice prevention program or who, in substantial good faith, participates on the quality improvement committee is not subject to an action for civil damages or other relief as a result of such activity. Any person or entity participating in a coordinated quality improvement program that, in substantial good faith, shares information or documents with one or more other programs, committees, or boards under subsection (8) of this section is not subject to an action for civil damages or other relief as a result of the activity. For the purposes of this section, sharing information is presumed to be in substantial good faith. However, the presumption may be rebutted upon a showing of clear, cogent, and convincing evidence that the information shared was knowingly false or deliberately misleading.

(3) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to review or disclosure, except as provided in this section, or discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence of information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any, and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by rule of the department to be made regarding the care and treatment received.

(4) Each quality improvement committee shall, on at least a semiannual basis, report to the management of the ambulatory surgical facility, as identified in the facility's application, in which the committee is located. The report shall review the quality improvement activities conducted by the committee, and any actions taken as a result of those activities.

(5) The department shall adopt such rules as are deemed appropriate to effectuate the purposes of this section.

(6) The medical quality assurance commission, the board of osteopathic medicine and surgery, or the podiatric medical board, as appropriate, may review and audit the

records of committee decisions in which a practitioner's privileges are terminated or restricted. Each ambulatory surgical facility shall produce and make accessible to the commission or board the appropriate records and otherwise facilitate the review and audit. Information so gained is not subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section. Failure of an ambulatory surgical facility to comply with this subsection is punishable by a civil penalty not to exceed two hundred fifty dollars.

(7) The department and any accrediting organization may review and audit the records of a quality improvement committee or peer review committee in connection with their inspection and review of the ambulatory surgical facility. Information so obtained is not subject to the discovery process, and confidentiality shall be respected as required by subsection (3) of this section. Each ambulatory surgical facility shall produce and make accessible to the department the appropriate records and otherwise facilitate the review and audit.

(8) A coordinated quality improvement program may share information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee or a peer review committee under RCW 4.24.250 with one or more other coordinated quality improvement programs maintained in accordance with this section or RCW 43.70.510 or 70.41.200, a quality assurance committee maintained in accordance with RCW 18.20.390 or 74.42.640, or a peer review committee under RCW 4.24.250, for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The privacy protections of chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and its implementing regulations apply to the sharing of individually identifiable patient information held by a coordinated quality improvement program. Any rules necessary to implement this section shall meet the requirements of applicable federal and state privacy laws. Information and documents disclosed by one coordinated quality improvement program to another coordinated quality improvement program or a peer review committee under RCW 4.24.250 and any information and documents created or maintained as a result of the sharing of information and documents are not subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section, RCW 18.20.390 (6) and (8), 70.41.200(3), 74.42.640 (7) and (9), and 4.24.250.

(9) An ambulatory surgical facility that participates in a coordinated quality improvement program under RCW 43.70.510 shall be deemed to have met the requirements of this section.

(10) Violation of this section shall not be considered negligence per se. Sec. 5. RCW 70.230.140 and 2007 c 273 s 15 are each amended to read as follows:

(1) Prior to granting or renewing clinical privileges or association of any practitioner or hiring a practitioner, an ambulatory surgical facility approved pursuant to this chapter shall request from the practitioner and the practitioner shall provide the following information:

(a) The name of any hospital, ambulatory surgical facility, or other facility with or at which the practitioner had or has any association, employment, privileges, or practice during the prior five years: PROVIDED, That the ambulatory surgical facility may request additional information going back further than five years, and the physician shall use his or her

best efforts to comply with such a request for additional information;

(b) ((If such association, employment, privilege, or practice was discontinued, the reasons for its discontinuation)) Whether the physician has ever been or is in the process of being denied, revoked, terminated, suspended, restricted, reduced, limited, sanctioned, placed on probation, monitored, or not renewed for any professional activity listed in (b)(i) through (x) of this subsection, or has ever voluntarily or involuntarily relinquished, withdrawn, or failed to proceed with an application for any professional activity listed in (b)(i) through (x) of this subsection in order to avoid an adverse action or to preclude an investigation or while under investigation relating to professional competence or conduct:

(i) License to practice any profession in any jurisdiction;

(ii) Other professional registration or certification in any jurisdiction;

(iii) Specialty or subspecialty board certification;

(iv) Membership on any hospital medical staff;

(v) Clinical privileges at any facility, including hospitals, ambulatory surgical centers, or skilled nursing facilities;

(vi) Medicare, medicaid, the food and drug administration, the national institute of health (office of human research protection), governmental, national, or international regulatory agency, or any public program;

(vii) Professional society membership or fellowship;

(viii) Participation or membership in a health maintenance organization, preferred provider organization, independent practice association, physician-hospital organization, or other entity;

(ix) Academic appointment;

(x) Authority to prescribe controlled substances (drug enforcement agency or other authority);

(c) Any pending professional medical misconduct proceedings or any pending medical malpractice actions in this state or another state, the substance of the allegations in the proceedings or actions, and any additional information concerning the proceedings or actions as the practitioner deems appropriate;

(d) The substance of the findings in the actions or proceedings and any additional information concerning the actions or proceedings as the practitioner deems appropriate;

(e) A waiver by the practitioner of any confidentiality provisions concerning the information required to be provided to ambulatory surgical facilities pursuant to this subsection; and

(f) A verification by the practitioner that the information provided by the practitioner is accurate and complete.

(2) Prior to granting privileges or association to any practitioner or hiring a practitioner, an ambulatory surgical facility approved under this chapter shall request from any hospital or ambulatory surgical facility with or at which the practitioner had or has privileges, was associated, or was employed, during the preceding five years, the following information concerning the practitioner:

(a) Any pending professional medical misconduct proceedings or any pending medical malpractice actions, in this state or another state;

(b) Any judgment or settlement of a medical malpractice action and any finding of professional misconduct in this state or another state by a licensing or disciplinary board; and

(c) Any information required to be reported by hospitals or ambulatory surgical facilities pursuant to RCW 18.130.070.

(3) The medical quality assurance commission, board of osteopathic medicine and surgery, podiatric medical board, or dental quality assurance commission, as appropriate, shall be advised within thirty days of the name of any practitioner denied staff privileges, association, or employment on the basis of adverse findings under subsection (1) of this section.

(4) A hospital, ambulatory surgical facility, or other facility that receives a request for information from another hospital, ambulatory surgical facility, or other facility pursuant to subsections (1) and (2) of this section shall provide such information concerning the physician in question to the extent such information is known to the hospital, ambulatory surgical facility, or other facility receiving such a request, including the reasons for suspension, termination, or curtailment of employment or privileges at the hospital, ambulatory surgical facility, or facility. A hospital, ambulatory surgical facility, other facility, or other person providing such information in good faith is not liable in any civil action for the release of such information.

(5) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any, and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by rule of the department to be made regarding the care and treatment received.

(6) Ambulatory surgical facilities shall be granted access to information held by the medical quality assurance commission, board of osteopathic medicine and surgery, or podiatric medical board pertinent to decisions of the ambulatory surgical facility regarding credentialing and recredentialing of practitioners.

(7) Violation of this section shall not be considered negligence per se."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5674

Prime Sponsor, Senator Kohl-Welles: Allowing wine and beer sampling at farmers markets. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass as amended.

On page 2, after line 28, insert the following:
 "(6) For the purposes of this section, a "qualifying farmers market" has the same meaning as defined in RCW 66.24.170. However, if a farmers market does not satisfy RCW 66.24.170(5)(g)(i)(B), which requires that the total combined gross annual sales of vendors who are farmers exceed the total combined gross annual sales of vendors who are processors or resellers, a farmers market is still considered a "qualifying farmers market" if the total combined gross annual sales of vendors at the farmers market is one million dollars or more."

Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member; Kirby; Moscoso; Shea and Smith.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5692

Prime Sponsor, Senator King: Concerning standby guardians and limited guardians. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

ESSB 5753

Prime Sponsor, Committee on Early Learning & K-12 Education: Providing flexibility in the education system. Reported by Committee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.300.150 and 2006 c 263 s 705 are each amended to read as follows:

The superintendent of public instruction shall collect and disseminate to school districts information on child abuse and neglect prevention curriculum and shall adopt rules dealing with the prevention of child abuse for purposes of curriculum use in the common schools. The superintendent of public instruction and the departments of social and health services and ~~((community, trade, and economic development))~~ commerce shall share relevant information. Providing online access to the information satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form.

Sec. 2. RCW 28A.230.150 and 1969 ex.s. c 223 s 28A.02.090 are each amended to read as follows:

On January 16th of each year or the preceding Friday when January 16th falls on a nonschool day, there shall be observed within each public school "~~(Temperance and)~~ Good Citizenship Day". Annually the state superintendent of public instruction shall ~~((duly))~~ prepare and publish for circulation among the teachers of the state a program for use on such day embodying topics pertinent thereto and may from year to year designate particular laws for special observance.

NEW SECTION. Sec. 3. The following acts or parts of acts are each repealed:

(1) RCW 28A.220.050 (Information on proper use of left-hand lane) and 1986 c 93 s 4; and

(2) RCW 28A.220.080 (Information on motorcycle awareness) and 2007 c 97 s 4 & 2004 c 126 s 1.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Santos, Chair; Stonier, Vice Chair; Bergquist; Haigh; Hunt; Lytton; Maxwell; McCoy; Orwall; Pollet and Seaquist.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist, Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Fagan; Hargrove; Hawkins; Hayes; Klippert; Parker; Pike and Warnick.

Passed to Committee on Rules for second reading.

April 3, 2013
SSB 5767 Prime Sponsor, Committee on Agriculture, Water & Rural Economic Development: Concerning inspection of dairy cattle. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.57.160 and 2011 c 204 s 13 are each amended to read as follows:

(1) The director may adopt rules:

(a) Designating any point for mandatory inspection of cattle or horses or the furnishing of proof that cattle or horses passing or being transported through the point have been inspected or identified and are lawfully being transported;

(b) Providing for issuance of individual horse and cattle identification certificates or other means of horse and cattle identification;

(c) Designating the documents that constitute other satisfactory proof of ownership for cattle and horses. A bill of sale may not be designated as documenting satisfactory proof of ownership for cattle; and

(d) Designating when inspection certificates, certificates of permit, or other transportation documents required by law or rule must designate a physical address of a destination. Cattle and horses must be delivered or transported directly to the physical address of that destination.

(2) A self-inspection certificate may be accepted as satisfactory proof of ownership for cattle if the director determines that the self-inspection certificate, together with other available documentation, sufficiently establishes ownership. Self-inspection certificates

completed after June 10, 2010, are not satisfactory proof of ownership for cattle.

(3)(a) Upon request by a milk producer licensed under chapter 15.36 RCW, the department must issue an official individual identification tag to be placed by the producer before the first point of sale on bull calves and free-martins (infertile female calves) under thirty days of age. The fee for each tag is the cost to the department for manufacture, purchase, and distribution of the tag plus the applicable beef commission assessment. As used in this subsection (3), "green tag" means the official individual identification issued by the department.

(b) Transactions involving unbranded dairy breed bull calves or free-martins (infertile female calves) not being moved or transported out of Washington are exempt from inspection requirements under this chapter only if:

(i) The animal is under thirty days old and has not been previously bought or sold;

(ii) The seller holds a valid milk producer's license under chapter 15.36 RCW;

(iii) The sale does not take place at or through a public livestock market or special sale authorized by chapter 16.65 RCW;

(iv) Each animal is officially identified as provided in (a) of this subsection; and

(v) A certificate of permit and a bill of sale listing each animal's green tag accompanies the animal to the buyer's location. These documents do not constitute proof of ownership under this chapter.

(c) All fees received under (a) of this subsection, except for the beef commission assessment, must be deposited in the animal disease traceability account in the agricultural local fund created in RCW 43.23.230.

Sec. 2. RCW 16.57.370 and 2003 c 326 s 43 are each amended to read as follows:

All fees collected under the provisions of this chapter shall be deposited in an account in the agricultural local fund and used to carry out the purposes of this chapter, except as otherwise provided.

NEW SECTION. Sec. 3. RCW 16.57.303 (Proceeds from sale of impounded dairy breed cattle--Paid to seller) and 2003 c 326 s 37 are each repealed.

Sec. 4. RCW 16.57.300 and 2003 c 326 s 36 are each amended to read as follows:

~~((Except under RCW 16.57.303,))~~ The proceeds from the sale of cattle and horses when impounded under RCW 16.57.290, after paying the cost thereof, shall be paid to the director, who shall make a record showing the brand or marks or other method of identification of the animals and the amount realized from the sale thereof.

However, the proceeds from a sale of the cattle or horses at a licensed public livestock market shall be held by the licensee for a reasonable period not to exceed thirty days to permit the consignor to establish ownership or the right to sell the cattle or horses. If the consignor fails to establish legal ownership or the right to sell the cattle or horses, the proceeds shall be paid to the director to be disposed of as any other stray proceeds."

Correct the title.

Signed by Representatives Lytton, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys; Dunshee; Haigh; Hurst; Kretz; Orcutt; Pettigrew; Schmick; Stanford; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

April 2, 2013
SB 5797 Prime Sponsor, Senator Hobbs: Encouraging the establishment of effective specialty courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that in the state of Washington, there exists a type of court administered by the judiciary commonly called a specialty or therapeutic court. Judges in the trial courts throughout the state effectively utilize specialty and therapeutic courts to remove defendants with their consent and the consent of the prosecuting authority from the normal criminal court system and allow those defendants the opportunity to obtain treatment services to address particular issues that may have contributed to the conduct that led to their arrest in exchange for dismissal of the charges. Trial courts have proved adept at creative approaches in fashioning a wide variety of specialty and therapeutic courts addressing the spectrum of social issues that can contribute to criminal activity.

The legislature also finds that there are presently more than seventy-four specialty and therapeutic courts operating in the state of Washington that save costs to both the trial courts and law enforcement by strategic focus of resources within the criminal justice system. There are presently more than fifteen types of specialty and therapeutic courts in the state including: Veterans treatment court, adult drug court, juvenile drug court, family dependency treatment court, mental health court, DUI court, community court, reentry drug court, tribal healing to wellness court, truancy court, homeless court, domestic violence court, gambling court, and Back on TRAC: Treatment, responsibility, accountability on campus.

The legislature recognizes the inherent authority of the judiciary under Article IV, section 1 of the state Constitution to establish specialty and therapeutic courts. The legislature recognizes the outstanding contribution to the state and a local community made by the establishment of specialty and therapeutic courts and desires to provide a general provision in statute acknowledging and encouraging the judiciary to provide for such courts to address the particular needs within a given judicial jurisdiction.

NEW SECTION. Sec. 2. A new section is added to chapter 2.28 RCW to read as follows:

(1) The legislature respectfully encourages the supreme court to adopt any administrative orders and court rules of practice and procedure it deems necessary to support the establishment of effective specialty and therapeutic courts.

(2) Any jurisdiction may establish a specialty or therapeutic court under this section and may seek state or federal funding as it becomes available for the establishment, maintenance, and expansion of specialty and therapeutic courts and for the provision by participating agencies of treatment to participating defendants.

(3) Any jurisdiction establishing a specialty court shall endeavor to incorporate the treatment court principles of best practices as recognized by state and national treatment court agencies and organizations in structuring a particular program, which may include:

- (a) Determine the population;
- (b) Perform a clinical assessment;
- (c) Develop the treatment plan;
- (d) Supervise the offender;
- (e) Forge agency, organization, and community partnerships;
- (f) Take a judicial leadership role;
- (g) Develop case management strategies;
- (h) Address transportation issues;
- (i) Evaluate the program;
- (j) Ensure a sustainable program.

(4) Specialty and therapeutic courts shall continue to: (a) Obtain the consent of the prosecuting authority in order to remove a charged offender from the regular course of prosecution and punishment; and (b) comply with sentencing requirements as established in state law.

NEW SECTION. Sec. 3. The superior court judges' association and the district and municipal court judges' association are encouraged to invite other appropriate organizations and convene a work group to examine the structure of all specialty and therapeutic courts in Washington. If such a work group is convened, the legislature requests a recommendation for the structure for such courts in the law and court rules, incorporating principles of best practices relative to a particular court as recognized by state and national treatment court agencies and organizations, to make such courts more effective and more prevalent throughout the state. The legislature requests such recommendations prior to the beginning of the 2014 legislative session, and respectfully requests the supreme court to consider any recommendations from the work group pertaining to necessary changes in court rules.

NEW SECTION. Sec. 4. For the purposes of this act, "specialty court" and "therapeutic court" both mean a specialized pretrial or sentencing docket in select criminal cases where agencies coordinate work to provide treatment for a defendant who has particular needs.

Sec. 5. RCW 2.28.170 and 2009 c 445 s 2 are each amended to read as follows:

(1) ~~((Counties))~~ Jurisdictions may establish and operate drug courts.

(2) For the purposes of this section, "drug court" means a court that has special calendars or dockets designed to achieve a reduction in recidivism and substance abuse among nonviolent, substance abusing felony and nonfelony offenders, whether adult or juvenile, by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic drug testing; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a drug court program must first:

(i) Exhaust all federal funding that is available to support the operations of its drug court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for drug court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not supplant, other federal, state, and local funds for drug court operations and associated services. However, from July 26, 2009, until June 30, 2013, no match is required for state moneys expended for the administrative and overhead costs associated with the operation of a drug court pursuant to RCW 70.96A.350.

(b) Any ~~((county))~~ jurisdiction that establishes a drug court pursuant to this section shall establish minimum requirements for the participation of offenders in the program. The drug court may adopt local requirements that are more stringent than the minimum. The minimum requirements are:

(i) The offender would benefit from substance abuse treatment;

(ii) The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030; and

(iii) Without regard to whether proof of any of these elements is required to convict, the offender is not currently charged with or convicted of an offense:

(A) That is a sex offense;

(B) That is a serious violent offense;

(C) During which the defendant used a firearm; or

(D) During which the defendant caused substantial or great bodily harm or death to another person.

Sec. 6. RCW 2.28.175 and 2012 c 183 s 1 are each amended to read as follows:

(1) ~~((Counties))~~ Jurisdictions may establish and operate DUI courts. Municipalities may enter into cooperative agreements with counties or other municipalities that have DUI courts to provide DUI court services.

(2) For the purposes of this section, "DUI court" means a court that has special calendars or dockets designed to achieve a reduction

in recidivism of impaired driving among nonviolent, alcohol abusing offenders, whether adult or juvenile, by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic testing for alcohol use and, if applicable, drug use; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a DUI court program must first:

(i) Exhaust all federal funding that is available to support the operations of its DUI court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for DUI court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not supplant, other federal, state, and local funds for DUI court operations and associated services. However, until June 30, 2014, no match is required for state moneys expended for the administrative and overhead costs associated with the operation of a DUI court established as of January 1, 2011.

(b) Any jurisdiction that establishes a DUI court pursuant to this section shall establish minimum requirements for the participation of offenders in the program. The DUI court may adopt local requirements that are more stringent than the minimum. The minimum requirements are:

(i) The offender would benefit from alcohol treatment;

(ii) The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030, vehicular homicide under RCW 46.61.520, vehicular assault under RCW 46.61.522, or an equivalent out-of-state offense; and

(iii) Without regard to whether proof of any of these elements is required to convict, the offender is not currently charged with or convicted of an offense:

(A) That is a sex offense;

(B) That is a serious violent offense;

(C) That is vehicular homicide or vehicular assault;

(D) During which the defendant used a firearm; or

(E) During which the defendant caused substantial or great bodily harm or death to another person.

Sec. 7. RCW 2.28.180 and 2011 c 236 s 1 are each amended to read as follows:

(1) (~~Counties~~) Jurisdictions may establish and operate mental health courts.

(2) For the purposes of this section, "mental health court" means a court that has special calendars or dockets designed to achieve a reduction in recidivism and symptoms of mental illness among nonviolent, felony and nonfelony offenders with mental illnesses and recidivism among nonviolent felony and nonfelony offenders who have developmental disabilities as defined in RCW 71A.10.020 or who have suffered a traumatic brain injury by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment including drug treatment for persons with co-occurring disorders; mandatory periodic reviews, including drug testing if indicated; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a mental health court program must first:

(i) Exhaust all federal funding that is available to support the operations of its mental health court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for mental health court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not supplant, other federal, state, and local funds for mental health court operations and associated services.

(b) Any (~~county~~) jurisdiction that establishes a mental health court pursuant to this section shall establish minimum requirements for the participation of offenders in the program. The mental health

court may adopt local requirements that are more stringent than the minimum. The minimum requirements are:

(i) The offender would benefit from psychiatric treatment or treatment related to his or her developmental disability or traumatic brain injury;

(ii) The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030; and

(iii) Without regard to whether proof of any of these elements is required to convict, the offender is not currently charged with or convicted of an offense:

(A) That is a sex offense;

(B) That is a serious violent offense;

(C) During which the defendant used a firearm; or

(D) During which the defendant caused substantial or great bodily harm or death to another person.

Sec. 8. RCW 2.28.190 and 2011 c 293 s 11 are each amended to read as follows:

Any (~~county~~) jurisdiction that has established a DUI court, drug court, and a mental health court under this chapter may combine the functions of these courts into a single therapeutic court.

NEW SECTION. Sec. 9. This act takes effect August 1, 2013."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

Passed to Committee on Rules for second reading.

April 2, 2013

ESB 5860

Prime Sponsor, Senator Padden: Addressing legal proceedings by the attorney general on behalf of superior court judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.10.030 and 2009 c 549 s 5048 are each amended to read as follows:

The attorney general shall:

(1) Appear for and represent the state before the supreme court or the court of appeals in all cases in which the state is interested;

(2) Institute and prosecute all actions and proceedings for, or for the use of the state, which may be necessary in the execution of the duties of any state officer, except as provided in section 2 of this act;

(3) Defend all actions and proceedings against any state officer or employee acting in his or her official capacity, in any of the courts of this state or the United States;

(4) Consult with and advise the several prosecuting attorneys in matters relating to the duties of their office, and when the interests of the state require, he or she shall attend the trial of any person accused of a crime, and assist in the prosecution;

(5) Consult with and advise the governor, members of the legislature, and other state officers, and when requested, give written opinions upon all constitutional or legal questions relating to the duties of such officers;

(6) Prepare proper drafts of contracts and other instruments relating to subjects in which the state is interested;

(7) Give written opinions, when requested by either branch of the legislature, or any committee thereof, upon constitutional or legal questions;

(8) Enforce the proper application of funds appropriated for the public institutions of the state, and prosecute corporations for failure or refusal to make the reports required by law;

(9) Keep in proper books a record of all cases prosecuted or defended by him or her, on behalf of the state or its officers, and of all proceedings had in relation thereto, and deliver the same to his or her successor in office;

(10) Keep books in which he or she shall record all the official opinions given by him or her during his or her term of office, and deliver the same to his or her successor in office;

(11) Pay into the state treasury all moneys received by him or her for the use of the state.

NEW SECTION. Sec. 2. A new section is added to chapter 43.10 RCW to read as follows:

RCW 43.10.030(2) does not require the attorney general to institute or prosecute any action or proceeding on behalf of a superior court judge or judges against the state or a county when any purpose of the action or proceeding, any cause of action, or any remedy sought, is related to or would require, fiscal appropriations or funding or financial payment of any sort from the state or a county.

NEW SECTION. Sec. 3. For any action or proceeding instituted by the attorney general on behalf of a superior court judge or judges under RCW 43.10.030(2) prior to the effective date of this act, any duty on the part of the attorney general to continue to prosecute shall cease after the effective date of this act.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Jinkins; Kirby; Klippert; Nealey; Orwall; Roberts and Shea.

MINORITY recommendation: Do not pass. Signed by Representative Goodman.

Referred to Committee on Appropriations Subcommittee on General Government.

THIRD SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

HB 1902 April 2, 2013
Prime Sponsor, Representative Holy: Creating intermittent-use trailer license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

HB 1978 April 2, 2013
Prime Sponsor, Representative Zeiger: Addressing the permitting of certain

transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Takko; Tarleton; Uptegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Shea.

Passed to Committee on Rules for second reading.

HB 1979 April 2, 2013
Prime Sponsor, Representative Zeiger: Implementing public-private partnership best practices for nontoll transportation projects. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

HB 1986 April 2, 2013
Prime Sponsor, Representative O'Ban: Requiring the reporting of highway construction project errors. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Sells; Shea; Takko; Tarleton and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Ryu and Uptegrove.

Passed to Committee on Rules for second reading.

ESSB 5157 April 2, 2013
Prime Sponsor, Committee on Human Services & Corrections: Regulating provision of child care. (REVISED FOR ENGROSSED: Regulating child care subsidies.) Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 43.215 RCW to read as follows:

(1) The department is required to review violations of rules pertaining to subsidy payments. The department shall develop recommendations to increase child care provider compliance with existing rules pertaining to subsidy payments. The department shall report its recommendations to the appropriate committees of the legislature by December 1, 2013.

(2) This section expires December 31, 2013."

Correct the title.

Signed by Representatives Kagi, Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5182 Prime Sponsor, Committee on Transportation: Addressing the disclosure of vehicle owner information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Uptegrove and Zeiger.

Passed to Committee on Rules for second reading.

April 2, 2013

SB 5359 Prime Sponsor, Senator Carrell: Concerning mandatory reporting of child abuse or neglect by supervised persons. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 26.44.030 and 2012 c 55 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or

cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11, 13, and 26 RCW, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees,

including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second

licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(12) In conducting an investigation of alleged abuse or neglect, the department or law enforcement agency:

(a) May interview children. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. Parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(b) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(13) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombudsman of the contents of the report. The department shall also notify the ombudsman of the disposition of the report.

(14) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(15) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(16) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor. The department shall, within funds appropriated for this purpose, offer enhanced community-based services to persons who are determined not to require further state intervention.

(17) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(18) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

Sec. 2. RCW 26.44.030 and 2012 c 259 s 3 and 2012 c 55 s 1 are each reenacted and amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar

activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11, 13, and 26 RCW, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports

of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(a) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(b) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombudsman of the contents of the report. The department shall also notify the ombudsman of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17)(a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

NEW SECTION. **Sec. 3.** Section 1 of this act expires December 1, 2013.

NEW SECTION. **Sec. 4.** Section 2 of this act takes effect December 1, 2013."

Correct the title.

Signed by Representatives Kagi, Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Overstreet; Roberts; Sawyer and Zeiger.

Passed to Committee on Rules for second reading.

April 2, 2013

E2SSB 5405 Prime Sponsor, Committee on Ways & Means:
Concerning extended foster care services.
Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that the federal fostering connections to success and increasing adoptions act of 2008 provides important new opportunities to increase the impact of state funding through maximizing the amount of federal funding available to promote permanency and positive outcomes for dependent youth.

(2) The legislature also finds that children and adolescents who are legal dependents of Washington state have experienced significant trauma and loss, putting them at increased risk for poor life outcomes. Longitudinal research on the adult functioning of former foster youth indicates a disproportionate likelihood that youth aging out of foster care and those who spent several years in care will experience poor outcomes in a variety of areas, including limited human capital upon which to build economic security and inability to fully take advantage of secondary and postsecondary educational opportunities, untreated mental or behavioral health problems, involvement in the criminal justice and corrections systems, and early parenthood combined with second-generation child welfare involvement.

(3) The legislature further finds that research also demonstrates that access to adequate and appropriate supports during the period of transition from foster care to independence can have significant positive impacts on adult functioning and can improve outcomes relating to educational attainment and postsecondary enrollment, employment and earnings, and reduced rates of teen pregnancies.

Sec. 2. RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the

child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" means:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of social and health services.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(9) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(10) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(11) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children

alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(12) "Housing assistance" means appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or time-limited family reunification service as described in RCW 13.34.025(2).

(13) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty-five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(14) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(15) "Preventive services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child.

(16) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(17) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(18) "Social study" means a written evaluation of matters relevant to the disposition of the case and shall contain the following information:

(a) A statement of the specific harm or harms to the child that intervention is designed to alleviate;

(b) A description of the specific services and activities, for both the parents and child, that are needed in order to prevent serious harm to the child; the reasons why such services and activities are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered. The description shall identify the services chosen and approved by the parent;

(c) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs that have been considered and rejected; the preventive services, including housing assistance, that have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home; and the parents' attitude toward placement of the child;

(d) A statement of the likely harms the child will suffer as a result of removal;

(e) A description of the steps that will be taken to minimize the harm to the child that may result if separation occurs including an assessment of the child's relationship and emotional bond with any siblings, and the agency's plan to provide ongoing contact between the child and the child's siblings if appropriate; and

(f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

(19) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

(20) "Medical condition" means, for the purpose of qualifying for extended foster care services, a short-term or long-term physical or mental health condition as verified and documented by a health care provider.

(21) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(22) "Supervised independent living" may include apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. The department has the discretion to determine on a case-by-case basis which supervised independent living arrangement would be in the best interests of the nonminor dependent.

Sec. 3. RCW 13.34.145 and 2011 c 330 s 6 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age seventeen years but not older than seventeen years and six months, the department shall provide the

youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age eighteen years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

At this hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. For purposes of this section, "good cause exception" includes but is not limited to the following: The child is being cared for by a relative; the department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home; or the department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests.

(c)(i) If the permanency plan identifies independent living as a goal, the court shall make a finding that the provision of services to assist the child in making a transition from foster care to independent

living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

(ii) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(iii) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(d) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(i) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(ii) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

~~((4))~~ (5) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

~~((5))~~ (6) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

~~((6))~~ (7) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

~~((7))~~ (8) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

~~((8))~~ (9) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

~~((9))~~ (10) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection ~~((8))~~ (9) of this section are met.

~~((10))~~ (11) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time

following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

~~((11))~~ (12) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

~~((12))~~ (13) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

Sec. 4. RCW 13.34.267 and 2012 c 52 s 4 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court shall postpone for six months the dismissal of a dependency proceeding for any ~~((child))~~ youth who at the age of eighteen years is:

(a) A dependent ((child)) in foster care ((at the age of eighteen years and who, at the time of his or her eighteenth birthday is:)); or

(b) Serving a commitment at a juvenile rehabilitation administration facility and has a release date within six months after reaching age eighteen years.

(2) The six-month postponement under this section is intended to allow a reasonable window of opportunity for an eligible youth to request extended foster care services from the department.

(3) Except as provided in subsection (7) of this section, a youth is eligible for extended foster care services if, at any time during the six-month postponement period, he or she agrees to receive such services and is:

(a) Enrolled in a secondary education program or a secondary education equivalency program; ((or))

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program;

(c) Participating in a program or activity designed to promote employment or remove barriers to employment;

(d) Engaging in employment for eighty hours or more per month; or

(e) Incapable of engaging in any of the activities described in (a) through (d) of this subsection due to a medical condition that is supported by regularly updated information.

~~((2))~~ (a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency.

(4)(a) The court shall dismiss the dependency if by the end of the six-month period the youth:

(i) Has not requested extended foster care services from the department ((by the end of the six-month period)); ((or))

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031 ((10) at any point during the six-month period);

(iii) Has not been released from his or her commitment to the juvenile rehabilitation administration; or

(iv) Does not have extended foster care services available to him or her pursuant to subsection (7) of this section.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

~~((3))~~ (5) A youth who participates in extended foster care while completing a secondary education or equivalency program may

continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.

~~((4))~~ (6) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.

~~((5))~~ (7) If the nonminor dependent meets the criteria described in subsection (3)(c) through (e) of this section, he or she may be eligible to receive extended foster care services pursuant to RCW 74.13.031 to the extent funds are specifically appropriated for this purpose and subject to the nonminor dependent's continuing eligibility and agreement to participate.

~~((8))~~ (8) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services. The department's placement and care authority over a youth receiving extended foster care services is solely for the purpose of providing services and does not create a cause of action against the department or its employees for any damages caused by the actions of youth receiving extended foster care services.

~~((6))~~ (9) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

~~((7))~~ (10) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

- (a) Whether the youth is safe in his or her placement;
- (b) Whether the youth continues to be eligible for extended foster care services;
- (c) Whether the current placement is developmentally appropriate for the youth;
- (d) The youth's development of independent living skills; and
- (e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

~~((8))~~ (11) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

~~((9))~~ (12) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency.

Sec. 5. RCW 74.13.020 and 2012 c 205 s 12 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or
(B) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services may include ~~(, but are not limited to,)~~ placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(9) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(10) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(11) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(12) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(13) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian

tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(14) "Medical condition" means, for the purpose of qualifying for extended foster care services, a short-term or long-term physical or mental health condition as verified and documented by a health care provider.

(15) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(16) "Supervised independent living" may include apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. The department has the discretion to determine on a case-by-case basis which supervised independent living arrangement would be in the best interests of the nonminor dependent.

Sec. 6. RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services may include (~~but are not limited to~~),

placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(11) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(12) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(13) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(14) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(15) "Medical condition" means, for the purpose of qualifying for extended foster care services, a short-term or long-term physical or mental health condition as verified and documented by a health care provider.

(16) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(17) "Supervised independent living" may include apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. The department has the discretion to determine on a case-by-case basis which supervised independent living arrangement would be in the best interests of the nonminor dependent.

Sec. 7. RCW 74.13.031 and 2012 c 52 s 2 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(6) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) The department and supervising agency shall have authority to purchase care for children.

(9) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(§); or

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program.

(b) Subject to the availability of amounts appropriated for this specific purpose, the department and supervising agencies shall provide continued extended foster care services to nonminor dependents who are:

(i) Participating in a program or activity designed to promote employment or remove barriers to employment;

(ii) Engaged in employment for eighty hours or more per month; or

(iii) Incapable of engaging in any of the activities described in (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a medical condition that is supported by regularly updated information.

(c) To be eligible for extended foster care services under this section, the nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years pursuant to RCW 13.34.267, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months. The nonminor dependent serving a commitment at a juvenile rehabilitation facility when he or she reaches age eighteen years must be released from the commitment before he or she reaches age eighteen years and six months.

(d) The department shall develop and implement rules regarding youth eligibility requirements.

(11) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (10) of this section.

(12) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(13) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this

section all services to be provided by the department under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(14) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(15) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(16) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(17)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

Sec. 8. RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are each reenacted and amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the

attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(;;); or

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program.

(b) Subject to the availability of funds appropriated for this specific purpose, the department and supervising agencies shall provide continued extended foster care services to nonminor dependents who are:

(i) Participating in a program or activity designed to promote employment or remove barriers to employment;

(ii) Engaged in employment for eighty hours or more per month; or

(iii) Incapable of engaging in any of the activities described in (a)(i) or (ii) and (b)(i) through (iii) of this subsection due to a medical condition that is supported by regularly updated information.

(c) To be eligible for extended foster care services under this section, the nonminor dependent must have an open dependency proceeding pursuant to RCW 13.34.267 at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months. The nonminor dependent serving a commitment at a juvenile rehabilitation facility when he or she reaches age eighteen years must be released from the commitment before he or she reaches age eighteen years and six months.

(d) The department shall develop and implement rules regarding youth eligibility requirements.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the

obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

NEW SECTION. Sec. 9. This act applies prospectively only and not retroactively. It applies to:

(1) Dependency matters that have an open court case on the effective date of this section; and

(2) Dependency matters for which a petition is filed on or after the effective date of this section.

NEW SECTION. Sec. 10. Sections 5 and 7 of this act expire December 1, 2013.

NEW SECTION. Sec. 11. Sections 6 and 8 of this act take effect December 1, 2013."

Correct the title.

Signed by Representatives Kagi, Chair; Walsh, Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member and Overstreet.

Referred to Committee on Appropriations.

April 2, 2013

SSB 5565

Prime Sponsor, Committee on Human Services & Corrections: Concerning background checks for individuals seeking a license under chapter 74.13 RCW or unsupervised access to children. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that the goals of the child welfare system are the safety, permanence, and well-being of the children it serves. The legislature further recognizes the importance of background checks conducted by the department of social and health services to assess an individual's character, suitability, and competence to determine whether an individual is appropriate to be provided a license under chapter 74.13 RCW or have unsupervised access to children. The legislature does not intend to change the current secretary of social and health services' list of crimes and negative actions. However, the legislature believes that

either an unreasonable delay in a determination of whether to approve or deny a license under chapter 74.13 RCW or unsupervised access to children, when such unreasonable delay or denial is based solely on a crime or civil infraction not directly related to child safety, is not appropriate and is not in the best interest of the children being served by the child welfare system.

NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW to read as follows:

(1) In determining the character, suitability, and competence of an individual, the department may not:

(a) Deny or delay a license or approval of unsupervised access to children to an individual solely because of a crime or civil infraction involving the individual or entity revealed in the background check process that is not on the secretary's list of crimes and negative actions and is not related directly to child safety, permanence, or well-being; or

(b) Delay the issuance of a license or approval of unsupervised access to children by requiring the individual to obtain records relating to a crime or civil infraction revealed in the background check process that is not on the secretary's list of crimes and negative actions and is not related directly to child safety, permanence, or well-being and is not a permanent disqualifier pursuant to department rule.

(2) If the department determines that an individual does not possess the character, suitability, or competence to provide care or have unsupervised access to a child, it must provide the reasons for its decision in writing with copies of the records or documents related to its decision to the individual within ten days of making the decision.

(3) For purposes of this section, "individual" means a relative as defined in RCW 74.15.020(2)(a), an "other suitable person" under chapter 13.34 RCW, a person pursuing licensing as a foster parent, or a person employed or seeking employment by a business or organization licensed by the department or with whom the department has a contract to provide care, supervision, case management, or treatment of children in the care of the department. "Individual" does not include long-term care workers defined in RCW 74.39A.009(17)(a) whose background checks are conducted as provided in RCW 74.39A.056.

(4) The department or its officers, agents, or employees may not be held civilly liable based upon its decision to grant or deny unsupervised access to children if the background information it relied upon at the time the decision was made did not indicate that child safety, permanence, or well-being would be a concern.

NEW SECTION. Sec. 3. A new section is added to chapter 74.13 RCW to read as follows:

The department shall charge a fee to process a request made by a person in another state for an individual's child abuse or neglect history in this state or other background history on the individual possessed by the department. All proceeds from the fees collected must go directly to aiding the cost associated with the department conducting background checks.

Sec. 4. RCW 74.13.020 and 2012 c 205 s 12 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(9) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(10) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(11) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(12) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(13) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into

a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(14) "Unsupervised" has the same meaning as in RCW 43.43.830.

Sec. 5. RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(11) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(12) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(13) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(14) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(15) "Unsupervised" has the same meaning as in RCW 43.43.830.

Sec. 6. RCW 13.34.065 and 2011 c 309 s 24 are each amended to read as follows:

(1)(a) When a child is taken into custody, the court shall hold a shelter care hearing within seventy-two hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending.

(b) Any parent, guardian, or legal custodian who for good cause is unable to attend the shelter care hearing may request that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the parent, the court shall schedule the hearing within seventy-two hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means.

(2)(a) If it is likely that the child will remain in shelter care longer than seventy-two hours, in those areas in which child welfare services are being provided by a supervising agency, the supervising agency shall assume case management responsibilities of the case. The department or supervising agency shall submit a recommendation to the court as to the further need for shelter care in all cases in which the child will remain in shelter care longer than the seventy-two hour period. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she appears in court and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the department to make reasonable efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative. The court shall ask the parents whether the department discussed with them the placement of the child with a relative or other suitable person described in RCW 13.34.130(1)(b) and shall determine what efforts have been made toward such a placement;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home. If the dependency petition or other information before the court alleges that homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court shall inquire as to whether housing assistance was provided to the family to prevent or eliminate the need for removal of the child or children;

(e) Is the placement proposed by the department or supervising agency the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in RCW 13.38.040, whether the provisions of the federal Indian child welfare act or chapter 13.38 RCW apply, and whether there is compliance with the federal Indian child welfare act and chapter 13.38 RCW, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. The court may not order a parent to undergo examinations, evaluation, or services at the shelter care

hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B) The release of such child would present a serious threat of substantial harm to such child, notwithstanding an order entered pursuant to RCW 26.44.063; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court does not release the child to his or her parent, guardian, or legal custodian, the court shall order placement with a relative or other suitable person as described in RCW 13.34.130(1)(b), unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered. If such relative or other suitable person appears otherwise suitable and competent to provide care and treatment, the fingerprint-based background check need not be completed before placement, but as soon as possible after placement. The court must also determine whether placement with the relative or other suitable person is in the child's best interests. The relative or other suitable person must be willing and available to:

(i) Care for the child and be able to meet any special needs of the child;

(ii) Facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court; and

(iii) Cooperate with the department or supervising agency in providing necessary background checks and home studies.

(c) If the child was not initially placed with a relative or other suitable person, and the court does not release the child to his or her parent, guardian, or legal custodian, the supervising agency shall make reasonable efforts to locate a relative or other suitable person pursuant to RCW 13.34.060(1). In determining placement, the court shall weigh the child's length of stay and attachment to the current provider in determining what is in the best interest of the child.

(d) If a relative or other suitable person is not available, the court shall order continued shelter care and shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(e) Any placement with a relative, or other suitable person approved by the court pursuant to this section, shall be contingent upon cooperation with the department's or supervising agency's case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other suitable person, subject to review by the court.

(f) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative or other suitable person under (b) of this subsection.

(6)(a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7)(a) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8)(a) If a child is returned home from shelter care a second time in the case, or if the supervisor of the caseworker deems it necessary, the multidisciplinary team may be reconvened.

(b) If a child is returned home from shelter care a second time in the case a law enforcement officer must be present and file a report to the department.

NEW SECTION. Sec. 7. (1) The legislature finds that any person who has had a founded finding of child abuse or neglect or has been involved in a dependency action involving one or more of his or her children is able to turn his or her life around and establish good parenting relationships with his or her children. Unfortunately, his or her prior involvement with child protective services or the dependency court can hamper such a person's ability to find future employment, especially if the employment involves unsupervised access to children or other vulnerable populations.

(2) The legislature further finds that a number of states permit convicted offenders to seek a certificate of rehabilitation in certain situations. Generally, the certificate declares that a convicted individual is rehabilitated after completing a prison sentence or being released on parole or supervision. Usually, the applicant for a certificate must prove that he or she has met certain criteria before a certificate will be awarded. Such a certificate often restores certain rights to the applicant and makes him or her eligible for certain employment for which he or she would not be eligible without the certificate.

(3) A nonprofit with expertise in veteran parent programs shall convene a work group in consultation with the department of social and health services to explore options, including a certificate of rehabilitation, for addressing the impact of founded complaints on the ability of rehabilitated individuals to gain employment or care for children, including volunteer activities. The work group must contain, but not be limited to, persons representing the following: The courts, veteran parents, parent attorneys, foster parents, relative caregivers, kinship caregivers, child-placing agencies, the attorney general's office, the governor's policy office, the office of public defense parent representation program, and the legislature.

(4) The work group shall report recommendations to the appropriate committees of the legislature no later than December 31, 2013.

NEW SECTION. Sec. 8. The department of social and health services shall adopt all necessary rules to implement this act.

NEW SECTION. Sec. 9. Section 4 of this act expires December 1, 2013.

NEW SECTION. Sec. 10. Section 5 of this act takes effect December 1, 2013."

Correct the title.

Signed by Representatives Kagi, Chair; Walsh, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Farrell; Goodman; MacEwen; Roberts; Sawyer and Zeiger.

MINORITY recommendation: Without recommendation.
Signed by Representative Overstreet.

Referred to Committee on Appropriations Subcommittee on Health & Human Services.

April 2, 2013

SSB 5591 Prime Sponsor, Committee on Transportation:
Concerning confidential license plates, drivers' licenses, identicards, and vessel registrations.
Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

April 2, 2013

SSB 5595 Prime Sponsor, Committee on Ways & Means:
Concerning child care reform. Reported by
Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.215.010 and 2011 c 295 s 3 and 2011 c 78 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child day care provider who regularly provides child day care and early learning services for

not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (~~((2)(a))~~), even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools or kindergartens that are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) Any agency having been in operation in this state ten years before June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(j) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) An agency that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for participation.

(8) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

~~((8))~~ (9) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

~~((9))~~ (10) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

~~((10))~~ (11) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

~~((11))~~ (12) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

~~((12))~~ (13) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

NEW SECTION. Sec. 2. A new section is added to chapter 43.215 RCW to read as follows:

(1) The early achievers program is designed to accomplish the following goals:

(a) Provide parents clear and easily accessible information about quality child care and early education programs;

(b) Improve early learning programs throughout Washington state;

(c) Increase school readiness for children;

(d) Close the disparity between segments of the population with regard to access to quality care; and

(e) Establish a uniform set of expectations and standards that define, measure, and improve the quality of the early learning environment.

(2) All licensed and certified child care programs may enroll in the early achievers program. Child care providers may voluntarily decide whether to participate.

(3) There are five quality levels in the early achievers program.

(4) The department shall prepare and implement rules in accordance with the early achievers program and this section.

NEW SECTION. Sec. 3. A new section is added to chapter 43.215 RCW to read as follows:

(1) The standards and guidelines described in this section are intended for the guidance of the department and the department of social and health services. They are not intended to, do not, and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law by a party in litigation with the state.

(2) When providing services to parents applying for or receiving working connections child care benefits, the department must provide training to departmental employees on professionalism.

(3) When providing services to parents applying for or receiving working connections child care benefits, the department of social and health services has the following responsibilities:

(a) To return all calls from parents receiving working connections child care benefits within two business days of receiving the call;

(b) To develop a process by which parents receiving working connections child care benefits can submit required forms and information electronically by June 30, 2015;

(c) To notify providers and parents ten days before the loss of working connections child care benefits; and

(d) To provide parents with a document that explains in detail and in easily understood language what services they are eligible for, how they can appeal an adverse decision, and the parents' responsibilities in obtaining and maintaining eligibility for working connections child care.

(4) The department shall convene a parent and provider oversight board.

(a) The oversight board must, at a minimum, consist of the following:

(i) Five parents receiving working connections child care benefits from diverse geographic locations; and

(ii) Five working connections child care providers from diverse geographic locations.

(b) The oversight board shall meet at least three times a year.

(c) The purpose of the oversight board is to listen to issues raised by parents receiving working connections child care and child care providers and report to the department on recommended policy changes to address the issues raised.

(d) The department is not responsible for any of the expenses incurred by the oversight board members.

NEW SECTION. Sec. 4. (1)(a) A legislative task force on child care improvements for the future is established with members as provided in this subsection.

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses in the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint thirteen members representing the following interests:

(A) The department of early learning;

(B) The department of social and health services;

(C) The early learning advisory committee;

(D) Thrive by five;

(E) Private pay child care consumers;

(F) Child care consumers receiving a subsidy;

(G) Family child care providers;

(H) Child care center providers;

(I) Exempt child care providers;

(J) The collective bargaining unit representing child care providers;

(K) School-age child care providers;

(L) Child care aware; and

(M) The Washington state association of head start and the early childhood education and assistance program.

(b) The task force shall choose its cochairs from among its legislative leadership. The members of the majority party in each house shall convene the first meeting.

(2) The task force shall address the following issues:

(a) The creation of a tiered reimbursement model that works for both consumers and providers and provides incentives for quality child care across communities;

(b) The long-term administrative changes that will help consumers enroll their children in child care accurately and efficiently;

(c) The expansion of outreach to consumers of child care;

(d) Administrative improvements and structural changes to the payment system;

(e) Increased and stable child care funding as a pivotal early learning tool;

(f) An increase in reimbursement rates to increase low-income families' access to high-quality providers;

(g) An increase in the eligibility threshold to achieve cross-subsidies and allow parents to grow professionally without losing affordable child care; and

(h) A further graduation of the copay scale to eliminate the cliff that occurs at subsidy cut off.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature no later than December 31, 2013.

(5) This section expires July 1, 2014.

NEW SECTION. Sec. 5. (1) The legislature finds that the Aclara group report on the eligibility requirements for working connections child care which came from the pedagogy of lean management and focused on identifying and eliminating nonvalue added work should be followed. The legislature further finds that, following some of the recommendations in the report, would result in simplifying and streamlining the child care system to improve access and customer service without decreasing the program's integrity.

(2) By December 1, 2013, the department and the department of social and health services shall accomplish the following:

(a) Eliminate the current custody/visitation policy and design a subsidy system that is flexible and accounts for small fluctuations in family circumstances;

(b) Create broad authorization categories so that relatively minor changes in parents' work schedule does not require changes in authorization;

(c) Establish rules to specify that parents who receive working connections child care benefits and participate in one hundred ten hours or more of approved work or related activities are eligible for full-time child care services; and

(d) Clarify and simplify the requirement to count child support as income."

Correct the title.

Signed by Representatives Kagi, Chair; Walsh, Ranking Minority Member; Farrell; Goodman; Roberts and Sawyer.

MINORITY recommendation: Do not pass. Signed by Representatives Scott, Assistant Ranking Minority Member; MacEwen; Overstreet and Zeiger.

Referred to Committee on Appropriations.

April 1, 2013

ESB 5616

Prime Sponsor, Senator Sheldon: Concerning the use of farm vehicles on public highways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.16A.420 and 2010 c 161 s 409 and 2010 c 8 s 9010 are each reenacted and amended to read as follows:

(1) A farmer shall apply to the department, county auditor or other agent, or subagent appointed by the director for a farm exempt

decals for a farm vehicle if the farm vehicle is exempt under RCW 46.16A.080(3). The farm exempt decal:

(a) Allows the farm vehicle to be operated ~~((within a radius of fifteen miles of the farm where it is principally used or garaged))~~ on public highways as identified under RCW 46.16A.080(3);

(b) Must be displayed on the farm vehicle so that it is clearly visible from outside of the farm vehicle; ~~((and))~~

(c) Must identify that the farm vehicle is exempt from the registration requirements of this chapter; and

(d) Must be visible from the rear of the farm vehicle. This requirement for a farm exempt decal to be visible from the rear of the vehicle applies only to farm exempt decals issued after the effective date of this section.

(2) A farmer or the farmer's representative must apply for a farm exempt decal on a form furnished or approved by the department. The application must show:

(a) The name and address of the person who is the owner of the vehicle;

(b) A full description of the vehicle, including its make, model, year, the motor number or the vehicle identification number if the vehicle is a motor vehicle, or the serial number if the vehicle is a trailer;

(c) The purpose for which the vehicle is principally used;

(d) The place where the farm vehicle is principally used or garaged; and

(e) Other information as required by the department upon application.

(3) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under RCW 46.17.325 when issuing a farm exempt decal.

(4) A farm exempt decal may not be renewed. The status as an exempt vehicle continues until suspended or revoked for misuse, or when the vehicle is no longer used as a farm vehicle.

(5) The department may adopt rules to implement this section.

Sec. 2. RCW 46.16A.080 and 2011 c 171 s 45 are each amended to read as follows:

The following vehicles are not required to be registered under this chapter:

(1) Converter gears used to convert a semitrailer into a trailer or a two-axle truck or tractor into a three or more axle truck or tractor or used in any other manner to increase the number of axles of a vehicle;

(2) Electric-assisted bicycles;

(3)(a) ~~((Farm implements, tractors, trailers, and other))~~ Farm vehicles ((+)) operated within a radius of ((fifteen)) twenty-five miles of the farm where it is principally used or garaged for the purposes of traveling between farms or other locations to engage in activities that support farming operations. (b) farm tractors and farm implements including trailers designed as cook or bunk houses ~~((+))~~ used exclusively for animal herding ~~((and ((+)))~~ temporarily operating or drawn upon the public highways, and ~~((+))~~ (c) trailers used exclusively to transport farm implements from one farm to another during daylight hours or at night when the trailer is equipped with lights that comply with applicable law;

(4) Forklifts operated during daylight hours on public highways adjacent to and within five hundred feet of the warehouses they serve;

(5) Golf carts, as defined in RCW 46.04.1945, operating within a designated golf cart zone as described in RCW 46.08.175;

(6) Motor vehicles operated solely within a national recreation area that is not accessible by a state highway, including motorcycles, motor homes, passenger cars, and sport utility vehicles. This exemption applies only after initial registration;

(7) Motorized foot scooters;

(8) Nurse rigs or equipment auxiliary for the use of and designed or modified for the fueling, repairing, or loading of spray and fertilizer applicator rigs and not used, designed, or modified primarily for the purpose of transportation;

(9) Off-road vehicles operated on a street, road, or highway as authorized under RCW 46.09.360, or nonhighway roads under RCW 46.09.450;

(10) Special highway construction equipment;

(11) Dump trucks and tractor-dump trailer combinations that are:

(a) Designed and used primarily for construction work on highways;

(b) Not designed or used primarily for the transportation of persons or property on a public highway; and

(c) Only incidentally operated or moved over the highways;

(12) Spray or fertilizer applicator rigs designed and used exclusively for spraying or fertilization in the conduct of agricultural operations and not primarily for the purpose of transportation;

(13) Tow dollies;

(14) Trams used for transporting persons to and from facilities related to the horse racing industry as regulated in chapter 67.16 RCW, as long as the public right-of-way routes over which the trams operate are not more than one mile from end to end, the public rights-of-way over which the tram operates have average daily traffic of not more than fifteen thousand vehicles per day, and the activity is in conformity with federal law. The operator must be a licensed driver and at least eighteen years old. For the purposes of this section, "tram" also means a vehicle, or combination of vehicles linked together with a single mode of propulsion, used to transport persons from one location to another; and

(15) Vehicles used by the state parks and recreation commission exclusively for park maintenance and operations upon public highways within state parks.

Sec. 3. RCW 46.04.181 and 2012 c 130 s 1 are each amended to read as follows:

"Farm vehicle" means any vehicle other than a farm tractor or farm implement which is: (1) Designed and/or used primarily in agricultural pursuits on farms for the purpose of transporting machinery, equipment, implements, farm products, supplies and/or farm labor thereon and is only incidentally operated on or moved along public highways for the purpose of going from one farm to another or between locations supporting farming operations; or (2) for purposes of RCW 46.25.050, used to transport agricultural products, farm machinery, farm supplies, or any combination of these materials to or from a farm."

Correct the title.

Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Rodne; Ryu; Sells; Shea; Takko; Tarleton; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

April 1, 2013

SSB 5761

Prime Sponsor, Committee on Transportation:
Concerning outdoor advertising sign fees, labels,
and prohibitions. Reported by Committee on
Transportation

MAJORITY recommendation: Do pass as amended. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Moeller; Morris; Riccelli; Ryu; Sells; Takko and Tarleton.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

FOURTH SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 3, 2013

SB 5059 Prime Sponsor, Senator Carrell: Concerning the crime of rendering criminal assistance. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.76.050 and 2011 c 336 s 400 are each amended to read as follows:

As used in RCW 9A.76.070, 9A.76.080, and 9A.76.090, a person "renders criminal assistance" if, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he or she knows has committed a crime or juvenile offense or is being sought by law enforcement officials for the commission of a crime or juvenile offense or has escaped from a detention facility, he or she:

- (1) Harbors or conceals such person; or
- (2) Warns such person of impending discovery or apprehension;

or

(3) Provides such person with money, transportation, disguise, or other means of avoiding discovery or apprehension; or

(4) Prevents or obstructs, by use of force, deception, or threat, anyone from performing an act that might aid in the discovery or apprehension of such person; or

(5) Conceals, alters, or destroys any physical evidence that might aid in the discovery or apprehension of such person; or

- (6) Provides such person with a weapon.

It is not a defense that the person's knowledge of the underlying crime or juvenile offense committed by the person receiving assistance was nonspecific or based upon secondhand information.

Sec. 2. RCW 9.94A.535 and 2011 c 87 s 1 are each amended to read as follows:

The court may impose a sentence outside the standard sentence range for an offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence. Facts supporting aggravated sentences, other than the fact of a prior conviction, shall be determined pursuant to the provisions of RCW 9.94A.537.

Whenever a sentence outside the standard sentence range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard sentence range shall be a determinate sentence.

If the sentencing court finds that an exceptional sentence outside the standard sentence range should be imposed, the sentence is subject to review only as provided for in RCW 9.94A.585(4).

A departure from the standards in RCW 9.94A.589 (1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in this section, and may be appealed by the offender or the state as set forth in RCW 9.94A.585 (2) through (6).

- (1) Mitigating Circumstances - Court to Consider

The court may impose an exceptional sentence below the standard range if it finds that mitigating circumstances are established by a preponderance of the evidence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his or her conduct, or to conform his or her conduct to the requirements of the law, was significantly impaired. Voluntary use of drugs or alcohol is excluded.

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.589 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(i) The defendant was making a good faith effort to obtain or provide medical assistance for someone who is experiencing a drug-related overdose.

(j) The current offense involved domestic violence, as defined in RCW 10.99.020, and the defendant suffered a continuing pattern of coercion, control, or abuse by the victim of the offense and the offense is a response to that coercion, control, or abuse.

(2) Aggravating Circumstances - Considered and Imposed by the Court

The trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances:

(a) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(b) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(c) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(d) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

(3) Aggravating Circumstances - Considered by a Jury -Imposed by the Court

Except for circumstances listed in subsection (2) of this section, the following circumstances are an exclusive list of factors that can support a sentence above the standard range. Such facts should be determined by procedures specified in RCW 9.94A.537.

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance.

(c) The current offense was a violent offense, and the defendant knew that the victim of the current offense was pregnant.

(d) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time; or

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(e) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so;

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use;

(iii) The current offense involved the manufacture of controlled substances for use by other parties;

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(v) The current offense involved a high degree of sophistication or planning, occurred over a lengthy period of time, or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

(f) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.835.

(g) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time.

(h) The current offense involved domestic violence, as defined in RCW 10.99.020, and one or more of the following was present:

(i) The offense was part of an ongoing pattern of psychological, physical, or sexual abuse of a victim or multiple victims manifested by multiple incidents over a prolonged period of time;

(ii) The offense occurred within sight or sound of the victim's or the offender's minor children under the age of eighteen years; or

(iii) The offender's conduct during the commission of the current offense manifested deliberate cruelty or intimidation of the victim.

(i) The offense resulted in the pregnancy of a child victim of rape.

(j) The defendant knew that the victim of the current offense was a youth who was not residing with a legal custodian and the defendant established or promoted the relationship for the primary purpose of victimization.

(k) The offense was committed with the intent to obstruct or impair human or animal health care or agricultural or forestry research or commercial production.

(l) The current offense is trafficking in the first or trafficking in the second degree and any victim was a minor at the time of the offense.

(m) The offense involved a high degree of sophistication or planning.

(n) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(o) The defendant committed a current sex offense, has a history of sex offenses, and is not amenable to treatment.

(p) The offense involved an invasion of the victim's privacy.

(q) The defendant demonstrated or displayed an egregious lack of remorse.

(r) The offense involved a destructive and foreseeable impact on persons other than the victim.

(s) The defendant committed the offense to obtain or maintain his or her membership or to advance his or her position in the hierarchy of an organization, association, or identifiable group.

(t) The defendant committed the current offense shortly after being released from incarceration.

(u) The current offense is a burglary and the victim of the burglary was present in the building or residence when the crime was committed.

(v) The offense was committed against a law enforcement officer who was performing his or her official duties at the time of the offense, the offender knew that the victim was a law enforcement officer, and the victim's status as a law enforcement officer is not an element of the offense.

(w) The defendant committed the offense against a victim who was acting as a good samaritan.

(x) The defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system.

(y) The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2).

(z)(i)(A) The current offense is theft in the first degree, theft in the second degree, possession of stolen property in the first degree, or possession of stolen property in the second degree; (B) the stolen property involved is metal property; and (C) the property damage to the victim caused in the course of the theft of metal property is more than three times the value of the stolen metal property, or the theft of the metal property creates a public hazard.

(ii) For purposes of this subsection, "metal property" means commercial metal property, private metal property, or nonferrous metal property, as defined in RCW 19.290.010.

(aa) The defendant committed the offense with the intent to directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage to or for a criminal street gang as defined in RCW 9.94A.030, its reputation, influence, or membership.

(bb) The current offense involved paying to view, over the internet in violation of RCW 9.68A.075, depictions of a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(4) (a) through (g).

(cc) The offense was intentionally committed because the defendant perceived the victim to be homeless, as defined in RCW 9.94A.030.

(4) For the purpose of alleging and sentencing to an aggravating or mitigating factor of a current offense involving a violation of RCW 9A.76.070, the terms "victim of the offense" or "victims of the offense" shall include the victim or victims of the underlying crime committed by the person to whom criminal assistance was rendered only if the person rendering assistance knew the circumstances of the underlying crime."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 3, 2013

ESB 5105 Prime Sponsor, Senator Dammeier: Asserting conditions under which the department of corrections provides rental vouchers to a registered sex offender. (REVISED FOR ENGROSSED: Asserting conditions under which the department of corrections provides rental vouchers to an offender.) Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.729 and 2011 1st sp.s. c 40 s 4 are each amended to read as follows:

(1)(a) The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction. The correctional agency shall not credit the offender with earned release credits in advance of the offender actually earning the credits.

(b) Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the amount of earned release time. The department may approve a jail certification from a correctional agency that calculates earned release time based on the actual amount of confinement time served by the offender before sentencing when an erroneous calculation of confinement time served by the offender before sentencing appears on the judgment and sentence.

(2) An offender who has been convicted of a felony committed after July 23, 1995, that involves any applicable deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both, shall not receive any good time credits or earned release time for that portion of his or her sentence that results from any deadly weapon enhancements.

(3) An offender may earn early release time as follows:

(a) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence.

(b) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

(c) An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:

(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;

(ii) Is not confined pursuant to a sentence for:

(A) A sex offense;

(B) A violent offense;

(C) A crime against persons as defined in RCW 9.94A.411;

(D) A felony that is domestic violence as defined in RCW 10.99.020;

(E) A violation of RCW 9A.52.025 (residential burglary);

(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or

(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(iii) Has no prior conviction for the offenses listed in (c)(ii) of this subsection;

(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and

(v) Has not committed a new felony after July 22, 2007, while under community custody.

(d) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

(4) The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(c) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(c) of this section does not apply to offenders convicted after July 1, 2010.

(5)(a) A person who is eligible for earned early release as provided in this section and who will be supervised by the department pursuant to RCW 9.94A.501 or 9.94A.5011, shall be transferred to community custody in lieu of earned release time;

(b) The department shall, as a part of its program for release to the community in lieu of earned release, require the offender to propose a release plan that includes an approved residence and living arrangement. All offenders with community custody terms eligible for release to community custody in lieu of earned release shall provide an approved residence and living arrangement prior to release to the community;

(c) The department may deny transfer to community custody in lieu of earned release time if the department determines an offender's release plan, including proposed residence location and living arrangements, may violate the conditions of the sentence or conditions of supervision, place the offender at risk to violate the conditions of the sentence, place the offender at risk to reoffend, or present a risk to victim safety or community safety. The department's authority under this section is independent of any court-ordered condition of sentence or statutory provision regarding conditions for community custody;

(d) If the department is unable to approve the offender's release plan, the department may do one or more of the following:

(i) Transfer an offender to partial confinement in lieu of earned early release for a period not to exceed three months. The three months in partial confinement is in addition to that portion of the offender's term of confinement that may be served in partial confinement as provided in RCW 9.94A.728(5);

(ii) Provide rental vouchers to the offender for a period not to exceed three months if rental assistance will result in an approved release plan. ~~((The))~~

A voucher must be provided in conjunction with additional transition support programming or services that enable an offender to participate in services including, but not limited to, substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming;

(e) The department shall maintain a list of housing providers that meets the requirements of section 2 of this act. If more than two voucher recipients will be residing per dwelling unit, as defined in RCW 59.18.030, rental vouchers for those recipients may only be paid to a housing provider on the department's list;

(f) For each offender who is the recipient of a rental voucher, the department shall ~~((include, concurrent with the data that the department otherwise obtains and records, the housing status of the offender for the duration of the offender's supervision))~~ gather data as recommended by the Washington state institute for public policy in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

(6) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

NEW SECTION. Sec. 2. A new section is added to chapter 72.09 RCW to read as follows:

(1) A housing provider may be placed on a list with the department to receive rental vouchers under RCW 9.94A.729 in accordance with the provisions of this section.

(2) For living environments with between four and eight beds, or a greater number of individuals if permitted by local code, the department shall provide transition support that verifies an offender is participating in programming or services including, but not limited to, substance abuse treatment, mental health treatment, sex offender treatment, educational programming, development of positive living skills, or employment programming. In addition, when selecting housing providers, the department shall consider the compatibility of the proposed offender housing with the surrounding neighborhood and underlying zoning. The department shall adopt procedures to limit the concentration of housing providers who provide housing to sex offenders in a single neighborhood or area.

(3)(a) The department shall provide the local law and justice council, county sheriff, or, if such housing is located within a city, a city's chief law enforcement officer with notice anytime a housing provider or new housing location requests to be or is added to the list within that county.

(b) The county or city local government may provide the department with a community impact statement which includes the number and location of other special needs housing in the neighborhood and a review of services and supports in the area to assist offenders in their transition. If a community impact statement is provided to the department within ten business days of the notice of a new housing provider or housing location request, the department shall consider the community impact statement in determining whether to add the provider to the list and, if the provider is added, shall include the community impact statement in the notice that a provider is added to the list within that county.

(4) If a certificate of inspection, as provided in RCW 59.18.125, is required by local regulation and the local government does not have a current certificate of inspection on file, the local government shall have ten business days from the later of (a) receipt of notice from the department as provided in subsection (3) of this section; or (b) from the date the local government is given access to the dwelling unit to conduct an inspection or reinspection to issue a certificate. This section is deemed satisfied if a local government does not issue a timely certificate of inspection.

(5)(a) If, within ten business days of receipt of a notice from the department of a new location or new housing provider, the county or city determines that the housing is in a neighborhood with an existing concentration of special needs housing, including but not limited to offender reentry housing, retirement homes, assisted living, emergency or transitional housing, or adult family homes, the county or city may request that the department program administrator remove the new location or new housing provider from the list.

(b) This subsection does not apply to housing providers approved by the department to receive rental vouchers on the effective date of this section.

(6) The county or city may at any time request a housing provider be removed from the list if it provides information to the department that:

(a) It has determined that the housing does not comply with state and local fire and building codes or applicable zoning and development regulations in effect at the time the housing provider first began receiving housing vouchers; or

(b) The housing provider is not complying with the provisions of this section.

(7) After receiving a request to remove a housing provider from the county or city, the department shall immediately notify the provider of the concerns and request that the provider demonstrate that it is in compliance with the provisions of this section. If, after ten days' written notice, the housing provider cannot demonstrate to the department that it is in compliance with the reasons for the county's or city's request for removal, the department shall remove the housing provider from the list.

(8) A housing provider who provides housing pursuant to this section is not liable for civil damages arising from the criminal conduct of an offender to any greater extent than a regular tenant, and no special duties are created under this section."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

April 3, 2013

ESSB 5178 Prime Sponsor, Committee on Law & Justice:
Modifying organized retail theft provisions.
Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.56.350 and 2009 c 431 s 15 are each amended to read as follows:

(1) A person is guilty of organized retail theft if he or she:

(a) Commits theft of property with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice;

(b) Possesses stolen property, as defined in RCW 9A.56.140, with a value of at least seven hundred fifty dollars from a mercantile establishment with an accomplice; ~~((or))~~

(c) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from one or more mercantile establishments within a period of up to one hundred eighty days; or

(d) Commits theft of property with a cumulative value of at least seven hundred fifty dollars from a mercantile establishment with no less than six accomplices and makes or receives at least one electronic communication seeking participation in the theft in the course of planning or commission of the theft. For the purposes of this subsection, "electronic communication" has the same meaning as defined in RCW 9.61.260(5).

(2) A person is guilty of organized retail theft in the first degree if the property stolen or possessed has a value of five thousand dollars or more. Organized retail theft in the first degree is a class B felony.

(3) A person is guilty of organized retail theft in the second degree if the property stolen or possessed has a value of at least seven

hundred fifty dollars, but less than five thousand dollars. Organized retail theft in the second degree is a class C felony.

(4) A first offense of organized retail theft under subsection (1)(d) of this section is a gross misdemeanor. A second or subsequent offense of organized retail theft under subsection (1)(d) of this section is a class C felony punishable under RCW 9A.20.021.

(5) For purposes of this section, a series of thefts committed by the same person from one or more mercantile establishments over a period of one hundred eighty days may be aggregated in one count and the sum of the value of all the property shall be the value considered in determining the degree of the organized retail theft involved. Thefts committed by the same person in different counties that have been aggregated in one county may be prosecuted in any county in which any one of the thefts occurred. For purposes of subsection (1)(d) of this section, thefts committed by the principal and accomplices may be aggregated into one count and the value of all the property shall be the value considered in determining the degree of organized retail theft involved.

~~((5))~~ (6) The mercantile establishment or establishments whose property is alleged to have been stolen may request that the charge be aggregated with other thefts of property about which the mercantile establishment or establishments is aware. In the event a request to aggregate the prosecution is declined, the mercantile establishment or establishments shall be promptly advised by the prosecuting jurisdiction making the decision to decline aggregating the prosecution of the decision and the reasons for such decision."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

April 3, 2013

SB 5297 Prime Sponsor, Senator Braun: Concerning coal transition power. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Upthegrove, Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Crouse; Morris; Nealey; Overstreet and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives McCoy, Vice Chair; Farrell; Fey; Kagi and Liias.

Passed to Committee on Rules for second reading.

April 3, 2013

SSB 5381 Prime Sponsor, Committee on Governmental Operations: Limiting use of cellular devices by state employees. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

April 3, 2013

SSB 5437 Prime Sponsor, Committee on Law & Justice: Regarding boating safety. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 79A.60.040 and 1998 c 213 s 7 are each amended to read as follows:

(1) It ~~((shall be))~~ is unlawful for any person to operate a vessel in a reckless manner.

(2) It ~~((shall be a violation))~~ is unlawful for a person to operate a vessel while under the influence of intoxicating liquor, marijuana, or any drug. A person is considered to be under the influence of intoxicating liquor, marijuana, or any drug if, within two hours of operating a vessel:

(a) The person has an alcohol concentration of 0.08 ~~((grams))~~ higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has ~~((0.08 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's blood made under RCW 46.61.506))~~ a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) The person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or

(d) The person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

(3) The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. ((A person cited under this subsection may upon request be given a breath test for breath alcohol or may request to have a blood sample taken for blood alcohol analysis. An arresting officer shall administer field sobriety tests when circumstances permit.

~~---~~ (4) Any person who operates a vessel within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of the person's breath or blood for the purpose of determining the alcohol concentration, THC concentration, or presence of any drug in the person's breath or blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person was operating a vessel while under the influence of intoxicating liquor, marijuana, or any drug. Neither consent nor this section precludes a police officer from obtaining a search warrant for a person's breath or blood. An arresting officer may administer field sobriety tests when circumstances permit.

(5) The test or tests of breath must be administered pursuant to RCW 46.20.308. Where the officer has reasonable grounds to believe that the person is under the influence of a drug, or where the person is incapable due to physical injury, physical incapacity, or other physical limitation, of providing a breath sample, or where the person is being

treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility, a blood test must be administered by a qualified person as provided in RCW 46.61.506(5). The officer shall warn the person that if the person refuses to take the test, the person will be issued a class 1 civil infraction under RCW 7.80.120.

~~(6) A violation of subsection (1) of this section is a misdemeanor((punishable as provided under RCW 9.92.030)). A violation of subsection (2) of this section is a gross misdemeanor.~~ In addition to the statutory penalties imposed, the court may order the defendant to pay restitution for any damages or injuries resulting from the offense.

NEW SECTION. Sec. 2. A new section is added to chapter 79A.60 RCW to read as follows:

(1) The refusal of a person to submit to a test of the alcohol concentration, THC concentration, or presence of any drug in the person's blood or breath is not admissible into evidence at a subsequent criminal trial.

(2) A person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 constitutes a class 1 civil infraction under RCW 7.80.120.

Sec. 3. RCW 7.80.120 and 2003 c 365 s 3 and 2003 c 337 s 4 are each reenacted and amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be two hundred fifty dollars, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70.93.060(4) ((and an infraction of state law involving)) or violent video or computer games under RCW 9.91.180, in which case the maximum penalty and default amount is five hundred dollars; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and section 2 of this act, in which case the maximum penalty and default amount is one thousand dollars;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be one hundred twenty-five dollars, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be fifty dollars, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be twenty-five dollars, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

Sec. 4. RCW 10.31.100 and 2010 c 274 s 201 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((4))~~ (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross

misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.90, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle

involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

~~((6))~~ (7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

~~((7))~~ (8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

~~((8))~~ (9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

~~((9))~~ (10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

~~((10))~~ (11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

~~((11))~~ (12) Except as specifically provided in subsections (2), (3), (4), and ((6)) (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((12))~~ (13) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or ((8)) (9) of this section if the police officer acts in good faith and without malice.

NEW SECTION. Sec. 5. A new section is added to chapter 79A.60 RCW to read as follows:

(1) No person who has vessels for hire, or the agent or employee thereof, shall rent, lease, charter, or otherwise permit the use of a vessel, unless the person:

(a) Displays the vessel registration numbers and a valid decal on the vessel hull as required by RCW 88.02.550(1);

(b) Keeps a copy of the vessel registration certificate aboard the vessel, in compliance with RCW 88.02.340;

(c) Displays a carbon monoxide decal on the vessel as required by RCW 88.02.390(2) if the vessel is motor-driven and is not a personal watercraft;

(d) Provides a copy of the rental agreement to be kept aboard during the rental, lease, charter, or use period for vessels required under chapter 88.02 RCW to be registered;

(e) Ensures that the vessel, if motor-propelled, meets the muffler or underwater exhaust system requirement in RCW 79A.60.130;

(f) Outfits the vessel with the quantity and type of personal floatation devices required by RCW 79A.60.140 and 79A.60.160 for the number and ages of the people who will use the vessel;

(g) Explains the personal floatation device requirements to the person renting, leasing, chartering, or otherwise using the vessel;

(h) Equips the vessel with a skier-down flag, and explains observer and personal floatation requirements of RCW 79A.60.170, if the persons renting, leasing, chartering, or otherwise using the vessel will be waterskiing;

(i) If the vessel is a personal watercraft, provides a personal floatation device and a lanyard attached to an engine cutoff switch for the operator to wear at all times when operating the personal watercraft, as required by RCW 79A.60.190;

(j) Reviews with the person operating the vessel, and all other persons who the operator may permit to operate the vessel, all the information contained in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6); and

(k) Provides all other safety equipment required by RCW 79A.60.110 and referenced in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6).

(2) This section does not apply to fishing guides and charter boat operators who have a United States coast guard operator's license and are operating on navigable waters, and people who act in the capacity of a paid whitewater river outfitter or guide, or who operate a vessel carrying passengers for hire on whitewater rivers in this state.

(3) As provided in RCW 79A.60.020, a violation of this section is a civil infraction punishable under chapter 7.84 RCW, unless:

(a) The violation is a violation of RCW 88.02.550, which is punished as a class 2 civil infraction; or

(b) The current violation is the person's third violation of the same provision of this chapter during the past three hundred sixty-five days. If it is the person's third violation, then it must be punished as a misdemeanor under RCW 9.92.030.

Sec. 6. RCW 79A.60.150 and 1993 c 244 s 13 are each amended to read as follows:

~~If ((an infraction is issued under this chapter because a vessel does not contain the required equipment and if the operator is not the owner of the vessel, but is operating the vessel with the express or implied permission of the owner, then either or both operator or owner may be cited for the infraction)) a vessel does not contain the safety equipment required under this chapter and the rules of the commission, and the operator is not the owner of the vessel but is operating the vessel with the express or implied permission of the owner, then either the owner or the operator, or both, may be cited for the applicable infraction or charged with the applicable crime.~~

NEW SECTION. Sec. 7. (1) A study group is established to assess the effectiveness of current legislation, including this act, in reducing the incidence of boating under the influence.

(2) The study group shall consist of the following members:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) The director of the department of fish and wildlife or the director's designee;

(d) The director of the state parks and recreation commission or the director's designee;

(e) One representative from the Washington association of sheriffs and police chiefs;

(f) One representative from the Washington association of prosecuting attorneys; and

(g) One representative from the Washington defenders' association or the Washington association of criminal defense lawyers.

(3) The director of the department of fish and wildlife or the director's designee shall convene the initial meeting of the study group and serve as chair of the study group.

(4) At a minimum, the study group shall research, review, and make recommendations on the following:

(a) Regional and national approaches to boating regulation and implied consent to breath and blood testing;

(b) The potential benefits, costs, and complications of creating a regulatory or licensing system governing boating in Washington, including ways the current vessel registration system and boater education card requirement can be utilized to improve boater awareness of and compliance with laws prohibiting boating under the influence; and

(c) Obstacles to successful prosecutions of boating under the influence in Washington state.

(5) The study group shall compile its findings and recommendations into a final report and provide its report to the legislature and governor by December 1, 2013.

(6) The study group shall function within existing resources and no specific budget may be provided to complete the study. The participants of the study group are encouraged to donate their time to offset any costs.

(7) Staff support for the study group must be provided by the department of fish and wildlife.

(8) This section expires January 1, 2014."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Referred to Committee on Appropriations Subcommittee on General Government.

April 3, 2013

ESB 5484 Prime Sponsor, Senator Kline: Concerning assault in the third degree occurring in areas used in connection with court proceedings. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.36.031 and 2011 c 336 s 359 and 2011 c 238 s 1 are each reenacted and amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself, herself, or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit company or a contracted transit service provider, while that person is performing his or her official duties at the time of the assault; or

(c) Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

(e) Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or

(f) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering; or

(g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or

(h) Assaults a peace officer with a projectile stun gun; or

(i) Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter 18.79 RCW; "physician" means a person licensed under chapter 18.57 or 18.71 RCW; and "health care provider" means a person certified under chapter 18.71 or 18.73 RCW who performs emergency medical services or a person regulated under Title 18 RCW and employed by, or contracting with, a hospital licensed under chapter 70.41 RCW; or

(j) Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or

(k) Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with section 3 of this act at the time of the assault .

(2) Assault in the third degree is a class C felony.

Sec. 2. RCW 9.94A.535 and 2011 c 87 s 1 are each amended to read as follows:

The court may impose a sentence outside the standard sentence range for an offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence. Facts supporting aggravated sentences, other than the fact of a prior conviction, shall be determined pursuant to the provisions of RCW 9.94A.537.

Whenever a sentence outside the standard sentence range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard sentence range shall be a determinate sentence.

If the sentencing court finds that an exceptional sentence outside the standard sentence range should be imposed, the sentence is subject to review only as provided for in RCW 9.94A.585(4).

A departure from the standards in RCW 9.94A.589 (1) and (2) governing whether sentences are to be served consecutively or

concurrently is an exceptional sentence subject to the limitations in this section, and may be appealed by the offender or the state as set forth in RCW 9.94A.585 (2) through (6).

(1) Mitigating Circumstances - Court to Consider

The court may impose an exceptional sentence below the standard range if it finds that mitigating circumstances are established by a preponderance of the evidence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his or her conduct, or to conform his or her conduct to the requirements of the law, was significantly impaired. Voluntary use of drugs or alcohol is excluded.

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.589 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(i) The defendant was making a good faith effort to obtain or provide medical assistance for someone who is experiencing a drug-related overdose.

(j) The current offense involved domestic violence, as defined in RCW 10.99.020, and the defendant suffered a continuing pattern of coercion, control, or abuse by the victim of the offense and the offense is a response to that coercion, control, or abuse.

(2) Aggravating Circumstances - Considered and Imposed by the Court

The trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances:

(a) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(b) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(c) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(d) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

(3) Aggravating Circumstances - Considered by a Jury -Imposed by the Court

Except for circumstances listed in subsection (2) of this section, the following circumstances are an exclusive list of factors that can support a sentence above the standard range. Such facts should be determined by procedures specified in RCW 9.94A.537.

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance.

(c) The current offense was a violent offense, and the defendant knew that the victim of the current offense was pregnant.

(d) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time; or

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(e) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so;

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use;

(iii) The current offense involved the manufacture of controlled substances for use by other parties;

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(v) The current offense involved a high degree of sophistication or planning, occurred over a lengthy period of time, or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

(f) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.835.

(g) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time.

(h) The current offense involved domestic violence, as defined in RCW 10.99.020, and one or more of the following was present:

(i) The offense was part of an ongoing pattern of psychological, physical, or sexual abuse of a victim or multiple victims manifested by multiple incidents over a prolonged period of time;

(ii) The offense occurred within sight or sound of the victim's or the offender's minor children under the age of eighteen years; or

(iii) The offender's conduct during the commission of the current offense manifested deliberate cruelty or intimidation of the victim.

(i) The offense resulted in the pregnancy of a child victim of rape.

(j) The defendant knew that the victim of the current offense was a youth who was not residing with a legal custodian and the defendant established or promoted the relationship for the primary purpose of victimization.

(k) The offense was committed with the intent to obstruct or impair human or animal health care or agricultural or forestry research or commercial production.

(l) The current offense is trafficking in the first degree or trafficking in the second degree and any victim was a minor at the time of the offense.

(m) The offense involved a high degree of sophistication or planning.

(n) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(o) The defendant committed a current sex offense, has a history of sex offenses, and is not amenable to treatment.

(p) The offense involved an invasion of the victim's privacy.

(q) The defendant demonstrated or displayed an egregious lack of remorse.

(r) The offense involved a destructive and foreseeable persons other than the victim.

(s) The defendant committed the offense to obtain or maintain his or her membership or to advance his or her position in the hierarchy of an organization, association, or identifiable group.

(t) The defendant committed the current offense shortly after being released from incarceration.

(u) The current offense is a burglary and the victim of the burglary was present in the building or residence when the crime was committed.

(v) The offense was committed against a law enforcement officer who was performing his or her official duties at the time of the offense, the offender knew that the victim was a law enforcement officer, and the victim's status as a law enforcement officer is not an element of the offense.

(w) The defendant committed the offense against a victim who was acting as a good samaritan.

(x) The defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system.

(y) The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2).

(z)(i)(A) The current offense is theft in the first degree, theft in the second degree, possession of stolen property in the first degree, or possession of stolen property in the second degree; (B) the stolen property involved is metal property; and (C) the property damage to the victim caused in the course of the theft of metal property is more than three times the value of the stolen metal property, or the theft of the metal property creates a public hazard.

(ii) For purposes of this subsection, "metal property" means commercial metal property, private metal property, or nonferrous metal property, as defined in RCW 19.290.010.

(aa) The defendant committed the offense with the intent to directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage to or for a criminal street gang as defined in RCW 9.94A.030, its reputation, influence, or membership.

(bb) The current offense involved paying to view, over the internet in violation of RCW 9.68A.075, depictions of a minor engaged in an act of sexually explicit conduct as defined in RCW 9.68A.011(4) (a) through (g).

(cc) The offense was intentionally committed because the defendant perceived the victim to be homeless, as defined in RCW 9.94A.030.

(dd) The current offense involved a felony crime against persons, except for assault in the third degree pursuant to RCW 9A.36.031(1)(k), that occurs in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This subsection shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with section 3 of this act at the time of the offense.

NEW SECTION. Sec. 3. A new section is added to chapter 2.28 RCW to read as follows:

(1) Signage shall be posted notifying the public of the possible enhanced penalties under this act.

(2) The signage shall be prominently displayed at any public entrance to a courtroom.

(3) The administrative office of the courts shall develop a standard signage form notifying the public of the possible enhanced penalties under this act."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

April 3, 2013

SSB 5679

Prime Sponsor, Committee on Ways & Means: Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that regulatory processes impose significant costs on doing business and significantly influence investment behavior, location decisions, start-up activity, expansions, and hiring. The legislature further finds that, for more than a decade, the executive and legislative branches have called upon state agencies to review their regulations to achieve meaningful regulatory reform and improve the regulatory climate for Washington businesses. However, a 2012 performance audit conducted by the state auditor's office found that the departments of ecology, health, and labor and industries have not adopted sufficient streamlining processes or formally measured the results of their streamlining activities. Thus, it is the intent of the legislature to formally direct these three state agencies to achieve the regulatory reform that has been repeatedly called for by the governor and the legislature.

NEW SECTION. Sec. 2. A new section is added to chapter 43.21A RCW to read as follows:

The department of ecology must establish a continuous, formal review process of its rules. The review must be based on a prioritized work plan and must include rules relating to licenses, permits, and inspections. The review must identify rules that can be simplified, amended, or repealed with a goal to reduce the regulatory burden on businesses without compromising the public health or safety. Performance measures must be adopted to assess the effectiveness of streamlining efforts. The department must establish a process for effectively applying sunset provisions to rules when applicable. The department must present an update to the applicable committees of the legislature regarding its review process, performance measures, and accomplishments of its streamlining efforts by January 2014, and every other year thereafter.

NEW SECTION. Sec. 3. A new section is added to chapter 43.22 RCW to read as follows:

The department of labor and industries must establish a continuous, formal review process of its rules. The review must be

based on a prioritized work plan and must include rules relating to licenses, permits, and inspections. The review must identify rules that can be simplified, amended, or repealed with a goal to reduce the regulatory burden on businesses without compromising the public health or safety. Performance measures must be adopted to assess the effectiveness of streamlining efforts. The department must establish a process for effectively applying sunset provisions to rules when applicable. The department must present an update to the applicable committees of the legislature regarding its review process, performance measures, and accomplishments of its streamlining efforts by January 2014, and every other year thereafter.

NEW SECTION. Sec. 4. A new section is added to chapter 43.70 RCW to read as follows:

The department of health must establish a continuous, formal review process of its rules. The review must be based on a prioritized work plan and must include rules relating to licenses, permits, and inspections. The review must identify rules that can be simplified, amended, or repealed with a goal to reduce the regulatory burden on businesses without compromising the public health or safety. Performance measures must be adopted to assess the effectiveness of streamlining efforts. The department must establish a process for effectively applying sunset provisions to rules when applicable. The department must present an update to the applicable committees of the legislature regarding its review process, performance measures, and accomplishments of its streamlining efforts by January 2014, and every other year thereafter."

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Manweller; Orwall and Van De Wege.

Referred to Committee on Appropriations.

April 3, 2013

ESSB 5735 Prime Sponsor, Committee on Human Services & Corrections: Concerning registered sex or kidnapping offenders. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 4.24.550 and 2011 c 337 s 1 are each amended to read as follows:

(1) In addition to the disclosure under subsection (5) of this section, public agencies are authorized to release information to the public regarding sex offenders and kidnapping offenders when the agency determines that disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender. This authorization applies to information regarding: (a) Any person adjudicated or convicted of a sex offense as defined in RCW 9A.44.128 or a kidnapping offense as defined by RCW 9A.44.128; (b) any person under the jurisdiction of the indeterminate sentence review board as the result of a sex offense or kidnapping offense; (c) any person committed as a sexually violent predator under chapter 71.09 RCW or as a sexual psychopath under chapter 71.06 RCW; (d) any person found not guilty of a sex offense or kidnapping offense by reason of insanity under chapter 10.77 RCW; and (e) any person found incompetent to stand trial for a sex

offense or kidnapping offense and subsequently committed under chapter 71.05 or 71.34 RCW.

(2) Except for the information specifically required under subsection (5) of this section, the extent of the public disclosure of relevant and necessary information shall be rationally related to: (a) The level of risk posed by the offender to the community; (b) the locations where the offender resides, expects to reside, or is regularly found; and (c) the needs of the affected community members for information to enhance their individual and collective safety.

(3) Except for the information specifically required under subsection (5) of this section, local law enforcement agencies shall consider the following guidelines in determining the extent of a public disclosure made under this section: (a) For offenders classified as risk level I, the agency shall share information with other appropriate law enforcement agencies and, if the offender is a student, the public or private school regulated under Title 28A RCW or chapter 72.40 RCW which the offender is attending, or planning to attend. The agency may disclose, upon written request, relevant, necessary, and accurate information to any victim or witness to the offense ~~((and to))~~, any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found, and any individual who requests information regarding a specifically named offender; (b) for offenders classified as risk level II, the agency may also disclose relevant, necessary, and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women, or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found; (c) for offenders classified as risk level III, the agency may also disclose relevant, necessary, and accurate information to the public at large; and (d) because more localized notification is not feasible and homeless and transient offenders may present unique risks to the community, the agency may also disclose relevant, necessary, and accurate information to the public at large for offenders registered as homeless or transient.

(4) In addition to publication on the statewide registered sex and kidnapping offender web site pursuant to subsection (5) of this section, the county sheriff with whom an offender classified as risk level III is registered shall ~~((cause to be published by))~~ release a sex offender community notification that conforms to the guidelines established under RCW 4.24.5501 by means including, but not limited to, legal notice, advertising, or news release ~~((a sex offender community notification that conforms to the guidelines established under RCW 4.24.5501 in at least one legal newspaper with general circulation in the area of the sex offender's registered address or location. Unless the information is posted on the web site described in subsection (5) of this section, this list shall be maintained by the county sheriff on a publicly accessible web site and shall be updated at least once per month))~~.

(5)(a) When funded by federal grants or other sources, the Washington association of sheriffs and police chiefs shall create and maintain a statewide registered kidnapping and sex offender web site, which shall be available to the public. The web site shall post all level III and level II registered sex offenders, level I registered sex offenders only during the time they are out of compliance with registration requirements under RCW 9A.44.130 or if lacking a fixed residence as provided in RCW 9A.44.130, and all registered kidnapping offenders in the state of Washington.

(i) For level III offenders, the web site shall contain, but is not limited to, the registered sex offender's name, relevant criminal convictions, address by hundred block, physical description, and photograph. The web site shall provide mapping capabilities that display the sex offender's address by hundred block on a map. The web site shall allow citizens to search for registered sex offenders within the state of Washington by county, city, zip code, last name, and address by hundred block.

(ii) For level II offenders, and level I sex offenders during the time they are out of compliance with registration requirements under RCW 9A.44.130, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(iii) For kidnapping offenders, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(b) Until the implementation of (a) of this subsection, the Washington association of sheriffs and police chiefs shall create a web site available to the public that provides electronic links to county-operated web sites that offer sex offender registration information.

(6)(a) Local law enforcement agencies ((that disseminate information pursuant to this section)) responsible for the registration and dissemination of information regarding offenders required to register under RCW 9A.44.130 shall assign a risk level classification to all offenders after consideration of: ((a) Review) (i) Any available risk level classifications ((made)) provided by the department of corrections, the department of social and health services, and the indeterminate sentence review board; ((b) assign risk level classifications to all offenders about whom information will be disseminated) (ii) the agency's own application of an empirically validated or generally accepted risk assessment tool as scored by staff trained in the use of that tool; and (iii) other information and aggravating or mitigating factors known to the agency and deemed rationally related to the risk posed by the offender to the community at large.

(b) A sex offender shall be classified as a risk level I if his or her risk assessment and other information or factors deemed relevant by the local law enforcement agency indicate he or she is a low risk offender within the community at large. A sex offender shall be classified as a risk level II if his or her risk assessment and other information or factors deemed relevant by the local law enforcement agency indicate he or she is a moderate risk offender within the community at large. A sex offender shall be classified as a risk level III if his or her risk assessment and other information or factors deemed relevant by the local law enforcement agency indicate he or she is a high risk offender within the community at large.

(c) The agency shall make a good faith effort to notify the public and residents within a reasonable period of time after the offender registers with the agency.

(d) The juvenile court shall provide local law enforcement officials with all relevant information on offenders allowed to remain in the community in a timely manner.

(7) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470, or units of local government and its employees, as provided in RCW 36.28A.010, are immune from civil liability for damages for any discretionary risk level classification decisions or release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity in this section applies to risk level classification decisions and the release of relevant and necessary information regarding any individual for whom disclosure is authorized. The decision of a local law enforcement agency or official to classify an offender to a risk level other than the one assigned by the department of corrections, the department of social and health services, or the indeterminate sentence review board, or the release of any relevant and necessary information based on that different classification shall not, by itself, be considered gross negligence or bad faith. The immunity provided

under this section applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the general public.

(8) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information authorized under this section.

(9) Nothing in this section implies that information regarding persons designated in subsection (1) of this section is confidential except as may otherwise be provided by law.

(10) When a local law enforcement agency or official classifies an offender differently than the offender is classified by the end of sentence review committee ~~((or the department of social and health services))~~ at the time of the offender's release from confinement, the law enforcement agency or official shall notify the end of sentence review committee ~~((or the department of social and health services))~~ and the Washington state patrol and submit its reasons supporting the change in classification.

Sec. 2. RCW 9A.44.128 and 2012 c 134 s 2 are each amended to read as follows:

For the purposes of RCW 9A.44.130 through 9A.44.145, 10.01.200, 43.43.540, 70.48.470, and 72.09.330, the following definitions apply:

(1) "Business day" means any day other than Saturday, Sunday, or a legal local, state, or federal holiday.

(2) "Conviction" means any adult conviction or juvenile adjudication for a sex offense or kidnapping offense.

(3) "Disqualifying offense" means a conviction for: Any offense that is a felony; a sex offense as defined in this section; a crime against children or persons as defined in RCW 43.43.830~~((5))~~(7) and 9.94A.411(2)(a); an offense with a domestic violence designation as provided in RCW 10.99.020; permitting the commercial sexual abuse of a minor as defined in RCW 9.68A.103; or any violation of chapter 9A.88 RCW.

(4) "Employed" or "carries on a vocation" means employment that is full time or part time for a period of time exceeding fourteen days, or for an aggregate period of time exceeding thirty days during any calendar year. A person is employed or carries on a vocation whether the person's employment is financially compensated, volunteered, or for the purpose of government or educational benefit.

(5) "Fixed residence" means a building that a person lawfully and habitually uses as living quarters a majority of the week. Uses as living quarters means to conduct activities consistent with the common understanding of residing, such as sleeping; eating; keeping personal belongings; receiving mail; and paying utilities, rent, or mortgage. A nonpermanent structure including, but not limited to, a motor home, travel trailer, camper, or boat may qualify as a residence provided it is lawfully and habitually used as living quarters a majority of the week, primarily kept at one location with a physical address, and the location it is kept at is either owned or rented by the person or used by the person with the permission of the owner or renter. A shelter program may qualify as a residence provided it is a shelter program designed to provide temporary living accommodations for the homeless, provides an offender with a personally assigned living space, and the offender is permitted to store belongings in the living space.

(6) "In the community" means residing outside of confinement or incarceration for a disqualifying offense.

(7) "Institution of higher education" means any public or private institution dedicated to postsecondary education, including any college, university, community college, trade, or professional school.

(8) "Kidnapping offense" means:

(a) The crimes of kidnapping in the first degree, kidnapping in the second degree, and unlawful imprisonment, as defined in chapter 9A.40 RCW, where the victim is a minor and the offender is not the minor's parent;

(b) Any offense that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit an offense that is classified as a kidnapping offense under this subsection; and

(c) Any federal or out-of-state conviction for: An offense for which the person would be required to register as a kidnapping offender if residing in the state of conviction; or, if not required to register in the state of conviction, an offense that under the laws of this state would be classified as a kidnapping offense under this subsection.

(9) "Lacks a fixed residence" means the person does not have a living situation that meets the definition of a fixed residence and includes, but is not limited to, a shelter program designed to provide temporary living accommodations for the homeless, an outdoor sleeping location, or locations where the person does not have permission to stay.

(10) "Sex offense" means:

(a) Any offense defined as a sex offense by RCW 9.94A.030;

(b) Any violation under RCW 9A.44.096 (sexual misconduct with a minor in the second degree);

(c) Any violation under RCW 9.68A.090 (communication with a minor for immoral purposes);

(d) A violation under RCW 9A.88.070 (promoting prostitution in the first degree) or RCW 9A.88.080 (promoting prostitution in the second degree) if the person has a prior conviction for one of these offenses;

(e) Any gross misdemeanor that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit an offense that is classified as a sex offense under RCW 9.94A.030 or this subsection;

(f) Any out-of-state conviction for an offense for which the person would be required to register as a sex offender while residing in the state of conviction; or, if not required to register in the state of conviction, an offense that under the laws of this state would be classified as a sex offense under this subsection;

(g) Any federal conviction classified as a sex offense under 42 U.S.C. Sec. 16911 (SORNA);

(h) Any military conviction for a sex offense. This includes sex offenses under the uniform code of military justice, as specified by the United States secretary of defense;

(i) Any conviction in a foreign country for a sex offense if it was obtained with sufficient safeguards for fundamental fairness and due process for the accused under guidelines or regulations established pursuant to 42 U.S.C. Sec. 16912.

(11) "School" means a public or private school regulated under Title 28A RCW or chapter 72.40 RCW.

(12) "Student" means a person who is enrolled, on a full-time or part-time basis, in any school or institution of higher education.

Sec. 3. RCW 9A.44.130 and 2011 c 337 s 3 are each amended to read as follows:

(1)(a) Any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation, or as otherwise specified in this section. When a person required to register under this section is in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person.

(b) Any adult or juvenile who is required to register under (a) of this subsection must give notice to the county sheriff of the county with whom the person is registered within three business days:

(i) Prior to arriving at a school or institution of higher education to attend classes;

(ii) Prior to starting work at an institution of higher education; or

(iii) After any termination of enrollment or employment at a school or institution of higher education.

(2)(a) A person required to register under this section must provide the following information when registering: (i) Name and any aliases used; (ii) complete and accurate residential address or, if the person lacks a fixed residence, where he or she plans to stay; (iii) date and place of birth; (iv) place of employment; (v) crime for which convicted; (vi) date and place of conviction; (vii) social security number; (viii) photograph; and (ix) fingerprints.

(b) A person may be required to update any of the information required in this subsection in conjunction with any address verification conducted by the county sheriff or as part of any notice required by this section.

(c) A photograph or copy of an individual's fingerprints may be taken at any time to update an individual's file.

(3)(a) Offenders shall register with the county sheriff within the following deadlines:

(i) OFFENDERS IN CUSTODY. (A) Sex offenders who committed a sex offense on, before, or after February 28, 1990, and who, on or after July 28, 1991, are in custody, as a result of that offense, of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, and (B) kidnapping offenders who on or after July 27, 1997, are in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, must register at the time of release from custody with an official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county of the offender's anticipated residence. The offender must also register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

When the agency with jurisdiction intends to release an offender with a duty to register under this section, and the agency has knowledge that the offender is eligible for developmental disability services from the department of social and health services, the agency shall notify the division of developmental disabilities of the release. Notice shall occur not more than thirty days before the offender is to be released. The agency and the division shall assist the offender in meeting the initial registration requirement under this section. Failure to provide such assistance shall not constitute a defense for any violation of this section.

When a person required to register under this section is in the custody of the state department of corrections and has been approved for partial confinement as defined in RCW 9.94A.030, the person must register at the time of transfer to partial confinement with the official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county in which the offender is in partial confinement. The offender must also register within three business days from the time of the termination of partial confinement or release from confinement with the county sheriff for the county of the person's residence. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

(ii) OFFENDERS NOT IN CUSTODY BUT UNDER STATE OR LOCAL JURISDICTION. Sex offenders who, on July 28, 1991,

are not in custody but are under the jurisdiction of the indeterminate sentence review board or under the department of corrections' active supervision, as defined by the department of corrections, the state department of social and health services, or a local division of youth services, for sex offenses committed before, on, or after February 28, 1990, must register within ten days of July 28, 1991. Kidnapping offenders who, on July 27, 1997, are not in custody but are under the jurisdiction of the indeterminate sentence review board or under the department of corrections' active supervision, as defined by the department of corrections, the state department of social and health services, or a local division of youth services, for kidnapping offenses committed before, on, or after July 27, 1997, must register within ten days of July 27, 1997. A change in supervision status of a sex offender who was required to register under this subsection (3)(a)(ii) as of July 28, 1991, or a kidnapping offender required to register as of July 27, 1997, shall not relieve the offender of the duty to register or to reregister following a change in residence.

(iii) **OFFENDERS UNDER FEDERAL JURISDICTION.** Sex offenders who, on or after July 23, 1995, and kidnapping offenders who, on or after July 27, 1997, as a result of that offense are in the custody of the United States bureau of prisons or other federal or military correctional agency for sex offenses committed before, on, or after February 28, 1990, or kidnapping offenses committed on, before, or after July 27, 1997, must register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. Sex offenders who, on July 23, 1995, are not in custody but are under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board for sex offenses committed before, on, or after February 28, 1990, must register within ten days of July 23, 1995. Kidnapping offenders who, on July 27, 1997, are not in custody but are under the jurisdiction of the United States bureau of prisons, United States courts, United States parole commission, or military parole board for kidnapping offenses committed before, on, or after July 27, 1997, must register within ten days of July 27, 1997. A change in supervision status of a sex offender who was required to register under this subsection (3)(a)(iii) as of July 23, 1995, or a kidnapping offender required to register as of July 27, 1997 shall not relieve the offender of the duty to register or to reregister following a change in residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation.

(iv) **OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED.** Sex offenders who are convicted of a sex offense on or after July 28, 1991, for a sex offense that was committed on or after February 28, 1990, and kidnapping offenders who are convicted on or after July 27, 1997, for a kidnapping offense that was committed on or after July 27, 1997, but who are not sentenced to serve a term of confinement immediately upon sentencing, shall report to the county sheriff to register within three business days of being sentenced.

(v) **OFFENDERS WHO ARE NEW RESIDENTS OR RETURNING WASHINGTON RESIDENTS.** Sex offenders and kidnapping offenders who move to Washington state from another state or a foreign country that are not under the jurisdiction of the state department of corrections, the indeterminate sentence review board, or the state department of social and health services at the time of moving to Washington, must register within three business days of establishing residence or reestablishing residence if the person is a former Washington resident. The duty to register under this subsection applies to sex offenders convicted under the laws of another state or a foreign country, federal or military statutes for offenses committed before, on, or after February 28, 1990, or Washington state for offenses committed before, on, or after February 28, 1990, and to kidnapping offenders convicted under the laws of another state or a foreign country, federal or military statutes, or

Washington state for offenses committed before, on, or after July 27, 1997. Sex offenders and kidnapping offenders from other states or a foreign country who, when they move to Washington, are under the jurisdiction of the department of corrections, the indeterminate sentence review board, or the department of social and health services must register within three business days of moving to Washington. The agency that has jurisdiction over the offender shall notify the offender of the registration requirements before the offender moves to Washington.

(vi) **OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY.** Any adult or juvenile who has been found not guilty by reason of insanity under chapter 10.77 RCW of (A) committing a sex offense on, before, or after February 28, 1990, and who, on or after July 23, 1995, is in custody, as a result of that finding, of the state department of social and health services, or (B) committing a kidnapping offense on, before, or after July 27, 1997, and who on or after July 27, 1997, is in custody, as a result of that finding, of the state department of social and health services, must register within three business days from the time of release with the county sheriff for the county of the person's residence. The state department of social and health services shall provide notice to the adult or juvenile in its custody of the duty to register. Any adult or juvenile who has been found not guilty by reason of insanity of committing a sex offense on, before, or after February 28, 1990, but who was released before July 23, 1995, or any adult or juvenile who has been found not guilty by reason of insanity of committing a kidnapping offense but who was released before July 27, 1997, shall be required to register within three business days of receiving notice of this registration requirement.

(vii) **OFFENDERS WHO LACK A FIXED RESIDENCE.** Any person who lacks a fixed residence and leaves the county in which he or she is registered and enters and remains within a new county for twenty-four hours is required to register with the county sheriff not more than three business days after entering the county and provide the information required in subsection (2)(a) of this section.

(viii) **OFFENDERS WHO LACK A FIXED RESIDENCE AND WHO ARE UNDER SUPERVISION.** Offenders who lack a fixed residence and who are under the supervision of the department shall register in the county of their supervision.

(ix) **OFFENDERS WHO MOVE TO, WORK, CARRY ON A VOCATION, OR ATTEND SCHOOL IN ANOTHER STATE.** Offenders required to register in Washington, who move to another state, or who work, carry on a vocation, or attend school in another state shall register a new address, fingerprints, and photograph with the new state within three business days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. The person must also send written notice within three business days of moving to the new state or to a foreign country to the county sheriff with whom the person last registered in Washington state. The county sheriff shall promptly forward this information to the Washington state patrol.

(b) The county sheriff shall not be required to determine whether the person is living within the county.

(c) An arrest on charges of failure to register, service of an information, or a complaint for a violation of RCW 9A.44.132, or arraignment on charges for a violation of RCW 9A.44.132, constitutes actual notice of the duty to register. Any person charged with the crime of failure to register under RCW 9A.44.132 who asserts as a defense the lack of notice of the duty to register shall register within three business days following actual notice of the duty through arrest, service, or arraignment. Failure to register as required under this subsection (3)(c) constitutes grounds for filing another charge of failing to register. Registering following arrest, service, or arraignment on charges shall not relieve the offender from criminal liability for failure to register prior to the filing of the original charge.

(d) The deadlines for the duty to register under this section do not relieve any sex offender of the duty to register under this section as it existed prior to July 28, 1991.

(4)(a) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address to the county sheriff within three business days of moving.

(b) If any person required to register pursuant to this section moves to a new county, the person must register with that county sheriff within three business days of moving. Within three business days, the person must also provide, by certified mail, with return receipt requested or in person, signed written notice of the change of address in the new county to the county sheriff with whom the person last registered. The county sheriff with whom the person last registered shall promptly forward the information concerning the change of address to the county sheriff for the county of the person's new residence. Upon receipt of notice of change of address to a new state, the county sheriff shall promptly forward the information regarding the change of address to the agency designated by the new state as the state's offender registration agency.

(5)(a) Any person required to register under this section who lacks a fixed residence shall provide signed written notice to the sheriff of the county where he or she last registered within three business days after ceasing to have a fixed residence. The notice shall include the information required by subsection (2)(a) of this section, except the photograph and fingerprints. The county sheriff may, for reasonable cause, require the offender to provide a photograph and fingerprints. The sheriff shall forward this information to the sheriff of the county in which the person intends to reside, if the person intends to reside in another county.

(b) A person who lacks a fixed residence must report weekly, in person, to the sheriff of the county where he or she is registered. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. The person must keep an accurate accounting of where he or she stays during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

(c) If any person required to register pursuant to this section does not have a fixed residence, it is an affirmative defense to the charge of failure to register, that he or she provided written notice to the sheriff of the county where he or she last registered within three business days of ceasing to have a fixed residence and has subsequently complied with the requirements of subsections (3)(a)(vii) or (viii) and (5) of this section. To prevail, the person must prove the defense by a preponderance of the evidence.

(6) A sex offender subject to registration requirements under this section who applies to change his or her name under RCW 4.24.130 or any other law shall submit a copy of the application to the county sheriff of the county of the person's residence and to the state patrol not fewer than five days before the entry of an order granting the name change. No sex offender under the requirement to register under this section at the time of application shall be granted an order changing his or her name if the court finds that doing so will interfere with legitimate law enforcement interests, except that no order shall be denied when the name change is requested for religious or legitimate cultural reasons or in recognition of marriage or dissolution of marriage. A sex offender under the requirement to register under this section who receives an order changing his or her name shall submit a copy of the order to the county sheriff of the county of the person's residence and to the state patrol within three business days of the entry of the order.

(7) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a peace officer, including a

county sheriff, or law enforcement agency, for failing to release information authorized under this section.

Sec. 4. RCW 9A.44.132 and 2011 c 337 s 5 are each amended to read as follows:

(1) A person commits the crime of failure to register as a sex offender if the person has a duty to register under RCW 9A.44.130 for a felony sex offense and knowingly fails to comply with any of the requirements of RCW 9A.44.130.

(a) The failure to register as a sex offender pursuant to this subsection is a class C felony if:

(i) It is the person's first conviction for a felony failure to register; or

(ii) The person has previously been convicted of a felony failure to register as a sex offender in this state or pursuant to the laws of another state, or pursuant to federal law.

(b) If a person has been convicted of a felony failure to register as a sex offender in this state or pursuant to the laws of another state, or pursuant to federal law, on two or more prior occasions, the failure to register under this subsection is a class B felony.

(2) A person is guilty of failure to register as a sex offender if the person has a duty to register under RCW 9A.44.130 for a sex offense other than a felony and knowingly fails to comply with any of the requirements of RCW 9A.44.130. The failure to register as a sex offender under this subsection is a gross misdemeanor.

(3) A person commits the crime of failure to register as a kidnapping offender if the person has a duty to register under RCW 9A.44.130 for a kidnapping offense and knowingly fails to comply with any of the requirements of RCW 9A.44.130.

(a) If the person has a duty to register for a felony kidnapping offense, the failure to register as a kidnapping offender is a class C felony.

(b) If the person has a duty to register for a kidnapping offense other than a felony, the failure to register as a kidnapping offender is a gross misdemeanor.

(4) Unless relieved of the duty to register pursuant to RCW 9A.44.141 and 9A.44.142, a violation of this section is an ongoing offense for purposes of the statute of limitations under RCW 9A.04.080.

Sec. 5. RCW 9A.44.140 and 2010 c 267 s 4 are each amended to read as follows:

The duty to register under RCW 9A.44.130 shall continue for the duration provided in this section.

(1) For a person convicted in this state of a class A felony (~~or an offense listed in RCW 9A.44.142(5))~~), or a person convicted (~~in this state~~) of any sex offense or kidnapping offense who has one or more prior convictions for a sex offense or kidnapping offense, the duty to register shall continue indefinitely.

(2) For a person convicted in this state of a class B felony who does not have one or more prior convictions for a sex offense or kidnapping offense (~~and whose current offense is not listed in RCW 9A.44.142(5))~~), the duty to register shall end fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

(3) For a person convicted in this state of a class C felony, a violation of RCW 9.68A.090 or 9A.44.096, or an attempt, solicitation, or conspiracy to commit a class C felony, and the person does not have one or more prior convictions for a sex offense or kidnapping offense (~~and the person's current offense is not listed in RCW 9A.44.142(5))~~), the duty to register shall end ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent ten consecutive years

in the community without being convicted of a disqualifying offense during that time period.

(4) For a person required to register for a federal or out-of-state conviction, the duty to register shall continue indefinitely.

(5) For a person who has been determined to be a sexually violent predator as defined in RCW 71.09.020, the duty to register shall continue for the person's lifetime.

(6) Nothing in this section prevents a person from being relieved of the duty to register under RCW 9A.44.142 and 9A.44.143.

~~((6))~~ (7) Nothing in RCW 9.94A.637 relating to discharge of an offender shall be construed as operating to relieve the offender of his or her duty to register pursuant to RCW 9A.44.130.

~~((7))~~ (8) For purposes of determining whether a person has been convicted of more than one sex offense, failure to register as a sex offender or kidnapping offender is not a sex or kidnapping offense.

~~((8))~~ (9) The provisions of this section and RCW 9A.44.141 through 9A.44.143 apply equally to a person who has been found not guilty by reason of insanity under chapter 10.77 RCW of a sex offense or kidnapping offense.

Sec. 6. RCW 9A.44.142 and 2011 c 337 s 7 are each amended to read as follows:

(1) A person who is required to register under RCW 9A.44.130 may petition the superior court to be relieved of the duty to register:

(a) If the person has a duty to register for a sex offense or kidnapping offense committed when the offender was a juvenile, regardless of whether the conviction was in this state, as provided in RCW 9A.44.143;

(b) If the person is required to register for a conviction in this state and is not prohibited from petitioning for relief from registration under subsection (2) of this section, when the person has spent ten consecutive years in the community without being convicted of a disqualifying offense during that time period; or

(c) If the person is required to register for a federal or out-of-state conviction, when the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

(2)(a) A person may not petition for relief from registration if the person has been:

(i) Determined to be a sexually violent predator as defined in RCW 71.09.020; or

(ii) Convicted as an adult of a sex offense or kidnapping offense that is a class A felony and that was committed with forcible compulsion on or after June 8, 2000;~~(; or~~

~~—(iii) Until July 1, 2012, convicted of one aggravated offense or more than one sexually violent offense, as defined in subsection (5) of this section, and the offense or offenses were committed on or after March 12, 2002. After July 1, 2012, this subsection (2)(a)(iii) shall have no further force and effect).~~

(b) Any person who may not be relieved of the duty to register may petition the court to be exempted from any community notification requirements that the person may be subject to fifteen years after the later of the entry of the judgment and sentence or the last date of release from confinement, including full-time residential treatment, pursuant to the conviction, if the person has spent the time in the community without being convicted of a disqualifying offense.

(3) A petition for relief from registration or exemption from notification under this section shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register or, in the case of convictions in other states, a foreign country, or a federal or military court, to the court in the county where the person is registered at the time the petition is sought. The prosecuting attorney of the county shall be named and served as the respondent in any such petition.

(4)(a) The court may relieve a petitioner of the duty to register only if the petitioner shows by clear and convincing evidence that the

petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(b) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the registry, the following factors are provided as guidance to assist the court in making its determination:

(i) The nature of the registrable offense committed including the number of victims and the length of the offense history;

(ii) Any subsequent criminal history;

(iii) The petitioner's compliance with supervision requirements;

(iv) The length of time since the charged incident(s) occurred;

(v) Any input from community corrections officers, law enforcement, or treatment providers;

(vi) Participation in sex offender treatment;

(vii) Participation in other treatment and rehabilitative programs;

(viii) The offender's stability in employment and housing;

(ix) The offender's community and personal support system;

(x) Any risk assessments or evaluations prepared by a qualified professional;

(xi) Any updated polygraph examination;

(xii) Any input of the victim;

(xiii) Any other factors the court may consider relevant.

~~(5)((a) A person who has been convicted of an aggravated offense, or has been convicted of one or more prior sexually violent offenses or criminal offenses against a victim who is a minor, as defined in (b) of this subsection:~~

~~—(i) Until July 1, 2012, may not be relieved of the duty to register;~~

~~—(ii) After July 1, 2012, may petition the court to be relieved of the duty to register as provided in this section;~~

~~—(iii) This provision shall apply to convictions for crimes committed on or after July 22, 2001.~~

~~—(b) Unless the context clearly requires otherwise, the following definitions apply only to the federal lifetime registration requirements under this subsection:~~

~~—(i) "Aggravated offense" means an adult conviction that meets the definition of 18 U.S.C. Sec. 2241, which is limited to the following:~~

~~—(A) Any sex offense involving sexual intercourse or sexual contact where the victim is under twelve years of age;~~

~~—(B) RCW 9A.44.040 (rape in the first degree), RCW 9A.44.073 (rape of a child in the first degree), or RCW 9A.44.083 (child molestation in the first degree);~~

~~—(C) Any of the following offenses when committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that person to appraise or control conduct: RCW 9A.44.050 (rape in the second degree), RCW 9A.44.100 (indecent liberties), RCW 9A.44.160 (custodial sexual misconduct in the first degree), RCW 9A.64.020 (incest), or RCW 9.68A.040 (sexual exploitation of a minor);~~

~~—(D) Any of the following offenses when committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that person to appraise or control conduct, if the victim is twelve years of age or over but under sixteen years of age and the offender is eighteen years of age or over and is more than forty eight months older than the victim: RCW 9A.44.076 (rape of a child in the second degree), RCW 9A.44.079 (rape of a child in the third degree), RCW 9A.44.086 (child molestation in the second degree), or RCW 9A.44.089 (child molestation in the third degree);~~

~~—(E) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is under twelve years of age or that is committed by forcible compulsion or by the offender administering, by threat or force or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance that substantially~~

impairs the ability of that person to appraise or control conduct;

—(F) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or

—(G) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(i)(A) through (F) of this subsection;

—(ii) "Sexually violent offense" means an adult conviction that meets the definition of 42 U.S.C. Sec. 14071(a)(1)(A), which is limited to the following:

—(A) An aggravated offense;

—(B) An offense that is not an aggravated offense but meets the definition of 18 U.S.C. Sec. 2242, which is limited to RCW 9A.44.050(1)(b) through (f) (rape in the second degree) and RCW 9A.44.100(1)(b) through (f) (indecent liberties);

—(C) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is incapable of appraising the nature of the conduct or physically incapable of declining participation in, or communicating unwillingness to engage in, the conduct;

—(D) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or

—(E) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(ii)(A) through (D) of this subsection;

—(iii) "Criminal offense against a victim who is a minor" means, in addition to any aggravated offense or sexually violent offense where the victim was under eighteen years of age, an adult conviction for the following offenses where the victim is under eighteen years of age:

—(A) RCW 9A.44.060 (rape in the third degree), RCW 9A.44.076 (rape of a child in the second degree), RCW 9A.44.079 (rape of a child in the third degree), RCW 9A.44.086 (child molestation in the second degree), RCW 9A.44.089 (child molestation in the third degree), RCW 9A.44.093 (sexual misconduct with a minor in the first degree), RCW 9A.44.096 (sexual misconduct with a minor in the second degree), RCW 9A.44.160 (custodial sexual misconduct in the first degree), RCW 9A.64.020 (incest), RCW 9.68A.040 (sexual exploitation of a minor), RCW 9.68A.090 (communication with a minor for immoral purposes), or RCW 9.68A.100 (commercial sexual abuse of a minor);

—(B) RCW 9A.40.020 (kidnapping in the first degree), RCW 9A.40.030 (kidnapping in the second degree), or RCW 9A.40.040 (unlawful imprisonment), where the victim is a minor and the offender is not the minor's parent;

—(C) A felony with a finding of sexual motivation under RCW 9.94A.835 where the victim is a minor;

—(D) An offense that is, under chapter 9A.28 RCW, an attempt or solicitation to commit such an offense; or

—(E) An offense defined by federal law or the laws of another state that is equivalent to the offenses listed in (b)(iii)(A) through (D) of this subsection)) If a person is relieved of the duty to register pursuant to this section, the relief of registration does not constitute a certificate of rehabilitation, or the equivalent of a certificate of rehabilitation, for the purposes of restoration of firearm possession under RCW 9.41.040.

Sec. 7. RCW 9A.44.143 and 2011 c 338 s 1 are each amended to read as follows:

(1) An offender having a duty to register under RCW 9A.44.130 for a sex offense or kidnapping offense committed when the offender was a juvenile, and who has not been determined to be a sexually violent predator as defined in RCW 71.09.020 may petition the superior court to be relieved of that duty as provided in this section.

(2) For class A sex offenses or kidnapping offenses committed when the petitioner was fifteen years of age or older, the court may relieve the petitioner of the duty to register if:

(a) At least sixty months have passed since the petitioner's adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not

been adjudicated or convicted of any additional sex offenses or kidnapping offenses within the sixty months before the petition;

(b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the sixty months prior to filing the petition; and

(c) The petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(3) For all other sex offenses or kidnapping offenses committed by a juvenile not included in subsection (2) of this section, the court may relieve the petitioner of the duty to register if:

(a) At least twenty-four months have passed since the petitioner's adjudication and completion of any term of confinement for the offense giving rise to the duty to register and the petitioner has not been adjudicated or convicted of any additional sex offenses or kidnapping offenses within the twenty-four months before the petition;

(b) The petitioner has not been adjudicated or convicted of a violation of RCW 9A.44.132 (failure to register) during the twenty-four months prior to filing the petition; and

(c) The petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.

(4) A petition for relief from registration under this section shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register or, in the case of convictions in other states, a foreign country, or a federal or military court, to the court in ~~((Thurston))~~ the county in which the juvenile is registered at the time a petition is sought. The prosecuting attorney of the county shall be named and served as the respondent in any such petition.

(5) In determining whether the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders, the following factors are provided as guidance to assist the court in making its determination, to the extent the factors are applicable considering the age and circumstances of the petitioner:

(a) The nature of the registrable offense committed including the number of victims and the length of the offense history;

(b) Any subsequent criminal history;

(c) The petitioner's compliance with supervision requirements;

(d) The length of time since the charged incident(s) occurred;

(e) Any input from community corrections officers, juvenile parole or probation officers, law enforcement, or treatment providers;

(f) Participation in sex offender treatment;

(g) Participation in other treatment and rehabilitative programs;

(h) The offender's stability in employment and housing;

(i) The offender's community and personal support system;

(j) Any risk assessments or evaluations prepared by a qualified professional;

(k) Any updated polygraph examination;

(l) Any input of the victim;

(m) Any other factors the court may consider relevant.

(6) If a person is relieved of the duty to register pursuant to this section, the relief of registration does not constitute a certificate of rehabilitation, or the equivalent of a certificate of rehabilitation, for the purposes of restoration of firearm possession under RCW 9.41.040.

(7) A juvenile prosecuted and convicted of a sex offense or kidnapping offense as an adult pursuant to RCW 13.40.110 or 13.04.030 may not petition to the superior court under this section and must follow the provisions of RCW 9A.44.142.

(8) An adult prosecuted for an offense committed as juvenile once the juvenile court has lost jurisdiction due to the passage of time between the date of the offense and the date of filing of charges may petition the superior court under the provisions of this section.

Sec. 8. RCW 43.43.754 and 2008 c 97 s 2 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile offenses):

Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835)

Communication with a minor for immoral purposes (RCW 9.68A.090)

Custodial sexual misconduct in the second degree (RCW 9A.44.170)

Failure to register (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Harassment (RCW 9A.46.020)

Patronizing a prostitute (RCW 9A.88.110)

Sexual misconduct with a minor in the second degree (RCW 9A.44.096)

Stalking (RCW 9A.46.110)

Violation of a sexual assault protection order granted under chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(3) Biological samples shall be collected in the following manner:

(a) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do serve a term of confinement in a city or county jail facility, the city or county shall be responsible for obtaining the biological samples.

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do not serve a term of confinement in a city or county jail facility; and

(ii) Persons who are required to register under RCW ~~(9A.44.030)~~ 9A.44.130.

(c) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of social and health services facility, the facility holding the person shall be responsible for obtaining the biological samples. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.

(4) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

(5) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under subsection (1) of this section, to the extent allowed by funding available for this purpose. The director shall give priority to testing on samples collected from those adults or juveniles convicted of a felony or adjudicated guilty of an equivalent juvenile offense that is defined as a sex offense or a violent offense in

RCW 9.94A.030. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

(6) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008; and

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008.

(7) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

(8) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks.

Sec. 9. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

Aggravated Murder 1 (RCW 10.95.020)

Homicide by abuse (RCW 9A.32.055)

Malicious explosion 1 (RCW 70.74.280(1))

Murder 1 (RCW 9A.32.030)

Murder 2 (RCW 9A.32.050)

Trafficking 1 (RCW 9A.40.100(1))

Malicious explosion 2 (RCW 70.74.280(2))

Malicious placement of an explosive 1 (RCW 70.74.270(1))

Assault 1 (RCW 9A.36.011)

Assault of a Child 1 (RCW 9A.36.120)

Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))

Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)

Rape 1 (RCW 9A.44.040)

Rape of a Child 1 (RCW 9A.44.073)

Trafficking 2 (RCW 9A.40.100(2))

Manslaughter 1 (RCW 9A.32.060)

Rape 2 (RCW 9A.44.050)	Drive-by Shooting (RCW 9A.36.045)
Rape of a Child 2 (RCW 9A.44.076)	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
Child Molestation 1 (RCW 9A.44.083)	Introducing Contraband 1 (RCW 9A.76.140)
Criminal Mistreatment 1 (RCW 9A.42.020)	Malicious placement of an explosive 3 (RCW 70.74.270(3))
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
Kidnapping 1 (RCW 9A.40.020)	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
Leading Organized Crime (RCW 9A.82.060(1)(a))	Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
Malicious explosion 3 (RCW 70.74.280(3))	Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
Sexually Violent Predator Escape (RCW 9A.76.115)	Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
Abandonment of Dependent Person 1 (RCW 9A.42.060)	Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Assault of a Child 2 (RCW 9A.36.130)	Bribery (RCW 9A.68.010)
Explosive devices prohibited (RCW 70.74.180)	Incest 1 (RCW 9A.64.020(1))
Hit and Run--Death (RCW 46.52.020(4)(a))	Intimidating a Judge (RCW 9A.72.160)
Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))	Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Malicious placement of an explosive 2 (RCW 70.74.270(2))	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
Robbery 1 (RCW 9A.56.200)	Rape of a Child 3 (RCW 9A.44.079)
Sexual Exploitation (RCW 9.68A.040)	Theft of a Firearm (RCW 9A.56.300)
Arson 1 (RCW 9A.48.020)	Unlawful Storage of Ammonia (RCW 69.55.020)
Commercial Sexual Abuse of a Minor (RCW 9.68A.100)	Abandonment of Dependent Person 2 (RCW 9A.42.070)
Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)	Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
Manslaughter 2 (RCW 9A.32.070)	Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
Promoting Prostitution 1 (RCW 9A.88.070)	Child Molestation 3 (RCW 9A.44.089)
Theft of Ammonia (RCW 69.55.010)	Criminal Mistreatment 2 (RCW 9A.42.030)
Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)	Custodial Sexual Misconduct 1 (RCW 9A.44.160)
Burglary 1 (RCW 9A.52.020)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
Child Molestation 2 (RCW 9A.44.086)	Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
Civil Disorder Training (RCW 9A.48.120)	Driving While Under the Influence (RCW 46.61.502(6))
Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))	

Extortion 1 (RCW 9A.56.120)	Malicious Harassment (RCW 9A.36.080)
Extortionate Extension of Credit (RCW 9A.82.020)	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)	Residential Burglary (RCW 9A.52.025)
Incest 2 (RCW 9A.64.020(2))	Robbery 2 (RCW 9A.56.210)
Kidnapping 2 (RCW 9A.40.030)	Theft of Livestock 1 (RCW 9A.56.080)
Perjury 1 (RCW 9A.72.020)	Threats to Bomb (RCW 9.61.160)
Persistent prison misbehavior (RCW 9.94.070)	Trafficking in Stolen Property 1 (RCW 9A.82.050)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Possession of a Stolen Firearm (RCW 9A.56.310)	Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Rape 3 (RCW 9A.44.060)	Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Rendering Criminal Assistance 1 (RCW 9A.76.070)	Unlawful transaction of insurance business (RCW 48.15.023(3))
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))	Unlicensed practice as an insurance professional (RCW 48.17.063(2))
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)	Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
Sexually Violating Human Remains (RCW 9A.44.105)	Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Stalking (RCW 9A.46.110)	Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)	Willful Failure to Return from Furlough (RCW 72.66.060)
Arson 2 (RCW 9A.48.030)	Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault 2 (RCW 9A.36.021)	Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))	Assault of a Child 3 (RCW 9A.36.140)
Assault by Watercraft (RCW 79A.60.060)	Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)	Burglary 2 (RCW 9A.52.030)
Cheating 1 (RCW 9.46.1961)	Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Commercial Bribery (RCW 9A.68.060)	Criminal Gang Intimidation (RCW 9A.46.120)
Counterfeiting (RCW 9.16.035(4))	Custodial Assault (RCW 9A.36.100)
Endangerment with a Controlled Substance (RCW 9A.42.100)	Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
Escape 1 (RCW 9A.76.110)	Escape 2 (RCW 9A.76.120)
Hit and Run--Injury (RCW 46.52.020(4)(b))	Extortion 2 (RCW 9A.56.130)
Hit and Run with Vessel--Injury Accident (RCW 79A.60.200(3))	Harassment (RCW 9A.46.020)
Identity Theft 1 (RCW 9.35.020(2))	
Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)	
Influencing Outcome of Sporting Event (RCW 9A.82.070)	

Intimidating a Public Servant (RCW 9A.76.180)

Introducing Contraband 2 (RCW 9A.76.150)

Malicious Injury to Railroad Property (RCW 81.60.070)

Mortgage Fraud (RCW 19.144.080)

Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)

Organized Retail Theft 1 (RCW 9A.56.350(2))

Perjury 2 (RCW 9A.72.030)

Possession of Incendiary Device (RCW 9.40.120)

Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

Promoting Prostitution 2 (RCW 9A.88.080)

Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))

Securities Act violation (RCW 21.20.400)

Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))

Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 (RCW 9A.52.110)

Counterfeiting (RCW 9.16.035(3))

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)

Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW 9A.56.065)

Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Voyeurism (RCW 9A.44.115)

Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Release of Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

Sec. 10. RCW 9.94A.030 and 2012 c 143 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within eight hundred eighty feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon.

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution

(chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20) "Domestic violence" has the same meaning as defined in RCW 10.99.020 and 26.50.010.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense other than a violent offense or a sex offense and who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(25) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW

46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(26) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(27) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(28) "Home detention" means a program of partial confinement available to offenders wherein the offender is confined in a private residence subject to electronic surveillance.

(29) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(30) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(31) "Minor child" means a biological or adopted child of the offender who is under age eighteen at the time of the offender's current offense.

(32) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age fourteen;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Robbery in the second degree;

(p) Sexual exploitation;

(q) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(r) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating

liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(s) Any other class B felony offense with a finding of sexual motivation;

(t) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(u) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(v)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(w) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(33) "Nonviolent offense" means an offense which is not a violent offense.

(34) "Offender" means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(35) "Partial confinement" means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release, home detention, work crew, and a combination of work crew and home detention.

(36) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9A.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Malicious Harassment (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person eighteen years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(37) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (37)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree

constitutes a conviction under (b)(i) of this subsection only when the offender was sixteen years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was eighteen years of age or older when the offender committed the offense.

(38) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(39) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(40) "Public school" has the same meaning as in RCW 28A.150.010.

(41) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.10, 26.26, or 26.50 RCW that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(42) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(43) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(44) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(45) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(46) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(47) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(48) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(49) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(50) "Stranger" means that the victim did not know the offender twenty-four hours before the offense.

(51) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(52) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(53) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(54) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(55) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(56) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(57) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 11. RCW 28A.300.147 and 2011 c 338 s 6 are each amended to read as follows:

The superintendent of public instruction shall publish on its web site, with a link to the safety center web page(=);

(1) A revised and updated sample policy for schools to follow regarding students required to register as sex or kidnapping offenders; and

(2) Educational materials developed pursuant to RCW 28A.300.145.

Sec. 12. RCW 72.09.345 and 2011 c 338 s 5 are each amended to read as follows:

(1) In addition to any other information required to be released under this chapter, the department is authorized, pursuant to 4.24.550, to release relevant information that is necessary to the public concerning offenders convicted of sex offenses.

(2) In order for public agencies to have the information necessary to notify the public as authorized in RCW 4.24.550, the secretary shall establish and administer an end-of-sentence review committee for the purposes of assigning risk levels, reviewing available release plans, and making appropriate referrals for sex offenders.

(3) The committee shall assess, on a case-by-case basis, the public risk posed by:

(a) Offenders preparing for release from confinement for a sex offense or sexually violent offense committed on or after July 1, 1984;

(b) Sex offenders accepted from another state under a reciprocal agreement under the interstate corrections compact authorized in chapter 72.74 RCW;

(c) Juveniles preparing for release from confinement for a sex offense and releasing from the department of social and health services juvenile rehabilitation administration;

(d) Juveniles, following disposition, under the jurisdiction of a county juvenile court for a registerable sex offense; and

(e) Juveniles found to have committed a sex offense and accepted from another state under a reciprocal agreement under the interstate compact for juveniles authorized in chapter 13.24 RCW.

(4) Notwithstanding any other provision of law, the committee shall have access to all relevant records and information in the possession of public agencies relating to the offenders under review, including police reports; prosecutors' statements of probable cause; presentence investigations and reports; complete judgments and sentences; current classification referrals; criminal history summaries; violation and disciplinary reports; all psychological evaluations and psychiatric hospital reports; sex offender treatment program reports; and juvenile records. Records and information obtained under this subsection shall not be disclosed outside the committee unless otherwise authorized by law.

(5) The committee shall review each sex offender under its authority before the offender's release from confinement or start of the offender's term of community custody in order to: (a) Classify the offender into a risk level for the purposes of public notification under RCW 4.24.550; (b) where available, review the offender's proposed release plan in accordance with the requirements of RCW 72.09.340; and (c) make appropriate referrals.

(6) The committee shall classify as risk level I those sex offenders whose risk assessments indicate ~~((a)) they are~~ low risk ~~((of reoffense)) offenders~~ within the community at large. The committee shall classify as risk level II those offenders whose risk assessments indicate ~~((a)) they are~~ moderate risk ~~((of reoffense)) offenders~~ within the community at large. The committee shall classify as risk level III those offenders whose risk assessments indicate ~~((a)) they are~~ high risk ~~((of reoffense)) offenders~~ within the community at large.

(7) The committee shall issue to appropriate law enforcement agencies, for their use in making public notifications under RCW 4.24.550, narrative notices regarding the pending release of sex offenders from the department's facilities. The narrative notices shall, at a minimum, describe the identity and criminal history behavior of the offender and shall include the department's risk level classification for the offender. For sex offenders classified as either risk level II or III, the narrative notices shall also include the reasons underlying the classification.

NEW SECTION. Sec. 13. Section 11 of this act takes effect September 1, 2013."

Correct the title.

Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Moscoso; Pettigrew and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Hope and Ross.

Referred to Committee on Appropriations Subcommittee on General Government.

SB 5748 Prime Sponsor, Senator Roach: Extending contribution limits to candidates for public hospital district boards of commissioners. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended.

On page 1, line 18, after "commissioners" insert "in districts with a population over one hundred fifty thousand"

Signed by Representatives Hunt, Chair; Bergquist, Vice Chair; Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander; Carlyle; Fitzgibbon; Manweller; Orwall and Van De Wege.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's first, second, third and fourth supplemental committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 4, 2013, the 81st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

EIGHTY FIRST DAY

House Chamber, Olympia, Thursday, April 4, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Farrell presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4644, by Representative Klippert

WHEREAS, Washington state's pioneering men and women known as cowboys helped establish America's western frontiers; and

WHEREAS, Cowboy and ranching traditions have been part of the American landscape and culture since 1523, and today's cowboys and cowgirls continue to strive to preserve and perpetuate this unique element of America's heritage; and

WHEREAS, The cowboy Vaquero spirit exemplifies patriotism and strength of character; and

WHEREAS, The cowboy is an excellent steward of the land and its creatures; and

WHEREAS, The cowboy embodies honesty, integrity, courage, compassion, and determination; and

WHEREAS, The core values expressed within the Cowboy Code of Conduct continue to inspire the pursuit of the highest caliber of personal integrity; and

WHEREAS, The cowboy archetype transcends gender, generations, ethnicity, geographic boundaries, and political affiliations; and

WHEREAS, The cowboy and his horse are a central figure in literature, art, film, poetry, photography, and music; and

WHEREAS, The cowboy is a true American icon occupying a central place in the public's imagination; and

WHEREAS, Annual attendance at rodeos exceeds 30,000,000 fans worldwide; and

WHEREAS, Membership and participation in the National Day of the Cowboy Organization, Single Action Shooting Society, Working Ranch Rodeo Association, Cowboy Mounted Shooting Association, American Quarter Horse Association, Pro Rodeo Cowboys Association, Championship Bull Riding, Working Ranch Rodeo, Women's Pro Rodeo, U.S. Team Roping, the Western Music Association, and other organizations that encompass the livelihood of the cowboy continues to expand both nationally and internationally;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives join these organizations in celebrating the "National Day of the Cowboy" on the fourth Saturday in July and encourage the people of Washington and the United States of America to observe the day with appropriate ceremonies and activities.

The Speaker (Representative Farrell presiding) stated the question before the House to be adoption of House Resolution No. 4644.

HOUSE RESOLUTION NO. 4644 was adopted.

HOUSE RESOLUTION NO. 2013-4645, by Representatives Reykdal and Hunt

WHEREAS, In 1963, a group of courageous and committed families, concerned about the lack of community-based alternatives to placement in state institutions for their children with disabilities, joined together and formed the Lower Puget Sound Development Center; and

WHEREAS, One year later, the Lower Puget Sound Development Center joined with three other local organizations and formed Morningside with the purpose of advancing the employment and self-sufficiency of persons with disabilities; and

WHEREAS, Over fifty years Morningside's employment services have evolved - from assisting clients to produce arts and crafts, to providing business services to the public and private sector, and helping persons with disabilities secure and maintain employment - always with belief that work is important to a fulfilling life and that inclusiveness strengthens and enriches our communities; and

WHEREAS, Morningside now reaches beyond the South Sound, serving hundreds of clients in five counties in Southwest Washington and the Olympic Peninsula, working to ensure that Washingtonians with disabilities are integrated into our communities, and giving them the opportunity for work and to contribute to our state; and

WHEREAS, Morningside today has 85 employees whose goal remains the same as the goal of those who founded the organization - to provide innovative, caring, and successful employment services to persons with disabilities; and

WHEREAS, Morningside has demonstrated success in partnering with businesses, school districts, and state and local government to create employment opportunities for persons with disabilities, as reflected by the best supported employment outcomes in the state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives congratulate Morningside, its employees, clients, and volunteers on the organization's fiftieth anniversary and its contributions to enriching the lives of persons with disabilities in Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Jim Larson, President and Chief Executive Officer of Morningside, and to Kris Tefft, Chair of the Morningside Board of Trustees.

The Speaker (Representative Farrell presiding) stated the question before the House to be adoption of House Resolution No. 4645.

HOUSE RESOLUTION NO. 4645 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 5, 2013, the 82nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SECOND DAY

House Chamber, Olympia, Friday, April 5, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Reykdal presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 4, 2013

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5139
SENATE BILL NO. 5216
SENATE BILL NO. 5488
SUBSTITUTE SENATE BILL NO. 5518
SUBSTITUTE SENATE BILL NO. 5524
SENATE BILL NO. 5558
ENGROSSED SUBSTITUTE SENATE BILL NO. 5563
ENGROSSED SENATE BILL NO. 5620
SUBSTITUTE SENATE BILL NO. 5634

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2025 by Representatives Pike, Harris, Vick, Orcutt, Shea, Dahlquist, Taylor and Kochmar

AN ACT Relating to the Columbia river crossing project; adding a new section to chapter 47.01 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 2026 by Representatives Pike, Manweller, Vick, Condotta, Harris and Chandler

AN ACT Relating to state auction liquor stores, providing a process for the successful bidders for such stores to seek refunds of the amount successfully bid, and providing for the sale of inventory; adding a new section to chapter 66.24 RCW; and creating a new section.

Referred to Committee on Government Accountability & Oversight.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the following bills listed on the second reading suspension calendar were placed on the second reading calendar:

SUBSTITUTE SENATE BILL NO. 5021
SUBSTITUTE SENATE BILL NO. 5022
SENATE BILL NO. 5046
SENATE BILL NO. 5097
SECOND ENGROSSED SENATE BILL NO. 5701

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 8, 2013, the 85th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY FIFTH DAY

House Chamber, Olympia, Monday, April 8, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Seaquist presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

April 5, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5034
SUBSTITUTE SENATE BILL NO. 5891

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 9, 2013, the 86th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SIXTH DAY

House Chamber, Olympia, Tuesday, April 9, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amanda McMahon and Ryan McMahon. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Matt Shea, 4th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

ESSB 5034 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to fiscal matters; amending RCW 2.68.020, 13.40.466, 18.04.105, 18.43.150, 18.71.315, 18.85.061, 19.28.351, 28B.15.069, 28B.67.030, 28B.105.110, 28C.04.535, 28C.10.082, 38.52.540, 41.26.802, 43.08.190, 43.09.475, 43.24.150, 43.71.030, 43.79.445, 43.79.480, 43.101.200, 43.155.050, 43.185.050, 46.66.080, 46.68.340, 70.42.090, 70.93.180, 70.119.150, 70.148.020, 74.09.215, 77.12.201, 77.12.203, 79.64.040, 82.08.160, 82.14.310, and 86.26.007; reenacting and amending RCW 41.60.050, 41.80.010, 41.80.020, 43.325.040, 70.105D.070, and 79.105.150; amending 2012 2nd sp.s. c 7 ss 111, 112, 114, 115, 118, 121, 127, 129, 131, 132, 136, 139, 142, 144, 149, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 218, 219, 220, 221, 302, 303, 307, 308, 311, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514, 602, 613, 615, 616, 617, 701, 702, 707, 801, 802, 803, and 804 (uncodified); amending 2011 2nd sp.s. c 9 ss 506, and 703 (uncodified); amending 2011 1st sp.s. c 50 s 804 (uncodified); amending 2011 1st sp.s. c 41 s 3 (uncodified); adding a new section to 2011 1st sp.s. c 50 (uncodified); creating new sections; repealing 2011 c 41 s 3 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5891 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to state technology expenditures; amending RCW 41.06.142, 43.41A.075, 43.41A.025, 39.26.100, 43.41A.010, and 43.88.092; adding a new section to chapter 43.41 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

April 4, 2013

HB 2024 Prime Sponsor, Representative Pedersen: Concerning legal proceedings by the attorney general on behalf of state officers. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

SSB 5045 Prime Sponsor, Committee on Commerce & Labor: Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Government Accountability & Oversight.

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 66.20 RCW to read as follows:

(1) There shall be a permit known as a day spa permit to allow the holder to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises. The customer must be at least twenty-one years of age and may only be offered one glass of wine or beer, and wine or beer served or consumed shall be purchased from a Washington state licensed retailer. A day spa offering wine or beer without charge may not advertise the service of complimentary wine or beer and may not sell wine or beer in any manner. Any employee involved in the service of wine or beer must complete a board-approved alcohol server training program.

(2) For the purposes of this section, "day spa" means a business that offers at least three of the following types of beauty services:

(a) Hair care, including shampooing, cutting, styling, and dyeing hair;

(b) Skin care, such as facials or body wraps;

(c) Massages; or

(d) Body toning equipment.

(3) The initial annual fee for this permit is one hundred twenty-five dollars, and the legislature may thereafter adjust the fee in the omnibus operating appropriations act."

Correct the title.

Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Haigh; Haler; Hunt; Jinkins; Kagi; Maxwell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Green; Harris; Hudgins and Morrell.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5105 Prime Sponsor, Senator Dammeier: Asserting conditions under which the department of corrections provides rental vouchers to a registered sex offender. (REVISED FOR ENGROSSED: Asserting conditions under which the department of corrections provides rental vouchers to an offender.) Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Public Safety. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

SSB 5195 Prime Sponsor, Committee on Ways & Means: Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Fagan; Green; Haigh; Haler; Harris; Hudgins; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Hunt; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5369 Prime Sponsor, Committee on Energy, Environment & Telecommunications: Concerning the use of geothermal resources. Reported by

Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Environment. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5437 Prime Sponsor, Committee on Law & Justice: Regarding boating safety. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on General Government and without amendment by Committee on Public Safety.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 79A.60.040 and 1998 c 213 s 7 are each amended to read as follows:

(1) It (~~shall be~~) is unlawful for any person to operate a vessel in a reckless manner.

(2) It (~~shall be a violation~~) is unlawful for a person to operate a vessel while under the influence of intoxicating liquor, marijuana, or any drug. A person is considered to be under the influence of intoxicating liquor, marijuana, or any drug if, within two hours of operating a vessel:

(a) The person has an alcohol concentration of 0.08 (~~(grams)~~) or (~~more of alcohol per two hundred ten liters of breath~~) higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has ((0.08 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's blood made under RCW 46.61.506)) a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) The person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or

(d) The person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

(3) The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. (~~(A person cited under this subsection may upon request be given a breath test for breath alcohol or may request to have a blood sample taken for blood alcohol analysis. An arresting officer shall administer field sobriety tests when circumstances permit.~~

~~—(3))~~ (4) Any person who operates a vessel within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of the person's breath or blood for the purpose of determining the alcohol concentration, THC concentration, or presence of any drug in the person's breath or blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person was operating a vessel while under the influence of intoxicating liquor, marijuana, or any drug. Neither consent nor this section precludes a police officer from obtaining a search warrant for a person's breath or blood. An arresting officer may administer field sobriety tests when

circumstances permit.

(5) The test or tests of breath must be administered pursuant to RCW 46.20.308. Where the officer has reasonable grounds to believe that the person is under the influence of a drug, or where the person is incapable due to physical injury, physical incapacity, or other physical limitation, of providing a breath sample, or where the person is being treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility, a blood test must be administered by a qualified person as provided in RCW 46.61.506(5). The officer shall warn the person that if the person refuses to take the test, the person will be issued a class 1 civil infraction under RCW 7.80.120.

(6) A violation of subsection (1) of this section is a misdemeanor(~~, punishable as provided under RCW 9.92.030~~). A violation of subsection (2) of this section is a gross misdemeanor. In addition to the statutory penalties imposed, the court may order the defendant to pay restitution for any damages or injuries resulting from the offense.

NEW SECTION. Sec. 2. A new section is added to chapter 79A.60 RCW to read as follows:

(1) The refusal of a person to submit to a test of the alcohol concentration, THC concentration, or presence of any drug in the person's blood or breath is not admissible into evidence at a subsequent criminal trial.

(2) A person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 constitutes a class 1 civil infraction under RCW 7.80.120.

Sec. 3. RCW 7.80.120 and 2003 c 365 s 3 and 2003 c 337 s 4 are each reenacted and amended to read as follows:

(1) A person found to have committed a civil infraction shall be assessed a monetary penalty.

(a) The maximum penalty and the default amount for a class 1 civil infraction shall be two hundred fifty dollars, not including statutory assessments, except for an infraction of state law involving (i) potentially dangerous litter as specified in RCW 70.93.060(4) ~~((and an infraction of state law involving))~~ or violent video or computer games under RCW 9.91.180, in which case the maximum penalty and default amount is five hundred dollars; or (ii) a person's refusal to submit to a test or tests pursuant to RCW 79A.60.040 and section 2 of this act, in which case the maximum penalty and default amount is one thousand dollars;

(b) The maximum penalty and the default amount for a class 2 civil infraction shall be one hundred twenty-five dollars, not including statutory assessments;

(c) The maximum penalty and the default amount for a class 3 civil infraction shall be fifty dollars, not including statutory assessments; and

(d) The maximum penalty and the default amount for a class 4 civil infraction shall be twenty-five dollars, not including statutory assessments.

(2) The supreme court shall prescribe by rule the conditions under which local courts may exercise discretion in assessing fines for civil infractions.

(3) Whenever a monetary penalty is imposed by a court under this chapter it is immediately payable. If the person is unable to pay at that time the court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the court may proceed to collect the penalty in the same manner as other civil judgments and may notify the prosecuting authority of the failure to pay.

(4) The court may also order a person found to have committed a civil infraction to make restitution.

Sec. 4. RCW 10.31.100 and 2010 c 274 s 201 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a

person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((4))~~ (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.90, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

~~((6))~~ (7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

~~((7))~~ (8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

~~((8))~~ (9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

~~((9))~~ (10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

~~((10))~~ (11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

~~((11))~~ (12) Except as specifically provided in subsections (2), (3), (4), and ~~((6))~~ (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((12))~~ (13) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or ~~((8))~~ (9) of this section if the police officer acts in good faith and without malice.

NEW SECTION. Sec. 5. A new section is added to chapter 79A.60 RCW to read as follows:

(1) No person who has vessels for hire, or the agent or employee thereof, shall rent, lease, charter, or otherwise permit the use of a vessel, unless the person:

(a) Displays the vessel registration numbers and a valid decal on the vessel hull as required by RCW 88.02.550(1);

(b) Keeps a copy of the vessel registration certificate aboard the vessel, in compliance with RCW 88.02.340;

(c) Displays a carbon monoxide decal on the vessel as required by RCW 88.02.390(2) if the vessel is motor-driven and is not a personal watercraft;

(d) Provides a copy of the rental agreement to be kept aboard during the rental, lease, charter, or use period for vessels required under chapter 88.02 RCW to be registered;

(e) Ensures that the vessel, if motor-propelled, meets the muffler or underwater exhaust system requirement in RCW 79A.60.130;

(f) Outfits the vessel with the quantity and type of personal floatation devices required by RCW 79A.60.140 and 79A.60.160 for the number and ages of the people who will use the vessel;

(g) Explains the personal floatation device requirements to the person renting, leasing, chartering, or otherwise using the vessel;

(h) Equips the vessel with a skier-down flag, and explains observer and personal floatation requirements of RCW 79A.60.170, if the persons renting, leasing, chartering, or otherwise using the vessel will be waterskiing;

(i) If the vessel is a personal watercraft, provides a personal floatation device and a lanyard attached to an engine cutoff switch for the operator to wear at all times when operating the personal watercraft, as required by RCW 79A.60.190;

(j) Reviews with the person operating the vessel, and all other persons who the operator may permit to operate the vessel, all the information contained in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6); and

(k) Provides all other safety equipment required by RCW 79A.60.110 and referenced in the motor vessel safety operating and equipment checklist prescribed by the Washington state parks and recreation commission and required under RCW 79A.60.640(6).

(2) This section does not apply to fishing guides and charter boat operators who have a United States coast guard operator's license and are operating on navigable waters, and people who act in the capacity of a paid whitewater river outfitter or guide, or who operate a vessel carrying passengers for hire on whitewater rivers in this state.

(3) As provided in RCW 79A.60.020, a violation of this section is a civil infraction punishable under chapter 7.84 RCW, unless:

(a) The violation is a violation of RCW 88.02.550, which is punished as a class 2 civil infraction; or

(b) The current violation is the person's third violation of the same provision of this chapter during the past three hundred sixty-five days. If it is the person's third violation, then it must be punished as a misdemeanor under RCW 9.92.030.

Sec. 6. RCW 79A.60.150 and 1993 c 244 s 13 are each amended to read as follows:

If ((an infraction is issued under this chapter because a vessel does not contain the required equipment and if the operator is not the owner of the vessel, but is operating the vessel with the express or implied permission of the owner, then either or both operator or owner may be cited for the infraction)) a vessel does not contain the safety equipment required under this chapter and the rules of the commission, and the operator is not the owner of the vessel but is operating the vessel with the express or implied permission of the owner, then either the owner or the operator, or both, may be cited for the applicable infraction or charged with the applicable crime."

Correct the title.

Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5603

Prime Sponsor, Senator Hatfield: Establishing the Washington coastal marine advisory council.

(REVISED FOR ENGROSSED: Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council.) Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass without amendment by Committee on Environment. Signed by Representatives Hudgins, Chair; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Parker, Ranking Minority Member; Buys; Chandler and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5624 Prime Sponsor, Committee on Ways & Means: Aligning high-demand secondary STEM or career and technical education programs with applied baccalaureate programs. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Haler; Maxwell; Pettigrew; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist and Wilcox.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5615 Prime Sponsor, Committee on Higher Education: Concerning the health professional loan repayment and scholarship program. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Education and without amendment by Committee on Higher Education.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.115.030 and 2011 1st sp.s. c 11 s 205 are each amended to read as follows:

The health professional loan repayment and scholarship program is established for credentialed health professionals and residents serving in health professional shortage areas. The program shall be administered by the office. In administering this program, the office shall:

(1) Select credentialed health care professionals and residents to participate in the loan repayment portion of the loan repayment and scholarship program and select eligible students to participate in the scholarship portion of the loan repayment and scholarship program;

(2) Adopt rules and develop guidelines to administer the program;

(3) Collect and manage repayments from participants who do not meet their service obligations under this chapter;

(4) Publicize the program, particularly to maximize participation among individuals in shortage areas and among populations expected to experience the greatest growth in the workforce;

(5) Solicit and accept grants and donations from public and private sources for the program;

(6) Use a competitive procurement to contract with a fund-raiser to solicit and accept grants and donations from private sources for the program. The fund-raiser shall be paid on a contingency fee basis on a sliding scale but must not exceed fifteen percent of the total amount raised for the program each year. The fund-raiser shall not be a registered state lobbyist; and

((6)) (7) Develop criteria for a contract for service in lieu of the service obligation where appropriate, that may be a combination of service and payment."

Correct the title.

Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5630 Prime Sponsor, Committee on Health Care: Implementing recommendations of the adult family home quality assurance panel. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Health & Human Services and without amendment by Committee on Health Care & Wellness.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.128 RCW to read as follows:

(1) The protection of vulnerable residents living in adult family homes and other long-term care facilities in the state is a matter of ongoing concern and grave importance. In 2011, the legislature examined problems with the quality of care and oversight of adult family homes in Washington. The 2011 legislature passed Engrossed Substitute House Bill No. 1277 to address some of these issues, and in addition, created an adult family home quality assurance panel, chaired by the state long-term care ombudsman, to meet and make recommendations to the governor and legislature by December 1, 2012, for further improvements in adult family home care and the oversight of the homes by the department of social and health services.

(2) The legislature recognizes that significant progress has been made over the years in adult family home care, and that many adult family homes provide high quality care and are the preferred alternative for many residents in contrast to a larger care facility setting. The legislature finds however that the quality of care in some adult family homes would be improved, and abuse and neglect would decline, if these homes' caregivers and providers received better training and mentoring, residents and their families were more informed and able to select an appropriate home, and oversight by the department of social and health services was more vigorous and prompt against poorly performing homes. It is therefore the intent of the legislature to enact the recommendations included in the adult family home quality assurance panel report in order to improve the quality of care of vulnerable residents and the department's oversight of adult family homes.

Sec. 2. RCW 70.128.060 and 2011 1st sp.s. c 3 s 403 are each amended to read as follows:

(1) An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires.

(2) Subject to the provisions of this section, the department shall issue a license to an adult family home if the department finds that the applicant and the home are in compliance with this chapter and the rules adopted under this chapter. The department may not issue a license if (a) the applicant or a person affiliated with the applicant has prior violations of this chapter relating to the adult family home subject to the application or any other adult family home, or of any other law regulating residential care facilities within the past ten years that resulted in revocation, suspension, or nonrenewal of a license or contract with the department; or (b) the applicant or a person affiliated with the applicant has a history of significant noncompliance with federal, state, or local laws, rules, or regulations relating to the provision of care or services to vulnerable adults or to children. A person is considered affiliated with an applicant if the person is listed on the license application as a partner, officer, director, resident manager, or majority owner of the applying entity, or is the spouse of the applicant.

(3) The license fee shall be submitted with the application.

(4) Proof of financial solvency must be submitted when requested by the department.

(5) The department shall serve upon the applicant a copy of the decision granting or denying an application for a license. An applicant shall have the right to contest denial of his or her application for a license as provided in chapter 34.05 RCW by requesting a hearing in writing within twenty-eight days after receipt of the notice of denial.

(6) The department shall not issue a license to a provider if the department finds that the provider or spouse of the provider or any partner, officer, director, managerial employee, or majority owner has a history of significant noncompliance with federal or state regulations, rules, or laws in providing care or services to vulnerable adults or to children.

(7) The department shall license an adult family home for the maximum level of care that the adult family home may provide. The department shall define, in rule, license levels based upon the education, training, and caregiving experience of the licensed provider or staff.

(8) For adult family homes that serve residents with special needs such as dementia, developmental disabilities, or mental illness, specialty training is required of providers and resident managers consistent with RCW 70.128.230, and also is required for caregivers, with standardized competency testing for caregivers hired after the effective date of this section, as set forth by the department in rule. The department shall examine, with input from experts, providers, consumers, and advocates, whether the existing specialty training courses are adequate for providers, resident managers, and caregivers to meet these residents' special needs, are sufficiently standardized in curricula and instructional techniques, and are accompanied by effective tools to fairly evaluate successful student completion. The department may enhance the existing specialty training requirements by rule, and may update curricula, instructional techniques, and competency testing based upon its review and stakeholder input. In addition, the department shall examine, with input from experts, providers, consumers, and advocates, whether additional specialty training categories should be created for adult family homes serving residents with other special needs, such as traumatic brain injury, skilled nursing, or bariatric care. The department may establish, by rule, additional specialty training categories and requirements for providers, resident managers, and caregivers, if needed to better serve residents with such special needs.

(9) The department shall establish, by rule, standards used to license nonresident providers and multiple facility operators.

~~((9))~~ (10) The department shall establish, by rule, for multiple facility operators educational standards substantially equivalent to recognized national certification standards for residential care administrators.

~~((10))~~ (11) At the time of an application for an adult family home license and upon the annual fee renewal date set by the department, the licensee shall pay a license fee. Beginning July 1, 2011, the per bed license fee and any processing fees, including the initial license fee, must be established in the omnibus appropriations act and any amendment or additions made to that act. The license fees established in the omnibus appropriations act and any amendment or additions made to that act may not exceed the department's annual licensing and oversight activity costs and must include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

~~((11))~~ (12) A provider who receives notification of the department's initiation of a denial, suspension, nonrenewal, or revocation of an adult family home license may, in lieu of appealing the department's action, surrender or relinquish the license. The department shall not issue a new license to or contract with the provider, for the purposes of providing care to vulnerable adults or children, for a period of twenty years following the surrendering or relinquishment of the former license. The licensing record shall indicate that the provider relinquished or surrendered the license, without admitting the violations, after receiving notice of the department's initiation of a denial, suspension, nonrenewal, or revocation of a license.

~~((12))~~ (13) The department shall establish, by rule, the circumstances requiring a change in the licensed provider, which include, but are not limited to, a change in ownership or control of the adult family home or provider, a change in the provider's form of legal organization, such as from sole proprietorship to partnership or corporation, and a dissolution or merger of the licensed entity with another legal organization. The new provider is subject to the provisions of this chapter, the rules adopted under this chapter, and other applicable law. In order to ensure that the safety of residents is not compromised by a change in provider, the new provider is responsible for correction of all violations that may exist at the time of the new license.

NEW SECTION. Sec. 3. A new section is added to chapter 70.128 RCW to read as follows:

(1) In order to enhance the selection of an appropriate adult family home, all adult family homes licensed under this chapter shall disclose the scope of, and charges for, the care, services, and activities provided by the home or customarily arranged for by the home. The disclosure must be provided to the home's residents and the residents' representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request, using standardized disclosure forms developed by the department with stakeholders' input. The home may also disclose supplemental information to prospective residents and other interested persons.

(2)(a) The disclosure forms that the department develops must be standardized, reasonable in length, and easy to read. The form setting forth the scope of an adult family home's care, services, and activities must be available from the adult family home through a link to the department's web site developed pursuant to this section. This form must indicate, among other categories, the scope of personal care and medication service provided, the scope of skilled nursing services or nursing delegation provided or available, any specialty care designations held by the adult family home, the customary number of caregivers present during the day and whether the home has awake staff at night, any particular cultural or language access available, and clearly state whether the home admits medicaid clients or retains residents who later become eligible for medicaid. The adult family home shall provide or arrange for the care, services, and activities disclosed in its form.

(b) The department must also develop a second standardized disclosure form with stakeholders' input for use by adult family homes to set forth an adult family home's charges for its care, services, items, and activities, including the charges not covered by

the home's daily or monthly rate, or by medicaid, medicare, or other programs. This form must be available from the home and disclosed to residents and their representatives, if any, prior to admission, and to interested prospective residents and their representatives upon request.

(3)(a) If the adult family home decreases the scope of care, services, or activities it provides, due to circumstances beyond the home's control, the home shall provide a minimum of thirty days' written notice to the residents, and the residents' representative if any, before the effective date of the decrease in the scope of care, services, or activities provided.

(b) If the adult family home voluntarily decreases the scope of care, services, or activities it provides, and any such decrease will result in the discharge of one or more residents, then ninety days' written notice must be provided prior to the effective date of the decrease. Notice must be given to the residents and the residents' representative, if any.

(c) If the adult family home increases the scope of care, services, or activities it provides, the home shall promptly provide written notice to the residents, and the residents' representative if any, and shall indicate the date on which the increase is effective.

(4) When the care needs of a resident exceed the disclosed scope of care or services that the adult family home provides, the home may exceed the care or services previously disclosed, provided that the additional care or services are permitted by the adult family home's license, and the home can safely and appropriately serve the resident with available staff or through the provision of reasonable accommodations required by state or federal law. The provision of care or services to a resident that exceed those previously disclosed by the home does not mean that the home is capable of or required to provide the same care or services to other residents, unless required as a reasonable accommodation under state or federal law.

(5) An adult family home may deny admission to a prospective resident if the home determines that the needs of the prospective resident cannot be met, so long as the adult family home operates in compliance with state and federal law, including RCW 70.129.030(3) and the reasonable accommodation requirements of state and federal antidiscrimination laws.

(6) The department shall work with consumers, advocates, and other stakeholders to combine and improve existing web resources to create a more robust, comprehensive, and user-friendly web site for family members, residents, and prospective residents of adult family homes in Washington. The department may contract with outside vendors and experts to assist in the development of the web site. The web site should be easy to navigate and have links to information important for residents, prospective residents, and their family members or representatives including, but not limited to: (a) Explanations of the types of licensed long-term care facilities, levels of care, and specialty designations; (b) lists of suggested questions when looking for a care facility; (c) warning signs of abuse, neglect, or financial exploitation; and (d) contact information for the department and the long-term care ombudsman. In addition, the consumer oriented web site should include a searchable list of all adult family homes in Washington, with links to inspection and investigation reports and any enforcement actions by the department for the previous three years. If a violation or enforcement remedy is deleted, rescinded, or modified under RCW 70.128.167 or chapter 34.05 RCW, the department shall make the appropriate changes to the information on the web site as soon as reasonably feasible, but no later than thirty days after the violation or enforcement remedy has been deleted, rescinded, or modified. To facilitate the comparison of adult family homes, the web site should also include a link to each licensed adult family home's disclosure form required by subsection (2)(a) of this section. The department's web site should also include periodically updated information about whether an adult family home has a current vacancy, if the home provides such information to the

department, or may include links to other consumer-oriented web sites with the vacancy information.

Sec. 4. RCW 70.128.160 and 2011 1st sp.s. c 3 s 208 are each amended to read as follows:

(1) The department is authorized to take one or more of the actions listed in subsection (2) of this section in any case in which the department finds that an adult family home provider has:

(a) Failed or refused to comply with the requirements of this chapter or the rules adopted under this chapter;

(b) Operated an adult family home without a license or under a revoked license;

(c) Knowingly or with reason to know made a false statement of material fact on his or her application for license or any data attached thereto, or in any matter under investigation by the department; or

(d) Willfully prevented or interfered with any inspection or investigation by the department.

(2) When authorized by subsection (1) of this section, the department may take one or more of the following actions:

(a) Refuse to issue a license;

(b) Impose reasonable conditions on a license, such as correction within a specified time, training, and limits on the type of clients the provider may admit or serve;

(c) Impose civil penalties of at least one hundred dollars per day per violation;

(d) Impose civil penalties of up to three thousand dollars for each incident that violates adult family home licensing laws and rules, including, but not limited to, chapters 70.128, 70.129, 74.34, and 74.39A RCW and related rules. Each day upon which the same or substantially similar action occurs is a separate violation subject to the assessment of a separate penalty;

(e) Impose civil penalties of up to ten thousand dollars for a current or former licensed provider who is operating an unlicensed home;

(f) Suspend, revoke, or refuse to renew a license; or

(g) Suspend admissions to the adult family home by imposing stop placement.

(3) When the department orders stop placement, the facility shall not admit any person until the stop placement order is terminated. The department may approve readmission of a resident to the facility from a hospital or nursing home during the stop placement. The department shall terminate the stop placement (~~when~~) only after: (a) The violations necessitating the stop placement have been corrected; and (b) the provider exhibits the capacity to maintain correction of the violations previously found deficient. However, if upon the revisit the department finds new violations that the department reasonably believes will result in a new stop placement, the previous stop placement shall remain in effect until the new stop placement is imposed. In order to protect the home's existing residents from potential ongoing neglect, when the provider has been cited for a violation that is repeated, uncorrected, pervasive, or presents a threat to the health, safety, or welfare of one or more residents, and the department has imposed a stop placement, the department shall also impose a condition on license or other remedy to facilitate or spur prompter compliance if the violation has not been corrected, and the provider has not exhibited the capacity to maintain correction, within sixty days of the stop placement.

(4) Nothing in subsection (3) of this section is intended to apply to stop placement imposed in conjunction with a license revocation or summary suspension or to prevent the department from imposing a condition on license or other remedy prior to sixty days after a stop placement, if the department considers it necessary to protect one or more residents' well-being. After a department finding of a violation for which a stop placement has been imposed, the department shall make an on-site revisit of the provider within fifteen working days from the request for revisit, to ensure correction of the violation. For violations that are serious or recurring or uncorrected following a

previous citation, and create actual or threatened harm to one or more residents' well-being, including violations of residents' rights, the department shall make an on-site revisit as soon as appropriate to ensure correction of the violation. Verification of correction of all other violations may be made by either a department on-site revisit or by written or photographic documentation found by the department to be credible. This subsection does not prevent the department from enforcing license suspensions or revocations. Nothing in this subsection shall interfere with or diminish the department's authority and duty to ensure that the provider adequately cares for residents, including to make departmental on-site revisits as needed to ensure that the provider protects residents, and to enforce compliance with this chapter.

(5) Chapter 34.05 RCW applies to department actions under this section, except that orders of the department imposing license suspension, stop placement, or conditions for continuation of a license are effective immediately upon notice and shall continue in effect pending any hearing.

(6) A separate adult family home account is created in the custody of the state treasurer. All receipts from civil penalties imposed under this chapter must be deposited into the account. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The department shall use the special account only for promoting the quality of life and care of residents living in adult family homes.

(7) The department shall by rule specify criteria as to when and how the sanctions specified in this section must be applied. The criteria must provide for the imposition of incrementally more severe penalties for deficiencies that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. The criteria shall be tiered such that those homes consistently found to have deficiencies will be subjected to increasingly severe penalties. The department shall implement prompt and specific enforcement remedies without delay for providers found to have delivered care or failed to deliver care resulting in problems that are repeated, uncorrected, pervasive, or present a threat to the health, safety, or welfare of one or more residents. In the selection of remedies, the health, safety, and well-being of residents must be of paramount importance.

NEW SECTION. Sec. 5. A new section is added to chapter 70.128 RCW to read as follows:

(1) If during an inspection, reinspection, or complaint investigation by the department, an adult family home corrects a violation or deficiency that the department discovers, the department shall record and consider such violation or deficiency for purposes of the home's compliance history; however, the licensor or complaint investigator may not include in the home's report the violation or deficiency if the violation or deficiency:

- (a) Is corrected to the satisfaction of the department prior to the exit conference;
- (b) Is not recurring; and
- (c) Did not pose a significant risk of harm or actual harm to a resident.

(2) For the purposes of this section, "recurring" means that the violation or deficiency was found under the same regulation or statute in one of the two most recent preceding inspections, reinspections, or complaint investigations.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2013, in the omnibus appropriations act, this act is null and void."

Correct the title.

Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5760

Prime Sponsor, Committee on Natural Resources & Parks: Providing compensation for commercial crop damage caused by bighorn sheep. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen; Springer and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5860

Prime Sponsor, Senator Padden: Addressing legal proceedings by the attorney general on behalf of superior court judges. Reported by Committee on Appropriations Subcommittee on General Government

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys; Chandler; Dunshee; Hunt; Pedersen and Springer.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5021, by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Carrell)

Changing the crime of riot to the crime of criminal mischief.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Roberts and Hayes spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative MacEwan, Representatives DeBolt, Hope and Walsh were excused. On motion of Representative Farrell, Representatives Fitzgibbon, Lias and Pettigrew were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5021.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5021, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5021, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5022, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Sheldon and Carrell)

Changing retail theft with extenuating circumstances to retail theft with special circumstances.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 58, March 12, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Roberts and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5022, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5022, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell,

McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5022, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5046, by Senators Padden, Kline, Keiser, Harper, Shin and Kohl-Welles

Modifying the mandatory retirement provision for district judges.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne and Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5046.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5046, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5046, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5050, by Senators Sheldon, King, Ericksen and Litzow

Authorizing registered tow truck operators to carry passengers in a vehicle attached to a flatbed tow truck under certain situations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5050, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5050, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5050, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5077, by Senate Committee on Commerce & Labor (originally sponsored by Senators Kohl-Welles, Holmquist Newbry and Keiser)

Making technical corrections to certain gender-based terms.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Pedersen spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5077.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5077, and the bill passed the House by the following vote: Yeas, 70; Nays, 22; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hawkins, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Crouse, Haler, Hargrove, Hayes, Holy, Klippert, Kretz, Kristiansen, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor and Vick.

Excused: Representatives DeBolt, Fitzgibbon, Hope, Liias, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5077, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5102, by Senators Pearson, Darneille, Padden, Kohl-Welles and Conway

Concerning veterinarian immunity from liability when reporting suspected animal cruelty.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 65, March 19, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Haigh and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5102, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5102, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5102, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5114, by Senators Bailey, Hobbs, Roach, Becker, Carrell, Dammeier, Benton, Honeyford, Padden and King

Regarding access to K-12 campuses for occupational or educational information.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5114.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5114, and the bill passed the House by the following vote: Yeas, 91; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Taylor.

Excused: Representatives DeBolt, Hope, Liias, Pettigrew and Walsh.

SENATE BILL NO. 5114, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5135, by Senate Committee on Law & Justice (originally sponsored by Senators Pearson, Kline and Padden)

Concerning judicial proceedings and forms.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 73, March 27, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5135, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5135, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5135, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5148, by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Cleveland, Conway, Frockt, Parlette, Rolfes, Kohl-Welles, Schlicher and Kline)

Allowing for redistribution of medications under certain conditions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Jinkins spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5148, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5148, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Haler, Holy, Nealey, Overstreet, Pike, Schmick, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5148, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5153, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Carrell, Darneille, Pearson and Schlicher)

Concerning transfers of clients between regional support networks.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5153, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5153, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross,

Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5153, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5161, by Senators Braun, Carrell, Padden, Bailey, Becker, Fain, Roach, Sheldon, Dammeier, Honeyford, Schoesler, Conway, Rolfes and Kohl-Welles

Authorizing certain eligible family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Moscoso and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5161, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5161, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5161, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5186, by Senators Roach, Conway, Benton, Chase and Shin

Concerning contractor's bond.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5186.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5186, and the bill passed the House by the following vote: Yeas, 89; Nays, 5; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5186, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5207, by Senators Fain, Benton, Hobbs, Roach, Nelson, Mullet, Hatfield and Keiser

Addressing the consumer loan act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5207.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5207, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt,

Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SENATE BILL NO. 5207, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5210, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Nelson and Hatfield)

Regulating mortgage brokers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5210.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5210, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5210, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5221, by Senators Kohl-Welles, Carrell and Darneille

Requiring notification of release of a person following dismissal of charges based on incompetence to stand trial.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5221, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5221, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5221, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5227, by Senate Committee on Commerce & Labor (originally sponsored by Senators Schoesler, Holmquist Newbry, Delvin, Hatfield, Shin, King, Hobbs, Sheldon, Padden, Honeyford, Dammeier and Roach)

Changing the corporate officer provisions of the employment security act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5227, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5227, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Sea Excused: Representatives DeBolt, Hope, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5227, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fifth order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

April 8, 2013
HB 1920 Prime Sponsor, Representative Ormsby: Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013
HB 1957 Prime Sponsor, Representative Clibborn: Concerning department of transportation project delivery. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; Moeller; Morris; O'Ban; Riccelli; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Overstreet, Assistant Ranking Minority Member; Angel; Rodne and Shea.

Passed to Committee on Rules for second reading.

April 5, 2013

HB 1971 Prime Sponsor, Representative Carlyle: Concerning communications services reform. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Finance. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Haler; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dahlquist; Harris; Parker; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

HB 2016 Prime Sponsor, Representative Jinkins: Concerning a hospital safety net assessment. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Buys; Dahlquist; Haler; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 5, 2013

HB 2022 Prime Sponsor, Representative Jinkins: Concerning dispensing contraceptive drugs for medicaid enrollees. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013

SSB 5072 Prime Sponsor, Committee on Ways & Means: Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Finance and without amendment by Committee on Community Development, Housing & Tribal Affairs. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

E2SSB 5078 Prime Sponsor, Committee on Ways & Means: Modifying the property tax exemption for nonprofit fairs. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Hansen; Lytton; Pollet; Springer; Vick and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Fitzgibbon and Reykdal.

Passed to Committee on Rules for second reading.

April 4, 2013

ESB 5104 Prime Sponsor, Senator Mullet: Placing epinephrine autoinjectors in schools. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Appropriations Subcommittee on Education and without amendment by Committee on Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Carlyle.

Passed to Committee on Rules for second reading.

April 4, 2013

ESSB 5118 Prime Sponsor, Committee on Human Services & Corrections: Addressing access to original birth certificates after adoption finalization. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013
SSB 5123 Prime Sponsor, Committee on Ways & Means:
 Establishing a farm internship program. Reported
 by Committee on Appropriations Subcommittee
 on Health & Human Services

MAJORITY recommendation: Do pass. Signed by
 Representatives Morrell, Chair; Cody; Green; Jinkins; Kagi
 and Ormsby.

MINORITY recommendation: Do not pass. Signed by
 Representatives Harris, Ranking Minority Member; Pike; Ross
 and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013
ESSB 5176 Prime Sponsor, Committee on Human Services &
 Corrections: Addressing criminal incompetency
 and civil commitment. Reported by Committee
 on Appropriations

MAJORITY recommendation: Do pass as amended by
 Committee on Appropriations and without amendment by
 Committee on Judiciary. Signed by Representatives Hunter,
 Chair; Ormsby, Vice Chair; Alexander, Ranking Minority
 Member; Chandler, Assistant Ranking Minority Member;
 Wilcox, Assistant Ranking Minority Member; Buys; Carlyle;
 Cody; Dahlquist; Dunshee; Fagan; Haigh; Haler; Harris;
 Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen;
 Pettigrew; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by
 Representatives Green; Parker; Pike and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013
2SSB 5197 Prime Sponsor, Committee on Ways & Means:
 Taking measures to promote safe school
 buildings. Reported by Committee on Capital
 Budget

MAJORITY recommendation: Do pass as amended by
 Committee on Capital Budget and without amendment by
 Committee on Education. Signed by Representatives Dunshee,
 Chair; Stanford, Vice Chair; Warnick, Ranking Minority
 Member; Hawkins, Assistant Ranking Minority Member;
 MacEwen, Assistant Ranking Minority Member; Appleton;
 Fey; Riccelli; Scott; Smith and Stonier.

Passed to Committee on Rules for second reading.

April 4, 2013
ESB 5206 Prime Sponsor, Senator Becker: Authorizing
 occupational therapists, occupational therapy
 assistants, dieticians, and nutritionists to
 participate in online access to the University of
 Washington health sciences library. (REVISED
 FOR ENGROSSED: Increasing the health
 professions participating in online access to the
 University of Washington health sciences library.
) Reported by Committee on Appropriations
 Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by
 Committee on Health Care & Wellness. Signed by
 Representatives Morrell, Chair; Harris, Ranking Minority
 Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and
 Schmick.

Passed to Committee on Rules for second reading.

April 5, 2013
2SSB 5213 Prime Sponsor, Committee on Ways & Means:
 Concerning prescription review for medicaid
 managed care enrollees. Reported by Committee
 on Appropriations

MAJORITY recommendation: Do pass as amended by
 Committee on Appropriations and without amendment by
 Committee on Health Care & Wellness. Signed by
 Representatives Hunter, Chair; Ormsby, Vice Chair;
 Alexander, Ranking Minority Member; Chandler, Assistant
 Ranking Minority Member; Wilcox, Assistant Ranking
 Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee;
 Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins;
 Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross;
 Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013
E2SSB 5237 Prime Sponsor, Committee on Ways & Means:
 Establishing accountability for student
 performance in reading. Reported by Committee
 on Appropriations

MAJORITY recommendation: Do pass as amended by
 Committee on Education. Signed by Representatives Hunter,
 Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green;
 Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell;
 Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by
 Representatives Alexander, Ranking Minority Member;
 Chandler, Assistant Ranking Minority Member; Wilcox,
 Assistant Ranking Minority Member; Buys; Dahlquist; Fagan;
 Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013
E2SSB 5244 Prime Sponsor, Committee on Ways & Means:
 Regarding school suspensions and expulsions.
 Reported by Committee on Appropriations

MAJORITY recommendation: Do pass without amendment
 by Committee on Education. Signed by Representatives
 Hunter, Chair; Alexander, Ranking Minority Member; Wilcox,
 Assistant Ranking Minority Member; Carlyle; Dahlquist;
 Dunshee; Fagan; Green; Haigh; Hunt; Jinkins; Kagi; Maxwell;
 Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by
 Representatives Ormsby, Vice Chair; Chandler, Assistant
 Ranking Minority Member; Buys; Cody; Haler; Harris;
 Hudgins; Morrell; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5315 Prime Sponsor, Committee on Human Services & Corrections: Implementing the recommendations made by the Powell fatality team. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013

E2SSB 5329 Prime Sponsor, Committee on Ways & Means: Assisting persistently lowest-achieving schools to become more accountable. (REVISED FOR ENGROSSED: Transforming persistently failing schools.) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013

SSB 5332 Prime Sponsor, Committee on Governmental Operations: Modifying the percentage of votes required to continue benefit charges for fire protection districts. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

SB 5349 Prime Sponsor, Senator Dammeier: Revising alternative public works contracting procedures. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass as amended. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; MacEwen, Assistant

Ranking Minority Member; Appleton; Fey; Riccelli; Smith and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Hawkins, Assistant Ranking Minority Member and Scott.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5362 Prime Sponsor, Committee on Commerce & Labor: Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013

E2SSB 5405 Prime Sponsor, Committee on Ways & Means: Concerning extended foster care services. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the federal fostering connections to success and increasing adoptions act of 2008 provides important new opportunities to increase the impact of state funding through maximizing the amount of federal funding available to promote permanency and positive outcomes for dependent youth.

(2) The legislature also finds that children and adolescents who are legal dependents of Washington state have experienced significant trauma and loss, putting them at increased risk for poor life outcomes. Longitudinal research on the adult functioning of former foster youth indicates a disproportionate likelihood that youth aging out of foster care and those who spent several years in care will experience poor outcomes in a variety of areas, including limited human capital upon which to build economic security and inability to fully take advantage of secondary and postsecondary educational opportunities, untreated mental or behavioral health problems, involvement in the criminal justice and corrections systems, and early parenthood combined with second-generation child welfare involvement.

(3) The legislature further finds that research also demonstrates that access to adequate and appropriate supports during the period of transition from foster care to independence can have significant positive impacts on adult functioning and can improve outcomes relating to educational attainment and postsecondary enrollment, employment and earnings, and reduced rates of teen pregnancies.

Sec. 2. RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and

responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" means:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of social and health services.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(9) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(10) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(11) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior

court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(12) "Housing assistance" means appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or time-limited family reunification service as described in RCW 13.34.025(2).

(13) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty- five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(14) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(15) "Preventive services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child.

(16) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(17) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(18) "Social study" means a written evaluation of matters relevant to the disposition of the case and shall contain the following information:

(A) A statement of the specific harm or harms to the child that intervention is designed to alleviate;

(B) A description of the specific services and activities, for both the parents and child, that are needed in order to prevent serious harm to the child; the reasons why such services and activities are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered. The description shall identify the services chosen and approved by the parent;

(C) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs that have been considered and rejected; the preventive services, including housing assistance, that have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home; and the parents' attitude toward placement of the child;

(d) A statement of the likely harms the child will suffer as a result of removal;

(e) A description of the steps that will be taken to minimize the harm to the child that may result if separation occurs including an assessment of the child's relationship and emotional bond with any siblings, and the agency's plan to provide ongoing contact between the child and the child's siblings if appropriate; and

(f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

(19) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

(20) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(21) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

Sec. 3. RCW 13.34.145 and 2011 c 330 s 6 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age seventeen years but not older than seventeen years and six months, the department shall provide the youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age

eighteen years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

At this hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. For purposes of this section, "good cause exception" includes but is not limited to the following: The child is being cared for by a relative; the department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home; or the department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests.

(c)(i) If the permanency plan identifies independent living as a goal, the court shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will

inquire whether the child has been provided information about extended foster care services.

(ii) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(iii) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(d) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(i) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(ii) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

~~((4))~~ (5) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

~~((5))~~ (6) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

~~((6))~~ (7) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

~~((7))~~ (8) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

~~((8))~~ (9) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

~~((9))~~ (10) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection ~~((8))~~ (9) of this section are met.

~~((10))~~ (11) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising

agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

~~((11))~~ (12) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

~~((12))~~ (13) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

Sec. 4. RCW 13.34.267 and 2012 c 52 s 4 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court shall postpone for six months the dismissal of a dependency proceeding for any ~~((child))~~ youth who is a dependent child in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday, is:

(a) Enrolled in a secondary education program or a secondary education equivalency program; ~~((or))~~

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program; or

(c) Participating in a program or activity designed to promote employment or remove barriers to employment.

(2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. The court shall dismiss the dependency if the youth:

(i) Has not requested extended foster care services from the department by the end of the six-month period; or

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six-month period.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

(3) ~~((A youth who participates in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.~~

(4)) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.

~~((5))~~ (4) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services.

~~((6))~~ (5) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

~~((7))~~ (6) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review

requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

- (a) Whether the youth is safe in his or her placement;
- (b) Whether the youth continues to be eligible for extended foster care services;
- (c) Whether the current placement is developmentally appropriate for the youth;
- (d) The youth's development of independent living skills; and
- (e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

~~((8))~~ (7) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

~~((9))~~ (8) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency.

Sec. 5. RCW 74.13.020 and 2012 c 205 s 12 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

- (a) A person less than eighteen years of age; or
- (b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

- (a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;
- (b) Protecting and caring for dependent, abused, or neglected children;
- (c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;
- (d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;
- (e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services may include ~~(, but are not limited to,)~~ placement in licensed, relative, or otherwise approved care, or

supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(9) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(10) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(11) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(12) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(13) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(14) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(15) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

Sec. 6. RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

- (a) A person less than eighteen years of age; or
- (b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(11) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(12) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(13) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(14) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(15) "Nonminor dependent" means any individual age eighteen to twenty-one years for whom there was an open dependency proceeding at the time that he or she reached the age of eighteen years, or who is released from the juvenile rehabilitation administration and had an open dependency proceeding at the time of his or her commitment, and who meets the eligibility requirements for extended foster care services authorized under RCW 74.13.031.

(16) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings.

Sec. 7. RCW 74.13.031 and 2012 c 52 s 2 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced

visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(6) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95- 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) The department and supervising agency shall have authority to purchase care for children.

(9) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(~~(-or)~~);

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(11) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (10) of this section.

(12) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(13) The department and supervising agencies shall have authority within funds appropriated for foster care services to

purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(14) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(15) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty- one years of age who are or have been in foster care.

(16) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(17)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community- based organization and must be updated as needed.

Sec. 8. RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are each reenacted and amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW

74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and

advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty-one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program~~((-or-))~~;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) The nonminor dependent must have an open dependency proceeding at the time that he or she reaches age eighteen years, and the nonminor dependent must request extended foster care services before reaching age eighteen years and six months.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that

strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW

13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community-based organization and must be updated as needed.

NEW SECTION. Sec. 9. This act applies prospectively only and not retroactively. It applies to:

(1) Dependency matters that have an open court case on the effective date of this section; and

(2) Dependency matters for which a petition is filed on or after the effective date of this section.

NEW SECTION. Sec. 10. Sections 5 and 7 of this act expire December 1, 2013.

NEW SECTION. Sec. 11. Sections 6 and 8 of this act take effect December 1, 2013."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell, Member; Morrell; Parker; Pedersen; Pettigrew; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Halder; Pike; Ross and Taylor.

Passed to Committee on Rules for second reading.

April 8, 2013

SSB 5444 Prime Sponsor, Committee on Governmental Operations: Concerning the administration of taxes regarding publicly owned property. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013

ESSB 5480 Prime Sponsor, Committee on Human Services & Corrections: Accelerating changes to mental health involuntary commitment laws. (REVISED FOR ENGROSSED: Concerning mental health

involuntary commitment laws.) Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Fagan; Green; Haigh; Halder; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

ESSB 5491 Prime Sponsor, Committee on Early Learning & K-12 Education: Establishing statewide indicators of educational health. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended by Committee on Education. Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Halder; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013

ESSB 5551 Prime Sponsor, Committee on Ways & Means: Concerning competency to stand trial evaluations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Judiciary. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Halder; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

SSB 5565 Prime Sponsor, Committee on Human Services & Corrections: Concerning background checks for individuals seeking a license under chapter 74.13 RCW or unsupervised access to children. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & Human Services. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jinkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 8, 2013

SB 5593 Prime Sponsor, Senator Smith: Concerning filing requirements for property tax exemption claims for certain improvements to benefit fish and

wildlife habitat, water quality, or water quantity.
Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

April 5, 2013

2SSB 5595 Prime Sponsor, Committee on Ways & Means:
Concerning child care reform. Reported by
Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Early Learning & Human Services. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013

ESSB 5709 Prime Sponsor, Committee on Ways & Means:
Concerning a pilot program to demonstrate the
feasibility of using densified biomass to heat
public schools. Reported by Committee on
Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** Currently more than a million homes nationwide and approximately fifty thousand homes in Washington state are heated with wood pellets, or densified biomass, in modern high-efficiency appliances. This residential use establishes that many homeowners experience significant cost savings compared to other fossil fuel-based heating systems and that this technology can have a wide and varied acceptance. Bulk delivery that can be facilitated by large volume anchor users such as schools, institutions, and businesses could provide the next step in making this form of renewable energy utilization more efficient and convenient for the consumer. The legislature makes the following findings:

(1) That manufactured and direct thermal conversion of densified biomass is a renewable energy activity;

(2) That much of western Europe, China, Japan, and other Asian countries have chosen to use renewable densified biomass as a renewable energy fuel to heat homes, businesses, and other facilities;

(3) That clean burning, renewable densified biomass will: (a) Lead our country to energy independence; (b) create jobs; (c) stimulate our economy by keeping more of our money circulating in the United States; (d) reduce carbon emissions; (e) improve air quality in noncompliant air sheds; (f) promote healthy forests; and (g) reduce the volume of waste in landfills; that the densified biomass industry will be complimentary to other biofuel industries, providing an outlet

and use for the resultant high lignin by-products and agriculture residuals; and

(4) That a December 2012 report by the Washington State University energy program identified opportunities to develop and expand the in-state manufacturing of densified biomass.

Therefore, it is the intent of the legislature to have the Washington State University energy program conduct a pilot program to demonstrate the feasibility of using densified biomass as a renewable energy source to heat schools and other buildings.

NEW SECTION. Sec. 2. (1) Subject to receiving federal and private funds for this purpose, by December 1, 2013, the Washington State University energy program must develop and initiate a pilot program to demonstrate the feasibility of using densified biomass to heat public schools. Two public schools must be chosen for the pilot program, using the following criteria: The school's proximity to a currently operating densified biomass manufacturing facility, the age and condition of the school's current heating system, and the school's design is of a nature that most resembles other schools of its class. The pilot program must consist of the following: The replacement of the school's current heating system with one that uses densified biomass as a fuel; the measurement and evaluation of the heating system, including a cost comparison with other conventional fuels; and the measurement of emissions from the heating system. One of the public schools selected for the pilot must be located in a district in the eastern half of the state and one must be located in a district in the western half of the state.

(2) The office of the superintendent of public instruction must notify all school districts about the pilot project and their opportunity to participate.

(3) By December 31, 2015, the Washington State University energy program must summarize and report its findings to the legislature. The report must include an analysis extrapolating the results to other similarly situated schools in the state.

(4) In designing the pilot program, the Washington State University energy program must seek to leverage other existing private and federal funding programs and resources.

(5) The Washington State University energy program may contract with other entities for assistance in implementing the pilot program.

(6) The pilot program expires December 15, 2015."
Correct the title.

Signed by Representatives Haigh, Chair; Fagan, Ranking Minority Member; Carlyle; Dahlquist; Haler; Maxwell; Pettigrew; Seaquist; Sullivan and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013

2SSB 5732 Prime Sponsor, Committee on Ways & Means:
Concerning the adult behavioral health system in
Washington state. Reported by Committee on
Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care & Wellness. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representative Taylor.

Passed to Committee on Rules for second reading.

April 4, 2013
ESSB 5744 Prime Sponsor, Committee on Commerce & Labor: Monitoring the progress of the logger safety initiative. Reported by Committee on Appropriations Subcommittee on Health & Human Services

MAJORITY recommendation: Do pass as amended by Committee on Labor & Workforce Development. Signed by Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody; Green; Jenkins; Kagi; Ormsby; Pike; Ross and Schmick.

Passed to Committee on Rules for second reading.

April 4, 2013
SB 5809 Prime Sponsor, Senator Litzow: Changing provisions relating to the home visiting services account. Reported by Committee on Appropriations Subcommittee on Education

MAJORITY recommendation: Do pass as amended. Signed by Representatives Haigh, Chair; Carlyle; Haler; Maxwell; Pettigrew; Seaquist and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Fagan, Ranking Minority Member; Dahlquist and Wilcox.

Passed to Committee on Rules for second reading.

April 8, 2013
SB 5824 Prime Sponsor, Senator Honeyford: Regarding the financing of irrigation district improvements. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended by Committee on Local Government. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal; Springer; Vick and Wilcox.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's supplemental committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5282, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Keiser, Sheldon, Becker, Tom, Parlette, Rivers, Braun, Bailey, Padden, Roach, Litzow, Honeyford and Shin)

Creating a statewide database of mental health commitment information.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5282, as amended by the House.

MOTION

On motion of Representative Harris, Representative Nealey was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5282, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jenkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5282, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5352, by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Conway and Hewitt)

Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Parker and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5352.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5352, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5352, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5355, by Senators Holmquist Newbry, Conway, Kohl-Welles and Keiser

Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5355, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5355, as amended by the House, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso,

O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5355, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5400, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Ericksen and Hewitt)

Allowing utilities serving customers in Washington and in other states to use eligible renewable resources located within the western electricity coordinating council area to comply with chapter 19.285 RCW, the energy independence act. Revised for 1st Substitute: Allowing utilities serving customers in Washington and in other states to use eligible renewable resources in their other states to comply with chapter 19.285 RCW, the energy independence act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Upthegrove and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5400.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5400, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative McCoy.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5400, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5417, by Senators Mullet, Fain, Hasegawa and Roach

Concerning the annexation of unincorporated territory within a code city.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Takko and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5417, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5417, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Fagan, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Farrell, Fitzgibbon, Liias, Scott and Upthegrove.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5417, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5446, by Senators Hobbs, Schoesler, Hatfield and Tom

Providing a process for the state auditor's office to apply for investigative subpoenas.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5446.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5446, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5446, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5458, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Billig, Ranker, Kohl-Welles and Kline)

Concerning the labeling of certain asbestos-containing building materials.

The bill was read the second time.

Representative Short moved the adoption of amendment (356).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Asbestos is a known human carcinogen that causes painful, premature deaths due to diseases such as asbestosis, mesothelioma, lung and gastrointestinal cancers, and other diseases and cancers. Activities that can lead to the release of asbestos fibers include installation, use, maintenance, repair, removal, and disposal of asbestos-containing building materials.

Many people are unaware that asbestos-containing building materials are still imported, sold, and used in the United States. Because few regulations exist that require the disclosure of asbestos in building materials, people can unknowingly be exposed to asbestos. Asbestos is generally invisible, odorless, very durable, and highly aerodynamic. Exposure can occur well after it has been disturbed and long distances from where the asbestos release occurred.

The purpose of this chapter is to allow people to make informed decisions regarding whether or not they purchase or use building materials containing asbestos. More specifically, building materials that contain asbestos must be clearly labeled as such by manufacturers, wholesalers, and distributors.

"NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Asbestos" includes the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysotile (serpentine),

crocidolite (riebeckite), anthophyllite, and any of these minerals that have been chemically treated or altered. The chemical abstracts service registry number for each is as follows: Asbestos (1332-21-4), actinolite (13768-00-8), amosite (12172-73-5), tremolite (14567-73-8), chrysotile (12001-29-5), crocidolite (12001-28-4), and anthophyllite (17068-78-9).

(2) "Asbestos-containing building material" means any building material to which asbestos is deliberately added in any concentration or that contains more than one percent asbestos by weight or area as determined using the United States environmental protection agency method for the determination of asbestos in building materials, EPA/600/R-93/116, July 1993.

(3) "Building material" includes materials designed for, or used in, construction, renovation, repair, or maintenance of institutional, commercial, public, industrial, or residential buildings and structures. The term does not include automobiles, recreational vehicles, boats, or other mobile means of transportation.

(4) "Consumer" means any person that acquires a building material for direct use or ownership, rather than for resale or use in production and manufacturing.

(5) "Department" means the department of ecology.

(6) "Person" means any individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(7) "Retailer" means any person that sells goods or commodities directly to consumers.

NEW SECTION. Sec. 3. (1) Except as otherwise provided in this section or section 4 of this act, it is unlawful to manufacture, wholesale, or distribute for sale an asbestos-containing building material that is not labeled as required by section 5 of this act or as required under federal law, 40 C.F.R. part 763, subpart I, Sec. 173.171 (1994). The labeling requirement also applies to stock-on-hand, meaning any asbestos-containing building material in the possession or control of a manufacturer, wholesaler, or distributor after December 31, 2013, must be labeled.

(2)(a) Subsection (1) of this section does not apply to asbestos-containing building materials that have already been installed, applied, or used by the consumer.

(b) Subsection (1) of this section does not apply to asbestos-containing building materials used solely for United States military purposes.

(3) Any manufacturer, wholesaler, or distributor may submit a written request for an exemption from the labeling requirements of this chapter, and the department may grant such an exemption if it determines that the labeling requirements are technically infeasible or create an undue economic hardship. Each exemption is in effect for a period not to exceed three years from the date issued and is subject to the terms and conditions prescribed by the department.

NEW SECTION. Sec. 4. Except for the provisions of section 5(4) of this act, retailers that do not manufacture, wholesale, or distribute asbestos-containing building materials are exempt from this chapter.

NEW SECTION. Sec. 5. (1) A label must be placed in a prominent location adjacent to the product name or description on the exterior of the wrapping and packaging in which the asbestos-containing building material is placed for storage, shipment, and sale.

(2) A label must also be placed on the exterior surface of the asbestos-containing building material itself unless it is sold as a liquid or paste, is sand or gravel, or an exemption is granted pursuant to section 3(3) of this act.

(3) Asbestos-containing building materials must have a legible label that clearly identifies it as containing asbestos. At a minimum, the label must state the following:

This product contains ASBESTOS which is known to cause cancer and lung disease. Avoid creating dust. Intentionally removing or tampering with this label is a violation of state law.

(4) Other than inadvertent violations damaging the label in the course of normal transportation and preparation of the asbestos-containing building material for retail sale, it is unlawful for any person to remove, deface, cover, or otherwise obscure or tamper with a label or sticker that has been applied in compliance with this section, unless the asbestos-containing building material is in the possession of the end user.

NEW SECTION. Sec. 6. (1) The provisions of this chapter may be enforced by the department, a local air authority formed under chapter 70.94 RCW, or their designees.

(2) Whenever the department or authority determines, after receiving a complaint, that a person has violated any provision of this chapter, the department may issue an order requiring compliance either immediately or within a specified period of time.

(3) Any person who has received a corrective action order under subsection (2) of this section within the preceding twelve calendar months and is determined to have subsequently violated this chapter, or any person who fails to take corrective action as specified by an order issued pursuant to subsection (2) of this section and is subsequently determined to be in continuing violation of this chapter, is liable for a civil penalty of not more than one thousand dollars per day. In the case of a continuing violation, each day's continuance is a separate and distinct violation.

(4) The penalties provided in this section are imposed pursuant to RCW 43.21B.300. All penalties recovered under this chapter by the department must be paid into the state treasury and credited to the air pollution control account established in RCW 70.94.015 or, if recovered by an authority, must be paid into the treasury of an authority and credited to its funds. If a prior penalty for the same violation has been paid to an authority, the penalty imposed by the department under subsection (3) of this section must be reduced by the amount of the payment.

(5) For the purposes of this section, "authority" has the same meaning as defined in RCW 70.94.030.

Sec. 7. RCW 43.21B.300 and 2010 c 210 s 12 and 2010 c 84 s 4 are each reenacted and amended to read as follows:

(1) Any civil penalty provided in RCW 18.104.155, 70.94.431, 70.95.315, 70.105.080, 70.107.050, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102 and chapter 90.76 RCW and chapter 70.-- RCW (the new chapter created in section 9 of this act), shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the penalty from the department or the local air authority, describing the violation with reasonable particularity. For penalties issued by local air authorities, within thirty days after the notice is received, the person incurring the penalty may apply in writing to the authority for the remission or mitigation of the penalty. Upon receipt of the application, the authority may remit or mitigate the penalty upon whatever terms the authority in its discretion deems proper. The authority may ascertain the facts regarding all such applications in such reasonable manner and under such rules as it may deem proper and shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty.

(2) Any penalty imposed under this section may be appealed to the pollution control hearings board in accordance with this chapter if

CAUTION!

the appeal is filed with the hearings board and served on the department or authority thirty days after the date of receipt by the person penalized of the notice imposing the penalty or thirty days after the date of receipt of the notice of disposition by a local air authority of the application for relief from penalty.

(3) A penalty shall become due and payable on the later of:

(a) Thirty days after receipt of the notice imposing the penalty;

(b) Thirty days after receipt of the notice of disposition by a local air authority on application for relief from penalty, if such an application is made; or

(c) Thirty days after receipt of the notice of decision of the hearings board if the penalty is appealed.

(4) If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county, or of any county in which the violator does business, to recover the penalty. If the amount of the penalty is not paid to the authority within thirty days after it becomes due and payable, the authority may bring an action to recover the penalty in the superior court of the county of the authority's main office or of any county in which the violator does business. In these actions, the procedures and rules of evidence shall be the same as in an ordinary civil action.

(5) All penalties recovered shall be paid into the state treasury and credited to the general fund except those penalties imposed pursuant to RCW 18.104.155, which shall be credited to the reclamation account as provided in RCW 18.104.155(7), RCW 70.94.431, the disposition of which shall be governed by that provision, RCW 70.105.080, which shall be credited to the hazardous waste control and elimination account created by RCW 70.105.180, RCW 90.56.330, which shall be credited to the coastal protection fund created by RCW 90.48.390, and RCW 90.76.080, which shall be credited to the underground storage tank account created by RCW 90.76.100.

NEW SECTION. Sec. 8. The department may adopt rules regarding the implementation of this chapter.

NEW SECTION. Sec. 9. Sections 1 through 6 and 8 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 10. This act takes effect January 1, 2014."

Correct the title.

Representative Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (356) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby,

Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie
Excused: Representatives DeBolt, Hope, Nealey, Pettigrew, and Walsh

Amendment (356) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Upthegrove spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5458.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5458, and the bill passed the House by the following vote: Yeas, 65; Nays, 28; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Holy, Klippert, Kochmar, Kretz, Kristiansen, Manweller, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Short, Taylor, Vick and Warnick.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5458, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5459, by Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Parlette, Dammeier and Kline)

Requiring ninety-day supply limits on certain drugs dispensed by a pharmacist.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5459, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5459, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5459, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5465, by Senators Dammeier, Schlicher, Becker, Keiser and McAuliffe

Concerning exemptions from licensure as a physical therapist.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Green and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5465, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5465, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5465, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5466, by Senators Carrell, Kohl-Welles and King

Modifying criminal history record information compliance audit provisions.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hayes and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5466.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5466, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5466, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5484, by Senators Kline, Frockt, Ranker, Rolfes, Padden, Fain and Kohl-Welles

Concerning assault in the third degree occurring in areas used in connection with court proceedings.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Ross spoke in favor of the passage of the bill.

Representative Scott spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5484, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5484, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 10; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hunter, MacEwen, Orcutt, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5484, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5507, by Senate Committee on Governmental Operations (originally sponsored by Senators Billig, Benton, Rolfes, Rivers, Hatfield, Harper, Ranker, Hasegawa, Frockt, Schlicher, Smith, Fraser, Sheldon, Roach, Kohl-Welles, Keiser, Shin, Murray, McAuliffe, Kline and Conway)

Increasing transparency of donors to candidates and ballot measures.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Operations & Elections was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Bergquist and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5507, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5507, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5507, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5517, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hobbs, Hewitt, Hatfield, Honeyford and Shin)

Changing the criteria for the beer and wine tasting endorsement for grocery stores.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5517.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5517, and the bill passed the House by the following vote: Yeas, 81; Nays, 12; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, O'Ban, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Goodman, Green, Harris, Kagi, Klippert, Morrell, Orcutt, Ormsby, Scott, Tharinger and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5517, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5541, by Senators Hobbs, Fain, Hatfield and Harper

Concerning the redemption of real property.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5541.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5541, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5541, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5556, by Senate Committee on Law & Justice (originally sponsored by Senators Darneille, Dammeier, Schlicher, Conway, Roach, McAuliffe, Becker, Carrell, Delvin and Shin)

Concerning missing endangered persons.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Roberts, Overstreet and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5556, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5556, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5556, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5616, by Senators Sheldon, Smith, Schoesler, Hargrove, Hatfield, Hewitt and Shin

Concerning the use of farm vehicles on public highways.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Liias and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5616, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5616, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5616, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5627, by Senators Eide, Parlette, Ranker, Shin and Litzow

Concerning the taxation of commuter air carriers.

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (359).

On page 6, after line 12, insert the following:

"**NEW SECTION. Sec. 5.** A new section is added to chapter 84.55 RCW to read as follows:

State and local property taxes levied for collection in 2014 and thereafter must be reduced by the amount of taxes levied in 2013 on aircraft qualifying for the property tax exemption in section 4 of this act."

Re-number the remaining section consecutively.

Correct the title.

Representatives Orcutt and Shea spoke in favor of the adoption of the amendment.

Representative Carlyle spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (359) and the amendment was not adopted by the following vote: Yeas: 41 Nays: 52 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove,

Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew, and Walsh

Amendment (359) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet and Wilcox spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5627.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5627, and the bill passed the House by the following vote: Yeas, 71; Nays, 22; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Kretz, Kristiansen, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Stonier and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5627, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5627.

Representative Klippert, 8th District

SECOND READING

SENATE BILL NO. 5674, by Senators Kohl-Welles, Smith, Hatfield, Conway, Schoesler, King, Hobbs, Murray, Keiser, Ranker, Harper, Hewitt and Rolfe

Allowing wine and beer sampling at farmers markets.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Accountability & Oversight was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5674, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5674, as amended by the House, and the bill passed the House by the following vote: Yeas, 81; Nays, 12; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, O'Ban, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Goodman, Green, Harris, Hudgins, Kagi, Lias, Morrell, Orcutt, Ormsby, Scott and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5674, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5699, by Senators Ericksen and Kline

Concerning electronic product recycling.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 67, March 21, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Upthegrove and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5699, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5699, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Holy, Orcutt, Overstreet, Shea and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

ENGROSSED SENATE BILL NO. 5699, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 5699.
Representative Scott, 39th District

SECOND READING

SENATE BILL NO. 5712, by Senators Kohl-Welles, Bailey, McAuliffe, Frockt, Murray, Baumgartner and Keiser

Encouraging community colleges to use, and inform students of the use of, multiple measures to determine the need for precollege courses.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5712.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5712, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet and Taylor.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5712, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5751, by Senators Schoesler, Rivers, Smith, Braun, Baumgartner, Hasegawa, Parlette, Hewitt, Brown and Holmquist Newbry

Requiring an inventory of state fees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Alexander and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5751.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5751, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE BILL NO. 5751, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 9, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1074
SUBSTITUTE HOUSE BILL NO. 1352
HOUSE BILL NO. 1442
HOUSE BILL NO. 1609

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SUBSTITUTE SENATE BILL NO. 5761, by Senate Committee on Transportation (originally sponsored by Senators King and Hobbs)

Concerning outdoor advertising sign fees, labels, and prohibitions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, April 1, 2013).

Representative Orcutt moved the adoption of amendment (361) to the committee amendment:

On page 1, line 20 of the striking amendment, after "renewed" strike "annually" and insert "~~(annually)~~ every five years"

On page 2, line 3 of the striking amendment, after "rule" strike "an annual fee" and insert "a fee every five years"

Representative Orcutt spoke in favor of the adoption of the amendment to the committee amendment.

Representative Liias spoke against the adoption of the amendment to the committee amendment.

Amendment (361) to the committee amendment was not adopted.

Representative Orcutt moved the adoption of amendment (360) to the committee amendment.

On page 2, beginning on line 2 of the striking amendment, after "notification." strike all material through "income," on line 8

On page 2, line 31 of the striking amendment, after "of" strike "one" and insert "two"

On page 2, line 32 of the striking amendment, after "The" strike "one" and insert "two"

Representative Orcutt spoke in favor of the adoption of the amendment to the committee amendment.

Representative Clibborn spoke against the adoption of the amendment to the committee amendment.

Amendment (360) to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representative Liias spoke in favor of the passage of the bill.

Representatives Orcutt and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5761, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5761, as amended by the House, and the bill passed the House by the following vote: Yeas, 57; Nays, 36; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5761, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5774, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist Newbry, McAuliffe, Bailey, Keiser, Conway, Schoesler, Kohl-Welles, Mullet and Kline)

Authorizing applications for a special permit to allow alcohol tasting by persons nineteen and twenty years of age under certain circumstances. Revised for 1st Substitute: Authorizing applications for a special permit to allow alcohol tasting by persons at least eighteen years of age under certain circumstances.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5774.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5774, and the bill passed the House by the following vote: Yeas, 89; Nays, 4; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Green, Harris, Orwall and Van De Wege.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5774, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5786, by Senate Committee on Natural Resources & Parks (originally sponsored by Senator Hargrove)

Requiring certain information in commercial fishing guide license applications.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 73, March 27, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5786, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5786, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 3; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt,

Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Manweller, Overstreet and Scott.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SUBSTITUTE SENATE BILL NO. 5786, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8005, by Senators Hargrove, King, Sheldon, Eide, Hobbs, Hatfield, Benton, Padden, Shin and Chase

Requesting that state route number 117 be designated as the POW/MIA Memorial Highway.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Van De Wege and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8005, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8005, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Hope, Nealey, Pettigrew and Walsh.

SENATE JOINT MEMORIAL NO. 8005, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 10, 2013, the 87th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY SEVENTH DAY

House Chamber, Olympia, Wednesday, April 10, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Samir Nasr and Kaitlin Sisson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Marlando Jordan, Word of Faith Center, Kennewick, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2027 by Representatives Taylor and Takko

AN ACT Relating to provisions governing the use of direct deposit; and amending RCW 41.04.240.

Referred to Committee on Local Government.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 11, 2013, the 88th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTY EIGHTH DAY

House Chamber, Olympia, Thursday, April 11, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Angel Madera and Kara Duval-Fowler. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Jim Erlandson, Community of Christ, Olympia Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2028 by Representatives Kochmar and Orwall

AN ACT Relating to marijuana in negligent driving provisions; amending RCW 46.61.5249; and prescribing penalties.

Referred to Committee on Public Safety.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5053, by Senators Harper, Tom, Roach, Murray, Kohl-Welles, Eide, Carrell and Shin

Modifying vehicle prowling provisions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 60, March 14, 2013).

Representative Hope moved the adoption of amendment (366) to the committee amendment:

On page 6, after line 29 of the striking amendment, insert the following:

"Vehicle Prowling 2(third or subsequent offense) (RCW 9A.52.100(3))"

On page 8, beginning on line 11 of the striking amendment, strike "Vehicle Prowling 2(third or subsequent offense)(RCW 9A.52.100(3))""

Representatives Hope and Klippert spoke in favor of the adoption of the amendment to the committee amendment.

Representative Goodman spoke against the adoption of the amendment to the committee amendment.

Amendment (366) to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5053, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5053, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Appleton.

Excused: Representative DeBolt.

ENGROSSED SENATE BILL NO. 5053, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5810, by Senators Darneille, Carrell and Shin

Allowing the department of corrections to exempt information contained in the internal database on security threat group data from dissemination under the public records act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was not adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

Representative Hunt moved the adoption of amendment (365).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 72.09 RCW to read as follows:

(1) The department may collect, evaluate, and analyze data and specific investigative and intelligence information concerning the existence, structure, activities, and operations of security threat groups and the participants involved therein under the jurisdiction of the department. The data compiled may aid in addressing violence reduction, illegal activities, and identification of offender separation or protection needs, and may be used to assist law enforcement agencies and prosecutors in developing evidence for purposes of criminal prosecution upon request.

(2) The following security threat group information collected and maintained by the department shall be exempt from public disclosure under chapter 42.56 RCW: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates.

Sec. 2. RCW 42.56.240 and 2012 c 88 s 1 are each amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for

permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) The statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and e-mail address; ~~(and)~~

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; _____ and _____

(10) The following security threat group information collected and maintained by the department of corrections pursuant to section 1 of this act: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates."

Correct the title.

Representatives Klippert and Hunt spoke in favor of the adoption of the amendment.

Amendment (365) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunt and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5810, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5810, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal,

Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5810, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5025, by Senators Roach, Conway and Shin

Providing that a proclamation of a state of emergency is effective upon the governor's signature.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5025.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5025, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Manweller, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SENATE BILL NO. 5025, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5142, by Senators Rolfes, Benton, Hargrove, Sheldon, Hatfield, Delvin, Ericksen, Keiser, Conway, Schlicher and Roach

Incorporating motorcycles into certain transportation planning.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Liias spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5142.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5142, and the bill passed the House by the following vote: Yeas, 67; Nays, 30; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Crouse, Dahlquist, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Kochmar, Kretz, Kristiansen, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh and Wilcox.

Excused: Representative DeBolt.

SENATE BILL NO. 5142, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5165, by Senate Committee on Law & Justice (originally sponsored by Senators Hargrove and Carrell)

Increasing the authority of superior court commissioners to hear and determine certain matters.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5165.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5165, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Fagan, Harris, Holy, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Orcutt, Overstreet, Parker, Pike, Ross, Ryu, Schmick, Scott, Shea, Short, Taylor, Tharinger, Upthegrove and Vick.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5165, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5212, by Senators Holmquist Newbry, Becker and Roach

Expanding membership of the Washington state horse park authority.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Warnick and McCoy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5212.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5212, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5212, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215, by Senate Committee on Ways & Means (originally

sponsored by Senators Becker, Holmquist Newbry, Ericksen, Dammeier, Honeyford and Schlicher)

Providing that health care professional licensees may not be required to participate in any public or private third-party reimbursement program. Revised for 2nd Substitute: Concerning health care professionals contracting with public and private payors.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5215, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5215, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5235, by Senators Hargrove and Carrell

Modifying the requirements for purchase of care for Indian children.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCoy and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5235.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5235, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Holy, Klippert, Kristiansen, Manweller, Overstreet, Parker, Pike, Scott, Shea, Taylor, Vick and Warnick.

Excused: Representative DeBolt.

SENATE BILL NO. 5235, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5274, by Senate Committee on Transportation (originally sponsored by Senators Carrell, Eide, King, Harper, Hill and Shin)

Concerning private motorcycle skills education programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Liias and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5274.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5274, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal,

Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5274, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5308, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Carrell, Darneille, Padden, Kline, Hargrove, Fraser, Chase, Keiser, Conway, Cleveland and Tom)

Establishing the commercially sexually exploited children statewide coordinating committee.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Goodman and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5308, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5308, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5308, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389, by Senate Committee on Ways & Means (originally

sponsored by Senators Billig, Fain, Hargrove, Litzow, Murray, Tom, Kohl-Welles, Rolfes, Harper and Chase)

**Concerning sibling visitation for children in foster care.
Revised for 2nd Substitute: Concerning sibling visitation and
sibling contact for children in foster care.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Walsh, Freeman and Shea spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5389, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5389, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Klippert and Orcutt.
Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Keiser, Conway, Ericksen, Bailey, Dammeier, Frockt and Schlicher)

**Concerning prior authorization for health care services.
Revised for 2nd Substitute: Developing standardized prior
authorization for medical and pharmacy management.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5267, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5267, as amended by the House, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Klippert, Kretz, Kristiansen, Nealey, Short, Walsh, Warnick and Wilcox.
Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SENATE BILL NO. 5139
SENATE BILL NO. 5216
SENATE BILL NO. 5488
SUBSTITUTE SENATE BILL NO. 5518
SUBSTITUTE SENATE BILL NO. 5524
SENATE BILL NO. 5558
ENGROSSED SUBSTITUTE SENATE BILL NO. 5563
ENGROSSED SENATE BILL NO. 5620
SUBSTITUTE SENATE BILL NO. 5634
SUBSTITUTE HOUSE BILL NO. 1074
SUBSTITUTE HOUSE BILL NO. 1352
HOUSE BILL NO. 1442
HOUSE BILL NO. 1609

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 12, 2013, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

EIGHTY NINTH DAY

House Chamber, Olympia, Friday, April 12, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lily Goldsmith and Jayden Gilmore. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2029 by Representative Morris

Eliminating economic development-related agencies, boards, and commissions.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

REPORTS OF STANDING COMMITTEES

HB 1088 April 12, 2013
Prime Sponsor, Representative Dunshee:
Concerning state general obligation bonds and related accounts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Appleton; Fey; Riccelli; Scott; Smith and Stonier.

HB 1089 April 12, 2013
Prime Sponsor, Representative Dunshee:
Adopting the 2013-2015 capital budget. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Stanford, Vice Chair; Warnick, Ranking Minority Member; Hawkins, Assistant Ranking Minority Member; MacEwen, Assistant Ranking

Minority Member; Appleton; Fey; Riccelli; Scott; Smith and Stonier.

HB 1864 April 8, 2013
Prime Sponsor, Representative Clibborn: Making transportation appropriations for the 2011-2013 and 2013-2015 fiscal biennia. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Angel; Bergquist; Farrell; Fitzgibbon; Freeman; Habib; Johnson; Kochmar; Moeller; Morris; Riccelli; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes; Klippert; Kretz; Kristiansen; O'Ban; Rodne and Shea.

ESSB 5034 April 11, 2013
Prime Sponsor, Committee on Ways & Means:
Making omnibus operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended.

FORMAT CHANGED TO ACCOMODATE TEXT:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2013, and ending June 30, 2015, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending June 30, 2014.

(b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending June 30, 2015.

(c) "FTE" means full time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

General Fund--State Appropriation (FY 2014)	\$30,919,000
General Fund--State Appropriation (FY 2015)	\$31,261,000
Motor Vehicle Account--State Appropriation	\$1,765,000
TOTAL APPROPRIATION	\$63,945,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 102. FOR THE SENATE

General Fund--State Appropriation (FY 2014)	\$21,258,000
General Fund--State Appropriation (FY 2015)	\$23,552,000
Motor Vehicle Account--State Appropriation	\$1,514,000
TOTAL APPROPRIATION	\$46,324,000

The appropriations in this section are subject to the following conditions and limitations: \$8,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 103. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

General Fund--State Appropriation (FY 2014)	\$2,973,000
General Fund--State Appropriation (FY 2015)	\$3,108,000
Medical Aid Account--State Appropriation	\$332,000
Accident Account--State Appropriation	\$332,000
TOTAL APPROPRIATION	\$6,745,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2013-15 work plan as necessary to efficiently manage workload.

(2) \$29,000 of the general fund--state appropriation for fiscal year 2014 and \$22,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Substitute House Bill No. 1558 (honey beekeepers/taxation). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(3) \$332,000 of the medical aid account--state appropriation and \$332,000 of the accident account--state appropriation are provided for the purposes of chapter 37, Laws of 2011 (workers' compensation).

(4) \$98,000 of the general fund--state appropriation for fiscal year 2014 and \$225,000 of the general fund--state appropriation for fiscal year 2015 are provided for consultant and staff costs related to the economic analysis of tax preferences as directed by chapter 43.136 RCW.

(5) Within the amounts appropriated in this section, the committee shall conduct a study of how the fiscal note process contributes to quality and accuracy in estimating the fiscal impact of proposed legislation. The study will focus on comparing processes to established cost estimating standards and reviewing the processes used in other states.

(6) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of section 5 of Engrossed Substitute House Bill No. 1252 (k-12 online professional development). If section 5 of the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

General Fund--State Appropriation (FY 2014)	\$1,656,000
General Fund--State Appropriation (FY 2015)	\$1,815,000

TOTAL APPROPRIATION \$3,471,000

NEW SECTION. Sec. 105. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund--State Appropriation (FY 2014) \$8,014,000

General Fund--State Appropriation (FY 2015) \$7,992,000

TOTAL APPROPRIATION \$16,006,000

NEW SECTION. Sec. 106. FOR THE OFFICE OF THE STATE ACTUARY

Department of Retirement Systems Expense

Account--State Appropriation \$3,540,000

NEW SECTION. Sec. 107. FOR THE STATUTE LAW COMMITTEE

General Fund--State Appropriation (FY 2014) \$3,909,000

General Fund--State Appropriation (FY 2015) \$4,123,000

TOTAL APPROPRIATION \$8,032,000

NEW SECTION. Sec. 108. FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund--State Appropriation (FY 2014) \$3,694,000

General Fund--State Appropriation (FY 2015) \$3,700,000

TOTAL APPROPRIATION \$7,394,000

NEW SECTION. Sec. 109. LEGISLATIVE AGENCIES

In order to achieve operating efficiencies within the financial resources available to the legislative branch, the executive rules committee of the house of representatives and the facilities and operations committee of the senate by joint action may transfer funds among the house of representatives, senate, joint legislative audit and review committee, legislative evaluation and accountability program committee, joint transportation committee, office of the state actuary, joint legislative systems committee, statute law committee, and office of legislative support services.

NEW SECTION. Sec. 110. FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2014) \$6,936,000

General Fund--State Appropriation (FY 2015) \$6,873,000

TOTAL APPROPRIATION \$13,809,000

NEW SECTION. Sec. 111. FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2014) \$1,488,000

General Fund--State Appropriation (FY 2015) \$1,477,000

TOTAL APPROPRIATION \$2,965,000

NEW SECTION. Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund--State Appropriation (FY 2014) \$1,072,000

General Fund--State Appropriation (FY 2015) \$999,000

TOTAL APPROPRIATION \$2,071,000

NEW SECTION. Sec. 113. FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2014) \$15,829,000

General Fund--State Appropriation (FY 2015) \$15,745,000

TOTAL APPROPRIATION \$31,574,000

NEW SECTION. Sec. 114. FOR THE ADMINISTRATOR FOR THE COURTS

General Fund--State Appropriation (FY 2014) \$46,554,000

General Fund--State Appropriation (FY 2015) \$46,332,000

General Fund--Federal Appropriation \$2,125,000

General Fund--Private/Local Appropriation \$658,000

Judicial Information Systems Account--State

Appropriation \$45,219,000

Judicial Stabilization Trust Account--State

Appropriation \$6,691,000

TOTAL APPROPRIATION \$147,579,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,500,000 of the judicial information systems account--state appropriation is provided solely for development and implementation of the information network hub project. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan developed by the administrative office of the courts and the judicial information systems committee to move the judicial branch servers and data center equipment into the state data center in the 1500 Jefferson building, and the office of the chief information officer certifies that the administrative office of the courts and the judicial information systems committee have begun implementation of the plan.

(2) \$2,138,000 of the judicial information systems account--state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan developed by the administrative office of the courts and the judicial information systems committee to move the judicial branch servers and data center equipment into the state data center in the 1500 Jefferson building, and the office of the chief information officer certifies that the administrative office of the courts and the judicial information systems committee have begun implementation of the plan.

(3) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(4) \$1,199,000 of the judicial information systems account--state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

(5) \$108,000 of the general fund--state appropriation for fiscal year 2014 and \$108,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of House Bill No. 1159 (superior court judges Whatcom county). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. The funds provided in this subsection shall be expended only if the fourth superior court judge position in Whatcom county is appointed and serving on the bench.

(6) \$108,000 of the general fund--state appropriation for fiscal year 2014 and \$108,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of House Bill No. 1175 (superior court judges Benton/Franklin counties). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. The funds provided in this subsection shall be expended only if the seventh superior court judge position in Benton and Franklin counties jointly is appointed and serving on the bench.

(7) \$518,000 of the judicial information systems account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1651 (juvenile records access). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(8) \$11,300,000 of the judicial information systems account--state appropriation is provided solely for continued implementation of the superior court case management system project. Once a contract with the vendor is in effect, the superior court case management system project steering committee must continue to provide contract oversight, in collaboration with the judicial information system committee, through the implementation period of the project. Oversight responsibilities must include, but are not limited to, contract negotiations, vendor management, contract and deliverable management, and assuring satisfaction of the business and technical needs at the local level. The superior court case management system project steering committee must operate under the same charter agreements entered into under earlier phases of the project. The superior court case management system project steering committee may solicit input from user groups as deemed appropriate. The senate ways and means committee chair, or designee, and the house appropriations committee chair, or designee, shall be added as full voting members of the judicial information system committee.

NEW SECTION. Sec. 115. FOR THE OFFICE OF PUBLIC DEFENSE

General Fund--State Appropriation (FY 2014)	\$30,464,000
General Fund--State Appropriation (FY 2015)	\$33,776,000
Judicial Stabilization Trust Account--State Appropriation	\$3,648,000
General Fund--Federal Appropriation	\$152,000
TOTAL APPROPRIATION	\$68,040,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The amounts provided include funding for expert and investigative services in death penalty personal restraint petitions.

(2) \$3,378,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to expand the parents representation program into Asotin, Columbia, Garfield, King, Whatcom, and Whitman counties.

NEW SECTION. Sec. 116. FOR THE OFFICE OF CIVIL LEGAL AID

General Fund--State Appropriation (FY 2014)	\$10,862,000
General Fund--State Appropriation (FY 2015)	\$10,870,000
Judicial Stabilization Trust Account--State Appropriation	\$1,454,000
TOTAL APPROPRIATION	\$23,186,000

The appropriations in this section are subject to the following conditions and limitations: An amount not to exceed \$40,000 of the general fund--state appropriation for fiscal year 2014 and an amount not to exceed \$40,000 of the general fund--state appropriation for fiscal year 2015 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are sixty years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

NEW SECTION. Sec. 117. FOR THE OFFICE OF THE GOVERNOR

General Fund--State Appropriation (FY 2014)	\$5,696,000
General Fund--State Appropriation (FY 2015)	\$5,262,000
Economic Development Strategic Reserve Account--State Appropriation	\$4,000,000
TOTAL APPROPRIATION	\$14,958,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the economic development strategic reserve account appropriation is provided solely for efforts to assist with currently active industrial recruitment efforts that will bring new jobs to the state or will retain headquarter locations of major companies currently housed in the state.

(2) \$684,000 of the general fund--state appropriation for fiscal year 2014 and \$684,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of the education ombudsman.

(3) \$27,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Second Substitute House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$202,000 of the of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 118. FOR THE LIEUTENANT GOVERNOR

General Fund--State Appropriation (FY 2014)	\$656,000
General Fund--State Appropriation (FY 2015)	\$662,000
General Fund--Private/Local Appropriation	\$90,000

TOTAL APPROPRIATION \$1,408,000

NEW SECTION. Sec. 119. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund--State Appropriation (FY 2014) \$2,079,000

General Fund--State Appropriation (FY 2015) \$2,011,000

TOTAL APPROPRIATION \$4,090,000

NEW SECTION. Sec. 120. FOR THE SECRETARY OF STATE

General Fund--State Appropriation (FY 2014) \$10,124,000

General Fund--State Appropriation (FY 2015) \$8,442,000

General Fund--Federal Appropriation \$7,411,000

Public Records Efficiency, Preservation, and Access

Account--State Appropriation \$7,343,000

Charitable Organization Education Account--State

Appropriation \$364,000

Local Government Archives Account--State

Appropriation \$8,471,000

Election Account--Federal Appropriation \$12,021,000

Washington State Heritage Center Account--State

Appropriation \$8,860,000

TOTAL APPROPRIATION \$63,036,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,101,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$1,847,000 of the general fund--state appropriation for fiscal year 2014 and \$1,926,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2013-2015 fiscal biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

(4) \$60,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed House Bill No. 1267 (voter registration). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 121. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$253,000

General Fund--State Appropriation (FY 2015) \$250,000

TOTAL APPROPRIATION \$503,000

The appropriations in this section are subject to the following conditions and limitations: The office shall assist the department of enterprise services on providing the government-to-government training sessions for federal, state, local, and tribal government employees. The training sessions shall cover tribal historical perspectives, legal issues, tribal sovereignty, and tribal governments. Costs of the training sessions shall be recouped through a fee charged to the participants of each session. The department of enterprise services shall be responsible for all of the administrative aspects of the training, including the billing and collection of the fees for the training.

NEW SECTION. Sec. 122. FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$213,000

General Fund--State Appropriation (FY 2015) \$208,000

TOTAL APPROPRIATION \$421,000

NEW SECTION. Sec. 123. FOR THE STATE TREASURER

General Fund--State Appropriation (FY 2014) \$100,000

General Fund--State Appropriation (FY 2015) \$25,000

State Treasurer's Service Account--State

Appropriation \$15,585,000

TOTAL APPROPRIATION \$15,710,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1828 (local government fiscal conditions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$150,000 of the state treasurer's service account--state appropriation is provided solely for legal fees related to additional legal assistance due to changes in federal financial regulations and an increase in complex and high profile litigation.

NEW SECTION. Sec. 124. FOR THE STATE AUDITOR

General Fund--State Appropriation (FY 2014)	\$728,000	
General Fund--State Appropriation (FY 2015)	\$733,000	
State Auditing Services Revolving Account--State Appropriation	\$9,535,000	
Performance Audit of Government Account--State Appropriation	\$46,000	
TOTAL APPROPRIATION		\$11,042,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Audits of school districts by the division of municipal corporations shall include findings regarding the accuracy of: (a) Student enrollment data; and (b) the experience and education of the district's certified instructional staff, as reported to the superintendent of public instruction for allocation of state funding.

(2) \$728,000 of the general fund--state appropriation for fiscal year 2014 and \$733,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for staff and related costs to verify the accuracy of reported school district data submitted for state funding purposes; conduct school district program audits of state funded public school programs; establish the specific amount of state funding adjustments whenever audit exceptions occur and the amount is not firmly established in the course of regular public school audits; and to assist the state special education safety net committee when requested.

(3) Within the amounts appropriated in this section, the state auditor shall continue to complete the annual audit of the state's comprehensive annual financial report and the annual federal single audit consistent with the auditing standards generally accepted in the United States and the standards applicable to financial audits contained in government auditing standards, issued by the comptroller general of the United States, and OMB circular A-133, audits of states, local governments, and nonprofit organizations.

NEW SECTION. Sec. 125. FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund--State Appropriation (FY 2014)	\$141,000	
General Fund--State Appropriation (FY 2015)	\$172,000	
TOTAL APPROPRIATION		\$313,000

NEW SECTION. Sec. 126. FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2014)	\$10,086,000	
General Fund--State Appropriation (FY 2015)	\$9,774,000	
General Fund--Federal Appropriation	\$7,114,000	
New Motor Vehicle Arbitration Account--State Appropriation	\$991,000	
Legal Services Revolving Account--State Appropriation	\$191,245,000	
Tobacco Prevention and Control Account--State Appropriation	\$271,000	
Medicaid Fraud Penalty Account--State Appropriation		\$2,279,000
Public Services Revolving Account--State Appropriation	\$2,093,000	
TOTAL APPROPRIATION		\$223,853,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new *cy pres* awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) The executive ethics board shall: (a) Develop a statewide plan, with performance measures, to provide overall direction and accountability in all executive branch agencies and statewide elected offices; (b) coordinate and work with the commission on judicial conduct and the legislative ethics board; (c) assess and evaluate each agency's ethical culture through employee and stakeholder surveys, review Washington state quality award feedback reports, and publish an annual report on the results to the public; and (d) solicit outside evaluations, studies, and recommendations for improvements from academics, nonprofit organizations, the public disclosure commission, or other entities with expertise in ethics, integrity, and the public sector.

(5) \$424,000 of the legal services revolving account--state appropriation is provided solely for replacement of a portion of the computers. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 945 of this act, personal computer acquisition and replacement.

(6) \$609,000 of the legal services revolving account--state appropriation is provided solely for upgrades to software programs. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(7) \$38,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1294 (flame retardants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(8) \$131,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 1302 (extended foster care). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(9) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed Substitute House Bill No. 1341 (wrongful imprisonment). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$189,000 of the legal services revolving account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1420 (transportation improvement projects). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$2,093,000 of the public service revolving account--state appropriation is provided solely for the work of the public counsel section of the office of the attorney general.

NEW SECTION. Sec. 127. FOR THE CASELOAD FORECAST COUNCIL

General Fund--State Appropriation (FY 2014)	\$1,377,000
General Fund--State Appropriation (FY 2015)	\$1,347,000
TOTAL APPROPRIATION	\$2,724,000

The appropriations in this section are subject to the following conditions and limitations: \$115,000 of the general fund--state appropriation for fiscal year 2014 and \$115,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Engrossed House Bill No. 1900 (students/caseload forecasts). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 128. FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2014)	\$77,848,000
General Fund--State Appropriation (FY 2015)	\$75,087,000
General Fund--Federal Appropriation	\$264,934,000
General Fund--Private/Local Appropriation	\$5,609,000
Public Works Assistance Account--State Appropriation	\$7,227,000
Drinking Water Assistance Administrative Account--State Appropriation	\$442,000
Lead Paint Account--State Appropriation	\$147,000
Building Code Council Account--State Appropriation	\$13,000
Home Security Fund Account--State Appropriation	\$30,441,000
Affordable Housing for All Account--State Appropriation	\$11,912,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account--State Appropriation	\$969,000
Low-Income Weatherization Assistance Account--State Appropriation	\$1,881,000
Community and Economic Development Fee Account--State Appropriation	\$5,298,000
Washington Housing Trust Account--State Appropriation	\$19,559,000
Prostitution Prevention and Intervention Account-- State Appropriation	\$98,000
Public Facility Construction Loan Revolving Account--State Appropriation	\$985,000
Washington Community Technology Opportunity Account-- Private/Local Appropriation	\$10,000
Liquor Revolving Account--State Appropriation	\$5,605,000
TOTAL APPROPRIATION	\$508,065,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to resolution Washington to building statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$306,000 of the general fund--state appropriation for fiscal year 2014 and \$306,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance so that smaller cities receive proportionately more assistance than larger cities or counties.

(5) \$1,800,000 of the home security fund--state appropriation is provided for transitional housing assistance or partial payments for rental assistance under the independent youth housing program.

(6) \$5,000,000 of the home security fund--state appropriation is for the operation, repair, and staffing of shelters in the homeless family shelter program.

(7) \$198,000 of the general fund--state appropriation for fiscal year 2014 and \$198,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington new Americans program.

(8) \$2,949,000 of the general fund--state appropriation for fiscal year 2014 and \$2,949,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for associate development organizations.

(9) \$234,000 of the general fund--state appropriation for fiscal year 2014 and \$233,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington asset building coalitions.

(10) \$39,527,000 of the general fund--state appropriation for fiscal year 2014 and \$39,527,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the essential needs and housing support program created in chapter 36, 2011 1st sp. sess. The department of commerce shall contract for these services with counties or community-based organizations involved in providing essential needs and housing supports to low-income persons who meet eligibility pursuant to chapter 36, 2011 1st sp. sess. The department shall limit the funding used for administration of the program to no more than five percent. Counties and community providers shall limit the funding used for administration of the program to no more than seven percent.

(a) Of the amounts provided in this subsection, \$5,000,000 is provided solely for essential needs to clients who meet the eligibility established in chapter 36, 2011 1st sp. sess. Counties and community-based organizations shall distribute basic essential products in a manner that prevents abuse. To the greatest extent possible, the counties or community-based organizations shall leverage local or private funds, and volunteer support to acquire and distribute the basic essential products.

(b) Of the amounts provided in this subsection, \$74,000,000 is provided solely for housing support services to individuals who are homeless or who may become homeless, and are eligible for services under this program pursuant to chapter 36, 2011 1st sp. sess.

(11) \$5,605,000 of the liquor revolving account--state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(12) \$500,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the purposes of purchasing contracted services to expand and promote the tourism industry in the state of Washington.

(a) Through a competitive process, the department must contract with an entity with statewide tourism experience that has a principal office located in Washington. Expenditure of state moneys is contingent upon the contractor providing a dollar for dollar cash match. Funding must be provided for the following services:

(i) Serving as a central point of contact through developing and maintaining a web portal for Washington tourism, operating a call center, and mailing travel guides;

(ii) Promoting Washington as a tourism destination to national and international markets, with emphasis on markets in Europe and Asia;

(iii) Providing information to businesses and local communities on tourism opportunities that could expand local revenues; and

(iv) Conducting tourism-related research, including market research and measuring the return on investment of funded activities.

(b) The department may not use more than 18 percent of the funds to administer, monitor, and report the outcomes of the services. The department must electronically submit performance metrics by January 1, 2014, and report the outcomes of the services by December 1, 2015, to the economic development committees of the legislature.

(13) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the purposes of expanding foreign trade offices and providing sector-based export assistance to businesses. The department must engage Oregon, Idaho, Montana, Alaska, Hawaii, British Columbia, Alberta, Saskatchewan, and Yukon as well as associate development organizations, the small business development centers export readiness centers, the export finance assistance center of Washington, chambers of commerce, international trade organizations, and ports to leverage the funds provided and maximize the investment in foreign outreach. For each dollar expended the department must receive a one hundred percent match. The match may be provided by the department through nongeneral fund sources, or any partnering governments or organizations. The department must develop performance metrics and measure at a minimum, business hand-offs between partners for the provision of additional services, the number of assisted businesses, the number of assisted businesses that export, and the amount of assisted export sales. The measurements must also include an analysis of the sectors served and results.

(14) \$2,304,000 of the general fund--state appropriation for fiscal year 2014 and \$2,306,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for facilitating technology transfer and commercialization activities, and supporting business growth in technology sectors.

(a) Through a competitive process, the department must contract with an entity with a principal office located in Washington with experience facilitating interaction between the state's higher education institutions and the states technology-based companies on commercialization and technology transfer activities. Expenditure of state moneys must be provided for following services:

(i) Supporting businesses in securing federal and private funds to support product research and commercialization, developing and integrating technology in new or enhanced products and services, and launching those products and services in sustainable businesses in the state;

(ii) Establishing public-private partnerships and programmatic activities that increase the competitiveness of state industries;

(iii) Working with utilities, district energy providers, the utilities and transportation commission, and the state energy office to improve the alignment of investments in clean energy technologies with existing state policies;

- (iv) Administering technology and innovation grant and loan programs including bridge funding programs for the state's technology sector;
- (v) Working with impact Washington to ensure that customers have ready access to each other's services; and
- (vi) Reaching out to firms operating in the state's innovation partnership zones.

(b) The department may not use more than 18 percent of the funds to administer, monitor, and report the outcomes of the services provided. The department must electronically submit performance metrics by January 1, 2014, and report the outcomes of the services by December 1, 2014, to the economic development committees of the legislature.

(15) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the northwest agriculture business center. Expenditure of state moneys is contingent upon the northwest agriculture business center providing a fifty percent cash match for each state dollar.

(16) \$72,000 of the prostitution prevention and intervention account is provided solely for implementation of Engrossed Substitute House Bill No. 1291 (sex trade victims). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(17) \$49,000 of the general fund--state appropriation for fiscal year 2014 and \$49,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1818 (business and government streamlining). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(18) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Engrossed Substitute House Bill No. 1819 (digital infrastructure maps). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(19) \$100,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the department to conduct an economic cluster analysis of the policies impacting the financial services sector with the objective of building and strengthening the industry's presence in Washington. The department shall examine regulatory, workforce, tax and infrastructure issues and determine strategies to encourage the industry, including private equity, wealth management, and hedge firms and related entities from other states and internationally to locate in Washington. The department shall report to the legislature by December 1, 2013, with recommendations for legislative action.

(20) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to develop an economic cluster strategy to leverage the state's unique maritime assets, geography, history, and infrastructure. Goals include growing employment, targeted economic activity, environmental considerations, tax revenue to state and local governments, and quality of life associated with the maritime sector by working with the industry to understand workforce needs, parity considerations with Oregon and British Columbia, and tax structure and regulatory barriers. The department will report its findings to the appropriate committees of the legislature no later than December 1, 2014.

(21) \$2,000,000 of the Washington housing trust account--state appropriation is provided solely for the department of commerce for services to homeless families through the Washington families fund.

(22) \$5,000,000 of the home security account--state appropriation is provided solely for the department of commerce to provide emergency assistance to homeless families in the temporary assistance for needy families program.

(23) \$7,500,000 of the home security fund is provided solely for expenditure into the transitional housing operating and rent account.

(24) \$892,000 of the general fund--state appropriation for fiscal year 2014 and \$894,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for community mobilization grants to counties.

(25) \$4,000,000 of the general fund--state appropriation for fiscal year 2014 and \$850,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for purposes of creating and operating a community health care and education and innovation center at the Pacific Hospital campus in Seattle. Amounts provided in this subsection must be used for lease, maintenance, operations, and other required related expenses for Seattle community colleges allied health programs and other related uses identified by the department of commerce.

NEW SECTION. Sec. 129. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund--State Appropriation (FY 2014)	\$765,000
General Fund--State Appropriation (FY 2015)	\$804,000
Lottery Administrative Account--State Appropriation	\$50,000
TOTAL APPROPRIATION	\$1,619,000

NEW SECTION. Sec. 130. FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund--State Appropriation (FY 2014)	\$19,831,000
General Fund--State Appropriation (FY 2015)	\$19,918,000
General Fund--Federal Appropriation	\$31,342,000
General Fund--Private/Local Appropriation	\$370,000
Economic Development Strategic Reserve Account--State	
Appropriation	\$289,000
Department of Personnel Services--State	
Appropriation	\$8,629,000
Data Processing Revolving Account--State	
Appropriation	\$6,031,000
Higher Education Personnel Services Account--State	
Appropriation	\$1,497,000
TOTAL APPROPRIATION	\$87,907,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$31,000 of the general fund--state appropriation for fiscal year 2014 and \$29,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Second Substitute House Bill No. 1566 (youth in out-of-home care). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) \$38,000 of the general fund--state appropriation for fiscal year 2014 and \$15,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(3) \$39,000 of the general fund--state appropriation for fiscal year 2014 and \$7,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1631 (aging/population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$175,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(5) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to increase the number of state volunteers and improve the effectiveness of volunteer engagement, consistent with a state plan for implementing volunteerism. The funds shall be distributed to nonprofits and volunteer centers through a competitive grant process by the office of financial management. Consideration shall be given to proposals that carry out state goals in areas such as drop-out prevention, respite care for families, improving reading scores, and the engagement of veterans, boomers, and high school students. The nonprofit community shall be consulted about criteria for awarding grants, minimizing administration burden on nonprofits, and to encouraging participation throughout the state. The office of financial management may consult with or contract with the state commission promoting volunteer service in carrying out this subsection.

NEW SECTION. Sec. 131. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State

Appropriation \$37,749,000

Minority and Women's Business Enterprises

Account--State Appropriation \$75,000

TOTAL APPROPRIATION \$37,824,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$75,000 of the minority and women's business enterprises account--state appropriation is provided for adjudicative services related to implementation of Substitute House Bill No. 1674 (increasing regulatory oversight). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$151,000 of the administrative hearings revolving account--state appropriation is provided solely for replacement of computer equipment, including servers, routers, and storage system upgrades. The amount provided in this subsection is conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

NEW SECTION. Sec. 132. FOR THE WASHINGTON STATE LOTTERY

Lottery Administrative Account--State

Appropriation \$25,594,000

NEW SECTION. Sec. 133. FOR THE COMMISSION ON HISPANIC AFFAIRS

General Fund--State Appropriation (FY 2014) \$238,000

General Fund--State Appropriation (FY 2015) \$236,000

TOTAL APPROPRIATION \$474,000

NEW SECTION. Sec. 134. FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund--State Appropriation (FY 2014) \$233,000

General Fund--State Appropriation (FY 2015) \$225,000

TOTAL APPROPRIATION \$458,000

NEW SECTION. Sec. 135. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense

Account--State Appropriation \$50,269,000

The appropriation in this section is subject to the following conditions and limitations: \$72,000 of the department of retirement systems expense account--state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 2018 (regarding additional contribution rates for employers of the Washington state retirement systems). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 136. FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2014) \$108,486,000

General Fund--State Appropriation (FY 2015) \$110,855,000

Timber Tax Distribution Account--State Appropriation \$6,079,000

Waste Reduction/Recycling/Litter Control--State

Appropriation \$132,000

State Toxics Control Account--State Appropriation \$91,000

Master License Fund--State Appropriation \$18,606,000

TOTAL APPROPRIATION \$244,249,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of revenue is authorized to increase the master application fee to nineteen dollars and the renewal fee to eleven dollars consistent with RCW 19.02.075.

(2) \$605,000 of the general fund--state appropriation for fiscal year 2014, \$4,650,000 of the general fund--state appropriation for fiscal year 2015, and \$6,348,000 of the master license fund--state appropriation are provided solely for the replacement of the department's legacy business systems. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act.

NEW SECTION. Sec. 137. FOR THE BOARD OF TAX APPEALS

General Fund--State Appropriation (FY 2014)	\$1,428,000
General Fund--State Appropriation (FY 2015)	\$1,390,000
TOTAL APPROPRIATION	\$2,818,000

The appropriations in this section are subject to the following conditions and limitations: \$210,000 of the general fund--state appropriation for fiscal year 2014 and \$210,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to support additional hearings officers to address the backlog in appeals cases and to improve services to taxpayers and taxing authorities.

NEW SECTION. Sec. 138. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account--State Appropriation \$4,660,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$200,000 of the minority and women's business enterprises account--state appropriation is provided for implementation of a certification program for small business enterprises. The agency will collaborate with the department of transportation to certify small businesses as small business enterprises. Funding for this work is provided through interagency agreement with the state department of transportation.

(2) \$570,000 of the minority and women's business enterprises account--state appropriation is provided to implement Substitute House Bill No. 1674 (increasing regulatory oversight). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 139. FOR THE INSURANCE COMMISSIONER

General Fund--State Appropriation (FY 2014)	\$600,000
General Fund--State Appropriation (FY 2015)	\$600,000
General Fund--Federal Appropriation	\$4,492,000
Health Benefit Exchange Account--State Appropriation	\$676,000
Insurance Commissioners Regulatory Account--State Appropriation	\$49,324,000
TOTAL APPROPRIATION	\$55,692,000

The appropriations in this section are subject to the following conditions and limitations: \$676,000 of the health benefit exchange account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 1947 (Washington health benefit exchange). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 140. FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account--State

Appropriation \$35,961,000

NEW SECTION. Sec. 141. FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Account--State Appropriation	\$65,934,000
General Fund--Federal Appropriation	\$945,000
General Fund--Private/Local Appropriation	\$25,000
TOTAL APPROPRIATION	\$66,904,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,494,000 of the liquor revolving account--state appropriation is provided solely for the liquor control board to implement Initiative Measure No. 502.

(2) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, the liquor control board must work with the department of revenue, the department of health, and affected stakeholders to develop proposed legislation regarding the integration of a regulated medical marijuana market with the recreational marijuana market.

At minimum, the proposed legislation should address the following:

- Agency requirements to regulate medical marijuana and health care providers and administer and collect taxes;
- Licensing and regulation provisions for medical marijuana producers, processors, and retailers;
- Regulations regarding the oversight of health care professionals that authorize the use of medical marijuana for their patients;
- Rules regarding collective gardens, possession amounts, and age limits; and
- Implementation of a tax structure for the medical marijuana market.

The board shall submit the proposed legislation to the legislature by December 15, 2013.

NEW SECTION. Sec. 142. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

General Fund--Federal Appropriation	\$150,000
General Fund--Private/Local Appropriation	\$11,224,000
Public Service Revolving Account--State Appropriation	\$29,698,000
Pipeline Safety Account--State Appropriation	\$4,480,000
Pipeline Safety Account--Federal Appropriation	\$1,932,000
TOTAL APPROPRIATION	\$47,484,000

The appropriations in this section are subject to the following conditions and limitations: The commission shall work with the Idaho public utilities commission and the public utility commission of Oregon to identify common regulatory functions that can be performed jointly, with the goal of formalizing a compact that protects essential services while increasing regulatory effectiveness and efficiencies through economies of scale. The compact shall become operative immediately upon approval by the respective legislatures.

NEW SECTION. Sec. 143. FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2014)	\$7,314,000
General Fund--State Appropriation (FY 2015)	\$7,249,000

General Fund--Federal Appropriation	\$140,082,000
Enhanced 911 Account--State Appropriation	\$48,668,000
Disaster Response Account--State Appropriation	\$14,525,000
Disaster Response Account--Federal Appropriation	\$53,253,000
Military Department Rent and Lease Account--State Appropriation	\$615,000
Worker and Community Right-to-Know Account--State Appropriation	\$2,993,000
TOTAL APPROPRIATION	\$274,699,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$14,525,000 of the disaster response account--state appropriation and \$53,253,000 of the disaster response account--federal appropriation may be spent only on disasters declared by the governor and with the approval of the office of financial management. The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2014-2015 biennium based on current revenue and expenditure patterns.

(2) \$75,000,000 of the general fund--federal appropriation is provided solely for homeland security, subject to the following conditions:

(a) Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee; and

(b) The department shall submit an annual report to the office of financial management and the legislative fiscal committees detailing the governor's domestic security advisory group recommendations; homeland security revenues and expenditures, including estimates of total federal funding for the state; and incremental changes from the previous estimate.

(3) \$81,000 of the general fund--state appropriation for fiscal year 2014 and \$80,000 of the general fund--state appropriation for year 2015 are provided solely to implement Second Substitute House Bill No. 1158 (annexation/military purposes). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$200,000 of worker and community right-to-know--state appropriation is provided solely to establish one FTE to initiate and coordinate a statewide continuity of operations program for state government.

NEW SECTION. Sec. 144. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund--State Appropriation (FY 2014)	\$1,966,000
General Fund--State Appropriation (FY 2015)	\$2,026,000
Higher Education Personnel Services Account--State Appropriation	\$519,000
Department of Personnel Service Account--State Appropriation	\$3,289,000
TOTAL APPROPRIATION	\$7,800,000

NEW SECTION. Sec. 145. FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account--State Appropriation	\$2,702,000
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NEW SECTION. Sec. 146. FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account--State Appropriation	\$498,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(2) \$210,000 of the death investigations account appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

NEW SECTION. Sec. 147. FOR THE HORSE RACING COMMISSION

Horse Racing Commission Operating Account--State Appropriation	\$3,566,000
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The appropriation in this section is subject to the following conditions and limitations: Pursuant to RCW 43.135.055, the commission is authorized to increase licensing fees by up to five percent in fiscal year 2014 and up to five percent in fiscal year 2015; and background check fees by up to one dollar in fiscal year 2014, and up to one dollar in fiscal year 2015.

NEW SECTION. Sec. 148. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund--State Appropriation (FY 2014)	\$3,849,000
General Fund--State Appropriation (FY 2015)	\$3,635,000
Building Code Council Account--State Appropriation	\$1,576,000
TOTAL APPROPRIATION	\$9,060,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,287,000 of the general fund--state appropriation for fiscal year 2014 and \$3,286,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the payment of facilities and services charges, utilities and contracts charges, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall

maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2014 and 2015 as necessary to meet the actual costs of conducting business.

(3)(a) The building code council account appropriation is provided solely for the operation of the state building code council as required by statute and modified by the standards established by executive order 10-06. The council shall not consider any proposed code amendment or take any other action not authorized by statute or in compliance with the standards established in executive order 10-06. No member of the council may receive compensation, per diem, or reimbursement for activities other than physical attendance at those meetings of the state building code council or the council's designated committees, at which the opportunity for public comment is provided generally and on all agenda items upon which the council proposes to take action.

(b) As provided in House Bill No. 1618, there is imposed a fee of five dollars and fifty cents on each building permit issued by a county or a city, plus an additional surcharge of two dollars for each residential unit, but not including the first unit, on each building containing more than one residential unit, and a fee of eight dollars for each nonresidential permit issued.

(4) The department of enterprise services shall purchase flags needed for ceremonial occasions on the capitol campus in order to fully represent the countries that have an international consulate in Washington state.

(5) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services.

(6) The department shall adjust billings for self-insurance premiums to transportation agencies to reflect rate reductions assumed in this act.

(7) \$200,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to conduct a boundary survey and appraisal of parcel number one and surrounding property on McNeil Island related to maintaining the secure sex offender facility, real estate transactional work for the deeds between the state and federal government involving McNeil Island, and transition planning to move toward decision-making to realign conveyances for state ownership of McNeil Island.

(8) \$2,400,000 of the data processing revolving account appropriation is provided solely for the implementation of a pilot program to implement a strategy and action plan to modernize the state's enterprise financial and administrative systems. The department, the office of financial management, and the office of the chief information officer, will lead the planning effort and establish advisory committees composed of key stakeholders. The plan will include an assessment of the readiness of state government to conduct a business transformation and system replacement project of this scale. The plan shall incorporate the objectives of lean management and should include recommendations on: Project scope, phasing and timeline, expected outcomes and measures of success, product strategy, budget and financing strategy options, risk mitigation, staffing and organization, and strategies to close readiness gaps. The department shall submit the implementation plan to the fiscal committees of the legislature by December 15, 2013.

The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(9) \$8,013,000 of the data processing revolving account appropriation is provided solely for the implementation of a pilot program to implement a time, leave, and attendance enterprise system. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(10) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments of \$2,330,000 in fiscal year 2014 and \$2,330,000 in fiscal year 2015.

NEW SECTION. Sec. 149. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers'

Administrative Account--State Appropriation \$1,054,000

NEW SECTION. Sec. 150. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund--State Appropriation (FY 2014) \$1,341,000

General Fund--State Appropriation (FY 2015) \$1,239,000

General Fund--Federal Appropriation \$1,937,000

General Fund--Private/Local Appropriation \$14,000

TOTAL APPROPRIATION \$4,531,000

The appropriations in this section are subject to the following conditions and limitations: \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely to study the role of cultural resources assessment as part of the state and local governmental environmental review, planning, and permitting process. The agency will create a public outreach process with affected governmental entities, businesses, and stakeholders. The agency will review state laws from around the country on cultural resources. The agency will deliver its report with legislative recommendations to the legislature by November 30, 2013.

(End of part)

PART II

HUMAN SERVICES

NEW SECTION. Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority and the department are authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under the Washington medicaid integration partnership (WMIP) and the medicare integrated care project (MICP), the health care authority and the department may combine and transfer such medicaid funds appropriated under sections 204, 206, 208, and 213 of this act as may be necessary to finance a unified health care plan for the WMIP and the MICP program enrollment. The WMIP pilot projects shall not exceed a daily enrollment of 6,000 persons, nor expand beyond one county during the 2013-2015 fiscal biennium. The amount of funding assigned from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled, times the number of clients enrolled. In implementing the WMIP and the MICP, the health care authority and the department may: (i) Withhold from calculations of "available resources" as set forth in RCW 71.24.025 a sum equal to the capitated rate for enrolled individuals; and (ii) employ capitation financing and risk-sharing arrangements in collaboration with health care service contractors licensed by the office of the insurance commissioner and qualified to participate in both the medicaid and medicare programs.

(b) If Washington has been selected to participate in phase two of the federal demonstration project for persons dually-eligible for both medicare and medicaid, the department and the authority may initiate the MICP. Participation in the project shall be limited to persons who are eligible for both medicare and medicaid and to counties in which the county legislative authority has agreed to the terms and conditions under which it will operate. The purpose of the project shall be to demonstrate and evaluate ways to improve care while reducing state expenditures for persons enrolled both in medicare and medicaid. To that end, prior to initiating the project, the department and the authority shall assure that state expenditures shall be no greater on either a per person or total basis than the state would otherwise incur. Individuals who are solely eligible for medicaid may also participate if their participation is agreed to by the health care authority, the department, and the county legislative authority.

(4) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(5) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in section 213 of this act. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(6) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for the medicaid expansion but are enrolled in coverage that will be eliminated in the transition to the medicaid expansion.

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$298,349,000
General Fund--State Appropriation (FY 2015)	\$303,015,000
General Fund--Federal Appropriation	\$493,292,000
General Fund--Private/Local Appropriation	\$1,354,000
Home Security Fund Account--State Appropriation	\$10,741,000
Domestic Violence Prevention Account--State Appropriation	\$1,240,000
Child and Family Reinvestment Account--State Appropriation	\$4,977,000
TOTAL APPROPRIATION	\$1,112,968,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts provided for the foster care and adoption support programs, the department shall control reimbursement decisions for foster care and adoption support cases such that the aggregate average cost per case for foster care and for adoption support does not exceed the amounts assumed in the projected caseload expenditures.

(2) \$668,000 of the general fund--state appropriation for fiscal year 2014 and \$668,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and

current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract.

(3) \$538,500 of the general fund--state appropriation for fiscal year 2014, \$539,500 of the general fund--state appropriation for fiscal year 2015, \$656,000 of the general fund--private/local appropriation, and \$253,000 of the general fund--federal appropriation are provided solely for children's administration to contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the transition to performance based contracts. Funding shall be prioritized to regions with high numbers of foster care youth and/or regions where backlogs of youth that have formerly requested educational outreach services exist. The department shall utilize private matching funds to maintain educational advocacy services.

(4) \$10,741,000 of the home security fund--state appropriation is provided solely for the department to contract for services pursuant to RCW 13.32A.030 and 74.15.220. The department shall contract and collaborate with service providers in a manner that maintains the availability and geographic representation of secure and semi-secure crisis residential centers and HOPE centers. To achieve efficiencies and increase utilization, the department shall allow the co-location of these centers, except that a youth may not be placed in a secure facility or the secure portion of a co-located facility except as specifically authorized by chapter 13.32A RCW. The reductions to appropriations in this subsection related to semi-secure crisis residential centers reflect a reduction to the number of beds for semi-secure crisis residential centers and not a reduction in rates. Any secure crisis residential center or semi-secure crisis residential center bed reduction shall not be based solely upon bed utilization. The department is to exercise its discretion in reducing the number of beds but to do so in a manner that maintains availability and geographic representation of semi-secure and secure crisis residential centers.

(5) \$125,000 of the general fund--state appropriation for fiscal year 2014 and \$125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a community-based organization that has innovated, developed, and replicated a foster care delivery model that includes a licensed hub home. The community-based organization will provide training and technical assistance to the children's administration to develop five hub home models in region 2 that will improve child outcomes, support foster parents, and encourage the least restrictive community placements for children.

(6) \$73,000 of the general fund--state appropriation for fiscal year 2014, \$20,000 of the general fund--state appropriation for fiscal year 2015, and \$31,000 of the general fund--federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1566 (youth in out-of-home care). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(7) \$88,000 of the general fund--state appropriation for fiscal year 2014, \$2,000 of the general fund--state appropriation for fiscal year 2015, and \$28,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1774 (child welfare system). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) \$1,251,000 of the general fund--state appropriation for fiscal year 2014, \$2,314,000 of the general fund--state appropriation for fiscal year 2015, and \$1,073,000 of the general fund--federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1302 (extended foster care). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$579,000 of the general fund--state appropriation for fiscal year 2014, \$579,000 of the general fund--state appropriation for fiscal year 2015, and \$109,000 of the general fund--federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(10)(a) \$446,000 of the general fund--state appropriation for fiscal year 2014 and \$446,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a contract with a nongovernmental entity or entities to establish one demonstration site in a school district or group of school districts in western Washington.

(b) The children's administration and the nongovernmental entity or entities shall collaboratively select the demonstration site. The demonstration site should be a school district or group of school districts with a significant number of students who are dependent pursuant to chapter 13.34 RCW.

(c) The demonstration site established under this subsection must be selected by September 1, 2013.

(d) The purpose of the demonstration site is to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW by providing individualized education services and monitoring and supporting dependent youths' completion of educational milestones, remediation needs, and special education needs.

(e) The demonstration site established under this subsection must facilitate the educational progress and graduation of dependent youth. The contract must be performance-based with a stated goal of improving the graduation rates of foster youth by two percent per year over five school year periods, starting with the 2014-15 school year and ending with the 2019-20 school year. The demonstration site must develop and provide services aimed at improving the educational outcomes of foster youth. These services must include:

(i) Direct advocacy for foster youth to eliminate barriers to educational access and success;

(ii) Consultation with department of social and health services case workers to develop educational plans for and with participating youth;

(iii) Monitoring education progress of participating youth;

(iv) Providing participating youth with school and local resources that may assist in educational access and success; and

(v) Coaching youth, caregivers, and social workers to advocate for dependent youth in the educational system.

(f) The contracted nongovernmental entity or entities must report demonstration site outcomes to the department of social and health services and the office of public instruction by June 30, 2014, for the 2013-14 school year, and by June 30, 2015, for the 2014-15 school year.

(g) The children's administration must proactively refer all students fifteen years or older, within the demonstration site area, to the selected nongovernmental entity for educational services.

(h) The children's administration must report quarterly to the legislature on the number of eligible youth and number of youth referred for services beginning at the close of the second quarter of fiscal year 2014 and through the final quarter of fiscal year 2015.

(i) The contracted nongovernmental entity or entities shall report to the legislature by June 30, 2015, on the effectiveness of the demonstration site in increasing graduation rates for dependent youth.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2014) \$89,371,000

General Fund--State Appropriation (FY 2015) \$89,936,000

General Fund--Federal Appropriation \$3,464,000

General Fund--Private/Local Appropriation	\$1,976,000	
Washington Auto Theft Prevention Authority Account--		
State Appropriation	\$196,000	
Reinvesting in Youth--State Appropriation	\$383,000	
Juvenile Accountability Incentive Account--Federal		
Appropriation	\$2,801,000	
TOTAL APPROPRIATION		\$188,127,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund--state appropriation for fiscal year 2014 and \$331,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,716,000 of the general fund--state appropriation for fiscal year 2014 and \$2,716,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county impacts associated with the implementation of chapter 338, Laws of 1997 and shall be distributed to counties as prescribed in the current consolidated juvenile services (CJS) formula.

(3) \$3,482,000 of the general fund--state appropriation for fiscal year 2014 and \$3,482,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(4) \$1,130,000 of the general fund--state appropriation for fiscal year 2014 and \$1,130,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding funding and shall assist counties in creating and submitting plans for evaluation.

(5) \$3,123,000 of the general fund--state appropriation for fiscal year 2014 and \$3,123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to county juvenile courts for the following programs identified by the Washington state institute for public policy (institute) in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Functional family therapy, multi-systemic therapy, aggression replacement training and interagency coordination programs, or other programs with a positive benefit-cost finding in the institute's report. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(6) \$1,537,000 of the general fund--state appropriation for fiscal year 2014 and \$1,537,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expansion of the following treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Multidimensional treatment foster care, family integrated transitions, and aggression replacement training, or other programs with a positive benefit-cost finding in the institute's report. The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(7)(a) The juvenile rehabilitation administration shall administer a block grant, rather than categorical funding, of consolidated juvenile service funds, community juvenile accountability act grants, the chemical dependency disposition alternative funds, the mental health disposition alternative, and the sentencing disposition alternative for the purpose of serving youth adjudicated in the juvenile justice system. In making the block grant, the juvenile rehabilitation administration shall follow the following formula and will prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for moderate and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency disposition alternative; and (vi) two percent for the mental health and sentencing dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(b) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be cochaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. Initial members will include one juvenile court representative from the finance committee, the community juvenile accountability act committee, the risk assessment quality assurance committee, the executive board of the Washington association of juvenile court administrators, the Washington state center for court research, and a representative of the superior court judges association; two representatives from the juvenile rehabilitation administration headquarters program oversight staff, two representatives of the juvenile rehabilitation administration regional office staff, one representative of the juvenile rehabilitation administration fiscal staff and a juvenile rehabilitation administration division director. The committee may make changes to the formula categories other than the evidence-based program and disposition alternative categories if it is determined the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost benefit savings to the state. Long-term cost benefit must be considered. Percentage changes may occur in the evidence-based program or disposition alternative categories of the formula should it be

determined the changes will increase evidence-based program or disposition alternative delivery and increase the cost benefit to the state. These outcomes will also be considered in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(c) The juvenile courts and administrative office of the courts shall be responsible for collecting and distributing information and providing access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts will work collaboratively to develop program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(8) The juvenile courts and administrative office of the courts shall collect and distribute information related to program outcome and provide access to these data systems to the juvenile rehabilitation administration and Washington state institute for public policy. Consistent with chapter 13.50 RCW, all confidentiality agreements necessary to implement this information-sharing shall be approved within 30 days of the effective date of this section. The agreements between administrative office of the courts, the juvenile courts, and the juvenile rehabilitation administration shall be executed to ensure that the juvenile rehabilitation administration receives the data that the juvenile rehabilitation administration identifies as needed to comply with this subsection. This includes, but is not limited to, information by program at the statewide aggregate level, individual court level, and individual client level for the purpose of the juvenile rehabilitation administration providing quality assurance and oversight for the locally committed youth block grant and associated funds and at times as specified by the juvenile rehabilitation administration as necessary to carry out these functions. The data shall be provided in a manner that reflects the collaborative work the juvenile rehabilitation administration and juvenile courts have developed regarding program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(9) \$445,000 of the general fund--state appropriation for fiscal year 2014 and \$445,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for funding of the teamchild project.

(10) \$178,000 of the general fund--state appropriation for fiscal year 2014 and \$178,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the juvenile detention alternatives initiative.

(11) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant program focused on criminal street gang prevention and intervention. The Washington state partnership council on juvenile justice may award grants under this subsection. The council shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection.

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2014)	\$328,363,000
General Fund--State Appropriation (FY 2015)	\$316,471,000
General Fund--Federal Appropriation	\$553,751,000
General Fund--Private/Local Appropriation	\$17,864,000
TOTAL APPROPRIATION	\$1,216,449,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$105,265,000 of the general fund--state appropriation for fiscal year 2014 and \$85,895,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. This is a reduction in flexible nonmedicaid funding of \$4,077,000 for fiscal year 2014 and \$23,446,000 for fiscal year 2015. This reduction reflects offsets in state funding related to services that will now be funded with federal dollars through the affordable care act medicaid expansion. This reduction shall be distributed as follows:

(i) The \$4,077,000 reduction in fiscal year 2014 and \$11,723,000 of the reduction in fiscal year 2015 must be distributed among regional support networks based on a formula that equally weights each regional support networks proportion of individuals who become newly eligible and enroll in medicaid under the expansion provisions of the affordable care act in fiscal year 2014 and each regional support network's spending of flexible nonmedicaid funding in the 2011-2013 fiscal biennium.

(ii) The remaining \$11,723,000 reduction in fiscal year 2015 must be distributed among regional support networks based on each regional support network's proportion of individuals who become newly eligible and enroll in medicaid under the expansion provisions of the affordable care act through fiscal year 2015.

(b) \$6,590,000 of the general fund--state appropriation for fiscal year 2014, \$6,590,000 of the general fund--state appropriation for fiscal year 2015, and \$7,620,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(a) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) \$5,850,000 of the general fund--state appropriation for fiscal year 2014, \$5,850,000 of the general fund--state appropriation for fiscal year 2015, and \$1,300,000 of the general fund--federal appropriation are provided solely for the western Washington regional support networks to provide either community- or hospital campus-based services for persons who require the level of care previously provided by the program for adaptive living skills (PALS) at western state hospital.

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 557 per day.

(e) From the general fund--state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund--state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

(f) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

(g) \$750,000 of the general fund--state appropriation for fiscal year 2014 and \$750,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

(h) \$1,125,000 of the general fund--state appropriation for fiscal year 2014 and \$1,125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(i) \$1,529,000 of the general fund--state appropriation for fiscal year 2014 and \$1,529,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(j) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (a) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(k) \$3,436,000 of the general fund--state appropriation for fiscal year 2014 and \$2,291,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement.

(l) \$523,000 of the general fund--state appropriation for fiscal year 2014, \$775,000 of the general fund--state appropriation for fiscal year 2015, and \$854,000 of the general fund--federal appropriation are provided solely for implementation of sections 3 through 5 of Engrossed Second Substitute House Bill No. 1114 (criminal incompetency/commitment). Regional support networks must use this funding for the development of intensive community programs that allow individuals to be diverted or transitioned from the state hospitals in accordance with plans approved by the department. If Engrossed Second Substitute House Bill No. 1114 (criminal incompetency/commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(m) \$5,986,000 of the general fund--state appropriation for fiscal year 2014, \$11,592,000 of the general fund--state appropriation for fiscal year 2015, and \$10,160,000 of the general fund--federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1777 (involuntary commitment). Regional support networks must use this funding for the development of intensive community programs that allow individuals to be diverted or transitioned from the state hospitals in accordance with plans approved by the department. If Second Substitute House Bill No. 1777 (involuntary commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	\$132,222,000
General Fund--State Appropriation (FY 2015)	\$129,294,000
General Fund--Federal Appropriation	\$149,486,000
General Fund--Private/Local Appropriation	\$63,097,000
TOTAL APPROPRIATION	\$474,099,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund--state appropriation for fiscal year 2014 and \$231,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund--state appropriation for fiscal year 2014 and \$45,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$20,000,000 of the general fund--state appropriation for fiscal year 2014 and \$20,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to maintain staffed capacity to serve an average daily census in forensic wards at western state hospital of 270 patients per day.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)	\$1,163,000
General Fund--State Appropriation (FY 2015)	\$1,164,000
General Fund--Federal Appropriation	\$6,108,000
TOTAL APPROPRIATION	\$8,435,000

The appropriations in this subsection are subject to the following conditions and limitations: \$1,161,000 of the general fund--state appropriation for fiscal year 2014 and \$1,161,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for children's evidence-based mental health services.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)	\$5,209,000
General Fund--State Appropriation (FY 2015)	\$4,783,000
General Fund--Federal Appropriation	\$7,692,000
General Fund--Private/Local Appropriation	\$502,000
TOTAL APPROPRIATION	\$18,186,000

(a) The appropriations in this subsection are subject to the following conditions and limitations: In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to adopt license and certification fees in fiscal years 2014 and 2015 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) \$74,000 of the general fund--state appropriation for fiscal year 2014, \$74,000 of the general fund--state appropriation for fiscal year 2015, and \$78,000 of the general fund--federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1777 (involuntary commitment). If Second Substitute House Bill No. 1777 (involuntary commitment) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(c) \$160,000 of the general fund--state appropriation for fiscal year 2014 and \$80,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Second Substitute House Bill No. 1627 (competency to stand trial). If Second Substitute House Bill No. 1627 (competency to stand trial) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(d) In developing the new medicaid managed care rates under which the public mental health managed care system will operate, the department must seek to estimate the reasonable and necessary cost of efficiently and effectively providing a comparable set of medically necessary mental health benefits to persons of different acuity levels regardless of where in the state they live. The department must report to the office of financial management and to the relevant fiscal and policy committees of the legislature on its proposed new mental health managed care rate-setting approach by August 1, 2013, and again at least sixty days prior to implementation of new capitation rates.

(e) \$349,000 of the general fund--state appropriation for fiscal year 2014, \$212,000 of the general fund--state appropriation for fiscal year 2015, and \$302,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2014)	\$443,253,000
General Fund--State Appropriation (FY 2015)	\$461,654,000
General Fund--Federal Appropriation	\$828,521,000
General Fund--Private/Local Appropriation	\$965,000
TOTAL APPROPRIATION	\$1,734,393,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(i) The current annual renewal license fee for adult family homes shall be increased to \$250 per bed beginning in fiscal year 2014 and \$320 per bed beginning in fiscal year 2015. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(ii) The current annual renewal license fee for assisted living facilities shall be increased to \$113 per bed beginning in fiscal year 2014 and \$114 per bed beginning in fiscal year 2015.

(iii) The current annual renewal license fee for nursing facilities shall be increased to \$389 per bed beginning in fiscal year 2014 and \$403 per bed beginning in fiscal year 2015.

(c) \$817,000 of the general fund--private/local appropriation and \$817,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1574 (residential services and supports). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse. In accordance with Substitute House Bill No. 1574, the department is authorized to increase supported living fees as

necessary to support the actual costs of conducting the certification, inspection, and regulatory programs. The certification fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the certification fee attributed to medicaid clients. The annual certification fee for supported living shall be increased up to \$215 per client beginning in fiscal year 2014 and up to \$240 per client beginning in fiscal year 2015.

(d) \$13,301,000 of the general fund--state appropriation for fiscal year 2014, \$20,607,000 of the general fund--state appropriation for fiscal year 2015, and \$33,910,000 of the general fund federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapters 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium.

(e) \$6,500,000 of the general fund--state appropriation for fiscal year 2014 and \$6,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the individual and family services program. In order to maximize the number of clients served by the program, the department must utilize past experience about award utilization to guide the number of authorized awards, and must change the maximum annual dollar amount awarded to each service priority level. Changes to the award levels must be designed to limit the average annual award for clients in the program during the 2013-2015 fiscal biennium to 60 percent of the average annual cost for clients in the 2011-2013 fiscal biennium. Clients who are not receiving paid services from the department, who are on the wait list for individual and family services, and who are ineligible for medicaid personal care may be added to the individual and family services program during the 2013-2015 fiscal biennium, provided the projected expenditures for the ensuing biennium do not exceed \$13,000,000 of general fund--state. The department must ensure that award levels are consistent for clients in the individual and family services program and clients receiving a state supplementary payment in lieu of individual and family services. The department shall adopt rules to implement the terms of this subsection. The department must electronically report to the appropriate committees of the legislature within 45 days following each fiscal year quarter, the number of persons served by the program, the average cost of persons served by the program, the services received by persons in the program, and the number of clients who had not previously received paid services who have been added to the program.

(f) No later than December 31, 2013, the department shall report to the appropriate fiscal committees of the legislature with a strategy to reduce the rate disparity between urban and suburban residential service providers. The report shall include a proposal for a rate component that recognizes differences in costs as they relate to the geographical location of the provider; however, the proposed component shall use a geographical variable that is more granular than the provider's county.

(g) \$774,000 of the general fund--state appropriation for fiscal year 2014, \$1,547,000 of the general fund--state appropriation for fiscal year 2015, and \$7,185,000 of the general fund--federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	\$84,919,000
General Fund--State Appropriation (FY 2015)	\$84,811,000
General Fund--Federal Appropriation	\$159,265,000
General Fund--Private/Local Appropriation	\$23,041,000
TOTAL APPROPRIATION	\$352,036,000

The appropriations in this subsection are subject to the following conditions and limitations: Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2014)	\$1,942,000
General Fund--State Appropriation (FY 2015)	\$1,996,000
General Fund--Federal Appropriation	\$1,957,000
TOTAL APPROPRIATION	\$5,895,000

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2014)	\$1,400,000
General Fund--State Appropriation (FY 2015)	\$1,400,000
General Fund--Federal Appropriation	\$1,200,000
TOTAL APPROPRIATION	\$4,000,000

NEW SECTION. Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$879,992,000
General Fund--State Appropriation (FY 2015)	\$935,154,000
General Fund--Federal Appropriation	\$1,947,532,000
General Fund--Private/Local Appropriation	\$38,195,000
Traumatic Brain Injury Account--State Appropriation	\$3,393,000
Skilled Nursing Facility Safety Net Trust Account--State Appropriation	\$88,000,000
TOTAL APPROPRIATION	\$3,892,266,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$171.35 for fiscal year 2014 and shall not exceed \$171.58 for fiscal year 2015, including the rate add-ons described in (a) and (b) of this subsection. However, if

the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, the weighted average nursing facility payment rate shall not exceed \$162.43 for fiscal year 2014 and shall not exceed \$163.58 for fiscal year 2015. There will be no adjustments for economic trends and conditions in fiscal years 2014 and 2015. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW. When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) Within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, 2013, using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the comparative add-on, acuity add-on, and safety net reimbursement, to the facility-based payment rates in effect June 30, 2010. If the facility-based payment rate calculated on July 1, 2013, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, if it is found that the direct care rate for any facility calculated using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the comparative add-on, acuity add-on, and safety net reimbursement, is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) The rate add-on provided in (c) of this subsection is subject to the reconciliation and settlement process provided in RCW 74.46.022(6).

(f) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment is for any reason disapproved, (b), (c), and (d) of this subsection do not apply.

(2) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2014 and no new certificates of capital authorization for fiscal year 2015 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2014 and 2015.

(3) In accordance with RCW 18.51.050, 18.20.050, 70.128.060, and 43.135.055, the department is authorized to increase nursing facility, assisted living facility, and adult family home fees as necessary to fully support the actual costs of conducting the licensure, inspection, and regulatory programs. The license fees may not exceed the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the license fee attributed to medicaid clients.

(a) The current annual renewal license fee for adult family homes shall be increased to \$250 per bed beginning in fiscal year 2014 and \$320 per bed beginning in fiscal year 2015. A processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(b) The current annual renewal license fee for assisted living facilities shall be increased to \$113 per bed beginning in fiscal year 2014 and \$114 per bed beginning in fiscal year 2015.

(c) The current annual renewal license fee for nursing facilities shall be increased to \$389 per bed beginning in fiscal year 2014 and \$403 per bed beginning in fiscal year 2015.

(4) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(5) \$30,640,000 of the general fund--state appropriation for fiscal year 2014, \$48,633,000 of the general fund--state appropriation for fiscal year 2015, and \$79,273,000 of the general fund--federal appropriation are provided solely for the implementation of the agreement reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapters 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium.

(6) \$36,000 of the general fund--state appropriation for fiscal year 2014, \$17,000 of the general fund--state appropriation for fiscal year 2015, and \$45,000 of the general fund--federal appropriation are provided solely to implement House Bill No. 1631 (aging population services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(7) \$57,000 of the general fund--state appropriation for fiscal year 2014, \$324,000 of the general fund--private/local appropriation, and \$381,000 of the general fund--federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 1727 (assisted living facilities). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) \$73,000 of the general fund--state appropriation for fiscal year 2014, \$36,000 of the general fund--state appropriation for fiscal year 2015, and \$108,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills are enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$1,840,000 of the general fund--state appropriation for fiscal year 2014 and \$1,877,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(10) \$823,000 of the general fund--private/local appropriation and \$823,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1574 (residential services and supports). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse. In accordance with Substitute House Bill No. 1574, the department is authorized to increase supported living fees as necessary to support the actual costs of conducting the certification, inspection, and regulatory programs. The certification fees may not exceed

the department's annual licensing and oversight activity costs and shall include the department's cost of paying providers for the amount of the certification fee attributed to medicaid clients. The annual certification fee for supported living shall be increased up to \$215 per client beginning in fiscal year 2014 and up to \$240 per client beginning in fiscal year 2015.

(11) \$2,446,000 of the general fund--state appropriation for fiscal year 2014, \$4,894,000 of the general fund--state appropriation for fiscal year 2015, and \$22,725,000 of the general fund--federal appropriation are provided solely for a payment system that satisfies medicaid requirements regarding time reporting for W-2 providers. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(12) The department is authorized to establish limited exemption criteria in rule to address RCW 74.39A.325 when a landline phone is not available to the employee.

(13) Within the amounts appropriated in this section, in a report to the appropriate fiscal committees of the legislature that must be submitted by December 1, 2013, the department of social and health services must describe the process for establishing medicaid rates for assisted living and adult family homes. The report must include information about licensing and physical plant standards, contracting provisions, and per capita and biennial expenditures for assisted living and adult family homes.

NEW SECTION. Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$428,236,000
General Fund--State Appropriation (FY 2015)	\$433,456,000
General Fund--Federal Appropriation	\$1,207,398,000
General Fund--Private/Local Appropriation	\$30,594,000
TOTAL APPROPRIATION	\$2,099,684,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$212,973,000 of the general fund--state appropriation for fiscal year 2014, \$211,938,000 of the general fund--state appropriation for fiscal year 2015, and \$730,098,000 of the general fund--federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting the new structure. The secretary of the department of social and health services, working with WorkFirst partner agencies and in collaboration with the WorkFirst oversight task force, shall develop a plan for maximizing the following outcomes and shall report back to the legislature by November 1, 2013. The outcomes to be measured are: (i) Increased employment; (ii) completion of education or post-secondary training; (iii) completion of barrier removal activity including drug and alcohol or mental health treatment; (iv) housing stability; (v) child care or education stability for the children of temporary assistance for needy families recipients; (vi) reduced rate of return after exit from the WorkFirst program; and (vii) work participation requirements.

(b) \$463,665,000 of the amounts in (a) of this subsection are provided solely for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance.

(c) \$173,019,000 of the amounts in (a) of this subsection are provided solely for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures.

(d) \$376,178,000 of the amounts in (a) of this subsection are provided solely for the working connections child care program under RCW 43.215.135.

(e) The amounts in (b) through (d) of this subsection shall be expended for the programs and in the amounts specified. However, the department may transfer up to 10 percent of funding between (b) through (d) of this subsection, but only if the funding is available or necessary to transfer solely due to utilization, caseload changes, or underperformance in terms of client outcomes. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst oversight task force.

(2) \$1,657,000 of the general fund--state appropriation for fiscal year 2014 and \$1,657,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund--state appropriation for fiscal year 2015 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On December 1, 2011, and annually thereafter, the department must report to the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be fifty percent of the federal supplemental nutrition assistance program benefit amount.

(6) Within the appropriations in this section, specific funding is provided to implement Substitute House Bill No. 1027 (child support).

(7) Within the appropriations in this section, specific funding is provided to implement House Bill No. 1145 (child support/veterans' benefits).

(8) \$18,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Second Substitute House Bill No. 1671 (child care reform). If Second Substitute House Bill No. 1671 (child care reform) is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(9) \$4,729,000 of the general fund--state appropriation for fiscal year 2014 and \$4,729,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Substitute House Bill No. 1971 (communication services). Of these funds, \$1,500,000 of the general fund--state appropriation for fiscal year 2014 and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for operational support of the Washington information network 211 organization. If Substitute House Bill No. 1971 (communication services) is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(10) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(11) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund--State Appropriation (FY 2014)	\$72,815,000
General Fund--State Appropriation (FY 2015)	\$63,392,000
General Fund--Federal Appropriation	\$241,590,000
General Fund--Private/Local Appropriation	\$13,541,000
Criminal Justice Treatment Account--State Appropriation	\$14,568,000
Problem Gambling Account--State Appropriation	\$1,450,000
TOTAL APPROPRIATION	\$407,356,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, post-partum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the department by request; (b) program modifications needed to maximize access to federal medicaid matching funds will be phased in over the course of the 2013-2015 fiscal biennium; and (c) indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) Within the amounts appropriated in this section, the department shall continue to provide for chemical dependency treatment services for adult medicaid eligible, pregnant and parenting women, disability lifeline, and alcoholism and drug addiction treatment and support act, and medical care services clients.

(3) In accordance with RCW 70.96A.090 and 43.135.055, the department is authorized to adopt fees for the review and approval of treatment programs in fiscal years 2014 and 2015 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(4) \$3,500,000 of the general fund--federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(5) \$2,600,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the department to transition 128 beds from settings that are considered institutions for mental diseases to facilities with no more than 16 beds that are able to claim federal match for services provided to medicaid clients or individuals covered under the department's section 1115 medicaid waiver. The department may conduct a request for proposal process to fulfill this requirement and adopt rates that are comparable to the pilot projects implemented in the 2011-13 fiscal biennium. The department may use these funds to assist with the costs of providers in setting up or converting to 16-bed facilities. This funding may also be used for providers that are developing new capacity for clients who will become eligible for services under the affordable care act medicaid expansion. The number of beds available for pregnant and parenting women must not be reduced.

(6) \$283,000 of the criminal justice treatment account appropriation is provided solely for transitional funding for the family drug court in Pierce county.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2014)	\$16,276,000
General Fund--State Appropriation (FY 2015)	\$16,306,000
General Fund--Federal Appropriation	\$99,413,000
TOTAL APPROPRIATION	\$131,995,000

The appropriations in this section are subject to the following conditions and limitations: \$5,006,000 of the general fund--state appropriation for fiscal year 2014 and \$5,094,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT PROGRAM

General Fund--State Appropriation (FY 2014)	\$39,769,000
General Fund--State Appropriation (FY 2015)	\$39,715,000
TOTAL APPROPRIATION	\$79,484,000

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund--State Appropriation (FY 2014)	\$30,021,000
General Fund--State Appropriation (FY 2015)	\$29,260,000
General Fund--Federal Appropriation	\$37,182,000
General Fund--Private/Local Appropriation	\$654,000
TOTAL APPROPRIATION	\$97,117,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$196,000 of the general fund--state appropriation for fiscal year 2014, \$142,000 of the general fund--state appropriation for fiscal year 2015, and \$74,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1753 (interpreter services). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) \$395,000 of the general fund--state appropriation for fiscal year 2014, \$228,000 of the general fund--state appropriation for fiscal year 2015, and \$335,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(3) \$82,000 of the general fund--state appropriation for fiscal year 2014, \$44,000 of the general fund--state appropriation for fiscal year 2015, and \$28,000 of the general fund--federal appropriation are provided solely to implement House Bill No. 1795 (diabetes epidemic). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(4) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state mentors program to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(5) \$82,000 of the general fund--state appropriation for fiscal year 2014, \$44,000 of the general fund--state appropriation for fiscal year 2015, and \$28,000 of the general fund--federal appropriation are provided solely to develop a report on state efforts to prevent and control diabetes. The department, the health care authority, and the department of health shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (5).

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund--State Appropriation (FY 2014)	\$60,734,000
General Fund--State Appropriation (FY 2015)	\$59,740,000
General Fund--Federal Appropriation	\$55,044,000
TOTAL APPROPRIATION	\$175,518,000

NEW SECTION. Sec. 213. FOR THE STATE HEALTH CARE AUTHORITY

General Fund--State Appropriation (FY 2014)	\$2,162,522,000
General Fund--State Appropriation (FY 2015)	\$2,199,083,000
General Fund--Federal Appropriation	\$7,192,712,000
General Fund--Private/Local Appropriation	\$57,811,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	\$15,082,000
Hospital Safety Net Assessment Fund--State Appropriation	\$668,967,000
Health Benefit Exchange Account--State Appropriation	\$111,237,000
State Health Care Authority Administration Account--	

State Appropriation	\$34,748,000
Medical Aid Account--State Appropriation	\$528,000
Medicaid Fraud Penalty Account--State Appropriation	\$18,400,000
TOTAL APPROPRIATION	\$12,461,090,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the authority shall implement the medicaid expansion defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(2) The requirements of this subsection apply to the basic health plan. This subsection is null and void and has no further effect upon implementation of the medicaid expansion under subsection (1) of this section.

(a) Within amounts appropriated in this section and sections 205 and 206 of this act, the health care authority shall continue to provide an enhanced basic health plan subsidy for foster parents licensed under chapter 74.15 RCW and workers in state-funded home care programs. Under this enhanced subsidy option, foster parents eligible to participate in the basic health plan as subsidized enrollees and home care workers with family incomes below 200 percent of the federal poverty level shall be allowed to enroll in the basic health plan at the minimum premium amount charged to enrollees with incomes below sixty-five percent of the federal poverty level.

(b) The health care authority shall require organizations and individuals that are paid to deliver basic health plan services and that choose to sponsor enrollment in the subsidized basic health plan to pay 133 percent of the premium amount which would otherwise be due from the sponsored enrollees.

(c) The administrator shall take at least the following actions to assure that persons participating in the basic health plan are eligible for the level of assistance they receive: (a) Require submission of (i) income tax returns, and recent pay history, from all applicants, or (ii) other verifiable evidence of earned and unearned income from those persons not required to file income tax returns; (b) check employment security payroll records at least once every twelve months on all enrollees; (c) require enrollees whose income as indicated by payroll records exceeds that upon which their subsidy is based to document their current income as a condition of continued eligibility; (d) require enrollees for whom employment security payroll records cannot be obtained to document their current income at least once every six months; (e) not reduce gross family income for self-employed persons by noncash-flow expenses such as, but not limited to, depreciation, amortization, and home office deductions, as defined by the United States internal revenue service; and (f) pursue repayment and civil penalties from persons who have received excessive subsidies, as provided in RCW 70.47.060(9).

(d) Enrollment in the subsidized basic health plan shall be limited to only include persons who qualify as subsidized enrollees as defined in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid demonstration project number 11-W-00254/10; or (b) are foster parents licensed under chapter 74.15 RCW.

(3) The legislature finds that medicaid payment rates, as calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(5) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(6) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.

(7) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.

(8) \$4,261,000 of the general fund--state appropriation for fiscal year 2014, \$4,261,000 of the general fund--state appropriation for fiscal year 2015, and \$8,522,000 of the general fund--federal appropriation are provided solely for low-income disproportionate share hospital payments.

(9) \$6,000,000 of the general fund--federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(10) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2013-2015 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2013, and by November 1, 2014, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2014 and fiscal year 2015, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an

allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2013-2015 biennial operating appropriations act and in effect on July 1, 2013, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2013-2015 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$5,319,000 of the general fund--state appropriation for fiscal year 2014, of which \$6,570,000 is appropriated in section 204(1) of this act, and \$1,141,000 of the general fund--state appropriation for fiscal year 2015, of which \$6,570,000 is appropriated in section 204(1) of this act, are provided solely for state grants for the participating hospitals.

(11) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(12) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$170,000 of the general fund--state appropriation for fiscal year 2014, \$121,000 of the general fund--state appropriation for fiscal year 2015, and \$292,000 of the general fund--federal appropriation are provided solely to implement Engrossed Substitute House Bill No. 1519 (service coordination organizations) and Engrossed Second Substitute House Bill No. 1522 (behavioral health services). If neither of the bills is enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(15) \$57,000 of the general fund--state appropriation for fiscal year 2014, \$40,000 of the general fund--state appropriation for fiscal year 2015, and \$55,000 of the general fund--federal appropriation are provided solely to develop a report on state efforts to prevent and control diabetes. The authority, the department of social and health services, and the department of health shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (15).

(16) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--federal appropriation are provided solely for the development of recommendations for funding integrated school nursing and outreach services. The authority shall collaborate with the office of the superintendent of public instruction to develop recommendations for increasing federal financial participation for providing nursing services in schools with the goals of integrating nursing and outreach services and supporting one nurse for every four hundred fifty students in elementary schools and one nurse for every seven hundred fifty students in secondary schools. In developing these recommendations, the authority shall inquire with the federal centers for medicare and medicaid services about state plan amendment or waiver options for receiving additional federal matching funds for school nursing services provided to children enrolled in apple health for kids. The recommendations shall include proposals for funding training and reimbursement for nurses that provide outreach services to help eligible students enroll in apple health for kids and other social services programs. The authority and the office of the superintendent of public instruction shall provide these recommendations to the governor and the legislature by December 1, 2013.

(17) \$430,000 of the general fund--state appropriation for fiscal year 2014 and \$500,000 of the general fund--federal appropriation are provided solely to complete grant requirements for the health information exchange.

(18) \$143,000 of the general fund--state appropriation for fiscal year 2014 and \$423,000 of the general fund--federal appropriation are provided solely for the rebasing of outpatient and inpatient payment methods.

(19) \$822,000 of the general fund--state appropriation for fiscal year 2014, \$341,000 of the general fund--state appropriation for fiscal year 2015, and \$9,710,000 of the general fund--federal appropriation are provided solely to implement the conversion to the tenth version of the world health organization's international classification of diseases.

(20) \$111,000 of the general fund--state appropriation for fiscal year 2014, \$35,000 of the general fund--state appropriation for fiscal year 2015, and \$359,000 of the general fund--federal appropriation are provided solely to update the medicaid information technology architecture state self-assessment and to develop the five year road map for the medicaid information technology architecture architect.

(21) \$62,000 of the general fund--state appropriation for fiscal year 2014, \$62,000 of the general fund--state appropriation for fiscal year 2015, and \$126,000 of the general fund--federal appropriation are provided solely to support the Robert Bree collaborative's efforts to disseminate evidence-based best practices for preventing and treating health problems.

(22) Within the amounts appropriated in this section, the authority shall increase reimbursement rates for primary care services provided by independent nurse practitioners to medicare levels for the period from July 1, 2013, to December 31, 2014.

(23) The authority shall seek a medicaid state plan amendment to create a professional services supplemental payment managed care program for professional services delivered to managed care recipients by University of Washington medicine and other public professional providers. This program shall be effective as soon as administratively possible and shall operate concurrently with the existing professional services supplemental payment program. The authority shall apply federal rules for identifying the difference between average commercial rates and fee-for-service medicaid payments. This difference will be multiplied by the number of managed care encounters and incorporated into the managed care plan capitation rates by a certified actuary. The managed care plans will pay the providers the difference attributable to the increased capitation rate. Participating providers shall be solely responsible for providing the local funds required to obtain federal matching funds. Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating providers. Participating providers shall retain the full amount of supplemental payments provided under this program, net of any costs related to the program that are disallowed due to audits or litigation against the state.

(24) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit beginning January 1, 2014.

(25) Sufficient amounts are appropriated in this section to provide the same benefits for clients enrolled in an eligibility category under the current medicaid program as the benefits provided under the alternative benefit plan provided to clients enrolling in the medicaid expansion under subsection (1) of this section. This includes removing the mental health visit limit and coverage of the shingles vaccine, habilitative services, and screening, brief intervention, and referral to treatment services.

(26) To the extent allowed under federal law, the authority shall require an adult client to enroll in full medicaid coverage instead of family planning-only coverage unless the client is at risk of domestic violence.

(27) \$600,000 of the general fund--state appropriation for fiscal year 2014, \$600,000 of the general fund--state appropriation for fiscal year 2015, and \$1,200,000 of the general fund--federal appropriation are provided solely to develop and implement a comprehensive communication plan for the medicaid expansion under subsection (1) of this section.

(28) The authority shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the authority and its contractors. Prior to open enrollment, the authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for the medicaid expansion but are enrolled in coverage that will be eliminated in the transition to the medicaid expansion.

(29) \$90,000 of the general fund--state appropriation for fiscal year 2014, \$90,000 of the general fund--state appropriation for fiscal year 2015, and \$180,000 of the general fund--federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(30) The appropriations in this section reflect savings and efficiencies by transferring children receiving medical care provided through fee-for-service to medical care provided through managed care.

(31) \$150,000 of the general fund--state appropriation for fiscal year 2014, \$436,000 of the general fund--state appropriation for fiscal year 2015, and \$170,561,000 of the general fund--federal appropriation are provided solely for the provider incentive program and other initiatives related to the health information technology medicaid plan.

(32) The authority shall purchase a brand name drug when it determines that the cost of the brand name drug after rebates is less than the cost of generic alternatives and that purchase of the brand rather than generic version can save at least \$250,000. The authority may purchase generic alternatives when changes in market prices make the price of the brand name drug after rebates more expensive than the generic alternatives.

(33) The authority shall not subject antiretroviral drugs used to treat HIV/AIDS, anticancer medications used to kill or slow the growth of cancerous cells, antihemophilic drugs, or transplant drugs to the preferred drug list, a drug formulary, or to any new access limitations.

(34) \$1,531,000 of the general fund--state appropriation for fiscal year 2014, \$280,000 of the general fund--state appropriation for fiscal year 2015, and \$10,803,000 of the general fund--federal appropriation are provided solely to implement phase two of the project to create a single provider payment system that consolidates medicaid medical and social services payments and replaces the social service payment system. The amounts provided in this subsection are conditioned on the authority satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information system projects.

(35) Within the amounts appropriated in this section, the health care authority and the department of social and health services shall implement the state option to provide health homes for enrollees with chronic conditions under section 2703 of the federal affordable care act. The total state match for enrollees who are dually-eligible for both medicare and medicaid and not enrolled in managed care shall be no more than the net savings to the state from the enhanced match rate for its medicaid-only managed care enrollees under section 2703.

(36) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys

shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(37) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to establish a hospital residency program in Clark county. This one-time funding will support hiring one doctor for the design and implementation of the residency program.

(38) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(39) Within amounts appropriated, the health care authority shall conduct a review of its management and staffing structure to identify efficiencies and opportunities to reduce full time equivalent employees and other administrative costs. A report summarizing the review and the authority's recommendations to reduce costs and full time equivalent employees must be submitted to the governor and legislature by November 1, 2013.

(40) \$19,819,000 of the health benefit exchange account--state appropriation and \$2,181,000 of the general fund--federal appropriation are provided solely to support the operations of the Washington health benefit exchange from January 1, 2015, to June 30, 2015.

(41) The authority shall integrate the prescription monitoring program into the coordinated care electronic tracking program developed in section 213, chapter 7, Laws of 2012, 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine. The integration must provide prescription monitoring program data to emergency department personnel when the patient registers in the emergency department. Such exchange may be a private or public joint venture.

NEW SECTION. Sec. 214. FOR THE HUMAN RIGHTS COMMISSION

General Fund--State Appropriation (FY 2014)	\$2,073,000
General Fund--State Appropriation (FY 2015)	\$1,990,000
General Fund--Federal Appropriation	\$2,179,000
TOTAL APPROPRIATION	\$6,242,000

The appropriations in this section are subject to the following conditions and limitations: \$208,000 of general fund--federal appropriation is provided for additional financial resources from the U.S. department of housing and urban development for the investigation of discrimination cases involving service animals.

NEW SECTION. Sec. 215. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

Worker and Community Right-to-Know Account--State Appropriation	\$10,000
Accident Account--State Appropriation	\$19,616,000
Medical Aid Account--State Appropriation	\$19,617,000
TOTAL APPROPRIATION	\$39,243,000

NEW SECTION. Sec. 216. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund--State Appropriation (FY 2014)	\$14,942,000
General Fund--State Appropriation (FY 2015)	\$14,846,000
General Fund--Private/Local Appropriation	\$3,059,000
Death Investigations Account--State Appropriation	\$148,000
Municipal Criminal Justice Assistance Account-- State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account-- State Appropriation	\$8,597,000
TOTAL APPROPRIATION	\$42,052,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund--state appropriation for fiscal year 2014 and \$5,000,000 of the general fund--state appropriation for fiscal year 2015, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) \$340,000 of the general fund--local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(5) \$96,000 of the general fund--state appropriation for fiscal year 2014 and \$96,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$750,000 of the general fund--state appropriation for fiscal year 2014 and \$750,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to counties enforcing illegal drug laws and which have been underserved by federally funded state narcotics task forces. The Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, and the Washington

association of county officials shall jointly develop funding allocations for the offices of the county sheriff, county prosecutor, and county clerk in qualifying counties. The commission shall not impose an administrative cost on this program.

(7) \$123,000 of the general fund--state appropriation for fiscal year 2014 and \$123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the costs of providing statewide advanced driving training with the use of a driving simulator.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund--State Appropriation (FY 2014)	\$17,115,000
General Fund--State Appropriation (FY 2015)	\$17,838,000
General Fund--Federal Appropriation	\$11,876,000
Asbestos Account--State Appropriation	\$367,000
Electrical License Account--State Appropriation	\$36,812,000
Farm Labor Contractor Account--State Appropriation	\$28,000
Worker and Community Right-to-Know Account-- State Appropriation	\$903,000
Public Works Administration Account--State Appropriation	\$7,719,000
Manufactured Home Installation Training Account-- State Appropriation	\$351,000
Accident Account--State Appropriation	\$258,378,000
Accident Account--Federal Appropriation	\$13,626,000
Medical Aid Account--State Appropriation	\$277,018,000
Medical Aid Account--Federal Appropriation	\$3,186,000
Plumbing Certificate Account--State Appropriation	\$1,723,000
Pressure Systems Safety Account--State Appropriation	\$4,173,000
TOTAL APPROPRIATION	\$651,113,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Pursuant to RCW 43.135.055, the department is authorized to increase elevator fees by up to 13.1 percent during the 2013-2015 fiscal biennium. This increase is necessary to support expenditures authorized in this section, consistent with chapter 70.87 RCW.

(2) \$1,336,000 of the medical aid account--state appropriation is provided solely for implementation of Engrossed House Bill No. 1470 (workers' compensation/vocational rehabilitation). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$304,000 of the accident account--state appropriation and \$302,000 of the medical aid account--state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1467 (unpaid wages collection). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(4) \$1,468,000 of the public works administration account--state appropriation is provided solely for implementation of Engrossed House Bill No. 1473 (construction service payments). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(5) \$64,000 of the accident account--state appropriation and \$63,000 of the medical aid account--state appropriation are provided solely for implementation of Substitute House Bill No. 1884 (occupational diseases). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(6) \$357,000 of the medical aid account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1753 (interpreter services). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(7) \$279,000 of the public works administration account--state appropriation, \$4,000 of the medical aid account--state appropriation, and \$4,000 of the accident account--state appropriation are provided solely for implementation of Substitute House Bill No. 1420 (transportation improvement projects). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(8) \$198,000 of the accident account--state appropriation and \$34,000 of the medical aid account--state appropriation are provided solely for implementation of Engrossed House Bill No. 1891 (employee protections). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2014)	\$1,986,000
General Fund--State Appropriation (FY 2015)	\$1,892,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation	\$10,000
TOTAL APPROPRIATION	\$3,888,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2014)	\$5,333,000
General Fund--State Appropriation (FY 2015)	\$5,307,000
General Fund--Federal Appropriation	\$3,463,000
General Fund--Private/Local Appropriation	\$4,418,000
Veteran Estate Management Account--Private/Local Appropriation	\$1,103,000
TOTAL APPROPRIATION	\$19,624,000

The appropriations in this subsection are subject to the following conditions and limitations: \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to provide crisis

and emergency relief and education, training, and employment assistance to veterans and their families in their communities through the veterans innovation program.

(3) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2014)	\$101,000
General Fund--State Appropriation (FY 2015)	\$16,000
General Fund--Federal Appropriation	\$68,619,000
General Fund--Private/Local Appropriation	\$39,004,000
TOTAL APPROPRIATION	\$107,740,000

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF HEALTH

General Fund--State Appropriation (FY 2014)	\$74,520,000
General Fund--State Appropriation (FY 2015)	\$73,962,000
General Fund--Federal Appropriation	\$535,540,000
General Fund--Private/Local Appropriation	\$139,126,000
Hospital Data Collection Account--State Appropriation	\$220,000
Health Professions Account--State Appropriation	\$103,731,000
Aquatic Lands Enhancement Account--State Appropriation	\$604,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	\$12,318,000
Safe Drinking Water Account--State Appropriation	\$5,239,000
Drinking Water Assistance Account--Federal Appropriation	\$14,724,000
Waterworks Operator Certification--State Appropriation	\$1,553,000
Drinking Water Assistance Administrative Account--State Appropriation	\$337,000
Site Closure Account--State Appropriation	\$159,000
Biotoxin Account--State Appropriation	\$1,323,000
State Toxics Control Account--State Appropriation	\$3,760,000
Medical Test Site Licensure Account--State Appropriation	\$4,724,000
Youth Tobacco Prevention Account--State Appropriation	\$1,512,000
Public Health Supplemental Account--Private/Local Appropriation	\$3,236,000
Accident Account--State Appropriation	\$304,000
Medical Aid Account--State Appropriation	\$50,000
Medicaid Fraud Penalty Account--State Appropriation	\$973,000
TOTAL APPROPRIATION	\$977,915,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) In accordance with RCW 43.70.250 and 43.135.055, the department is authorized to establish and raise fees in fiscal year 2014 as necessary to meet the actual costs of conducting business and the appropriation levels in this section. This authorization applies to fees required for newborn screening, and fees associated with the following professions: Agency affiliated counselors; certified counselors; and certified advisors.

(3)(a) \$50,000 of the medicaid fraud penalty account--state appropriation is provided solely for the department to integrate the prescription monitoring program into the coordinated care electronic tracking program developed in response to section 213, chapter 7, Laws of 2012, 2nd sp. sess., commonly referred to as the seven best practices in emergency medicine.

(b) The integration must provide prescription monitoring program data to emergency department personnel when the patient registers in the emergency department. Such exchange may be a private or public joint venture.

(c) As part of the integration, the department shall request insurers and third-party administrators that provide coverage to residents of Washington state to provide the following to the coordinated care electronic tracking program:

(i) Any available information regarding the assigned primary care provider, and the primary care provider's telephone and fax numbers. This information is to be used for real-time communication to an emergency department provider when caring for a patient; and

(ii) Information regarding any available care plans or treatment plans for patients with higher utilization of services on a regular basis. This information is to be provided to the treating provider.

(4) \$270,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Washington autism alliance to assist autistic individuals and families with autistic children during the transition to federal health reform.

(5) \$1,931,000 of the general fund--state appropriation for fiscal year 2014 and \$1,931,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the tobacco prevention and control program in accordance with evidence-based guidelines from the centers for disease control and prevention.

(6) \$6,000 of the general fund--state appropriation for fiscal year 2014 and \$5,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to convene a work group to study and recommend language for standardized clinical affiliation agreements for clinical placements associated with the education and training of physicians licensed under chapter 18.71 RCW, osteopathic physicians and surgeons licensed under chapter 18.57 RCW, and nurses licensed under chapter 18.79 RCW. The work group shall develop one recommended standardized clinical affiliation agreement for each profession or one recommended standardized clinical affiliation agreement for all three professions.

(a) When choosing members of the work group, the department shall consult with the health care personnel shortage task force and shall attempt to ensure that the membership of the work group is geographically diverse. The work group must, at a minimum, include representatives of the following:

- (i) Two-year institutions of higher education;
- (ii) Four-year institutions of higher education;
- (iii) The University of Washington medical school;
- (iv) The college of osteopathic medicine at the Pacific Northwest University of Health Sciences;
- (v) The health care personnel shortage task force;
- (vi) Statewide organizations representing hospitals and other facilities that accept clinical placements;
- (vii) A statewide organization representing physicians;
- (viii) A statewide organization representing osteopathic physicians and surgeons;
- (ix) A statewide organization representing nurses;
- (x) A labor organization representing nurses; and
- (xi) Any other groups deemed appropriate by the department in consultation with the health care personnel shortage task force.

(b) The work group shall report its findings to the governor and the appropriate standing committees of the legislature no later than November 15, 2014.

(7) \$57,000 of the general fund--state appropriation for fiscal year 2014 and \$58,000 of the general fund--state appropriation for fiscal year 2015 are for the midwifery licensure and regulatory program to supplement revenue from fees. Current annual fees for new or renewed licenses for the midwifery program, except for online access to HEAL-WA, may increase by no more than the rate of inflation as measured by the consumer price index. The department shall convene the midwifery advisory committee on a quarterly basis to address issues related to licensed midwifery.

(8) During the 2013-2015 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(9) \$35,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1003 (health professions licensees). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1270 (board of denturists). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1271 (denturism). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(12) \$11,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1330 (dental hygienists, assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(13) \$1,008,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1343 (nurses surcharge). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(14) \$34,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1376 (suicide assessment training). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(15) \$14,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1409 (allopathic physicians). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(16) \$10,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1515 (medical assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(17) \$2,185,000 of the health professions account--state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1518 (disciplinary authorities). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(18) \$141,000 of the general fund--private/local appropriation is provided solely for the implementation of Substitute House Bill No. 1525 (birth certificates and information). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(19) \$220,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1534 (impaired dentist program). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(20) \$51,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1609 (board of pharmacy). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(21) \$12,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1629 (home care continuing education). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(22) \$18,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1737 (physician assistants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(23) \$10,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Engrossed Substitute House Bill No. 1773 (midwifery). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(24) \$77,000 of the general fund--state appropriation for fiscal year 2014 and \$38,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to develop a report on state efforts to prevent and control diabetes. The department, the health care authority, and the

department of social and health services shall submit a coordinated report to the governor and the appropriate committees of the legislature by December 31, 2014, on the following:

(a) The financial impacts and reach that diabetes of all types and undiagnosed gestational diabetes are having on the programs administered by each agency and individuals, including children with mothers with undiagnosed gestational diabetes, enrolled in those programs. Items in this assessment must include: (i) The number of lives with diabetes and undiagnosed gestational diabetes impacted or covered by the programs administered by each agency; (ii) the number of lives with diabetes, or at risk for diabetes, and family members impacted by prevention and diabetes control programs implemented by each agency; (iii) the financial toll or impact diabetes and its complications, and undiagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs in comparison to other chronic diseases and conditions; and (iv) the financial toll or impact diabetes and its complications, and diagnosed gestational diabetes and the complications experienced during labor to children of mothers with gestational diabetes places on these programs;

(b) An assessment of the benefits of implemented and existing programs and activities aimed at controlling all types of diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to each agency for the programs and activities aimed at reaching those with diabetes of all types;

(c) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all types of diabetes and its complications;

(d) The development or revision of detailed policy-related action plans and budget recommendations for battling diabetes and undiagnosed gestational diabetes that includes a range of actionable items for consideration by the legislature. The plans and budget recommendations must identify proposed action steps to reduce the impact of diabetes, prediabetes, related diabetes complications, and undiagnosed gestational diabetes. The plans and budget recommendations must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing all types of diabetes; and

(e) An estimate of savings, efficiencies, costs, and budgetary savings and resources required to implement the plans and budget recommendations identified in (d) of this subsection (24).

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF CORRECTIONS

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2014)	\$56,873,000
General Fund--State Appropriation (FY 2015)	\$55,226,000
TOTAL APPROPRIATION	\$112,099,000

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund--state appropriation for fiscal year 2014 and \$35,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2014)	\$604,469,000
General Fund--State Appropriation (FY 2015)	\$603,470,000
General Fund--Federal Appropriation	\$3,322,000
Washington Auto Theft Prevention Authority Account-- State Appropriation	\$7,586,000
State Toxics Control--State Appropriation	\$105,000
TOTAL APPROPRIATION	\$1,218,952,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) During the 2013-2015 fiscal biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors: (i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

(b) By December 1, 2013, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's inmate intake processes and expenditures and makes recommendations for improvements. The evaluation must include an analysis of lean management processes that, if adopted, could improve the efficiency and cost effectiveness of inmate intake.

(c) By December 1, 2013, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's use of partial confinement and work release programs and makes recommendations for improving public safety and decreasing recidivism through increasing participation in partial confinement re-entry and work release programs. In making its recommendations, the department shall identify:

(i) Options for increasing the capacity of work release beds to meet the number of eligible offenders;

(ii) Potential cost savings to the state through contracting for or building new work release capacity;

(iii) Options for expanding eligibility for partial confinement, including creation of a structured re-entry program that includes stable housing, mandatory participation in evidence-based programs, and intensive supervision; and

(iv) Potential cost savings to the state from creation of a structured re-entry program.

(d) By December 1, 2013, the department of corrections shall provide a report to the office of financial management and the appropriate fiscal and policy committees of the legislature that evaluates the department's community parenting alternative program, and makes recommendations for increasing participation in the program with the goals of increasing public safety and decreasing recidivism. The

evaluation shall include recommendations for increasing the placement of eligible offenders into the program and increasing eligibility to other populations. In making its recommendations, the department shall identify the percent of the eligible population currently entering the program, outcomes to-date for program participants, and potential cost savings from increasing placement of offenders into the program.

(e) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders who violate the terms of their community supervision. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increase, provided that medical payments conform to the department's offender health plan, pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(f) The department of corrections shall issue a request for proposal by August 1, 2013, to contract with local jurisdictions for the use of inmate bed capacity in lieu of prison beds operated by the state. The department shall contract for up to 300 beds statewide to the extent that it is at no net cost to the department. The contracts shall be for beds in western Washington and eastern Washington. The duration of the contracts shall be for up to four years. The department shall not pay a rate greater than \$65 per day for all costs associated with the offender while in the local correctional facility to include programming and health care costs. The capacity provided at local correctional facilities must be for offenders who the department of corrections defines as medium security offenders. Local jurisdictions must provide health care to offenders that meet standards set by the department. The department will report to legislative fiscal committees and the office of financial management by November 1, 2013, to provide a status update on implementation.

(g) The department shall convene a work group to develop health care cost containment strategies at local jail facilities. The work group shall identify cost containment strategies in place at the department and at local jail facilities, identify the costs and benefits of implementing strategies in jail health-care facilities, and make recommendations on implementing beneficial strategies. The work group shall submit a report on its findings and recommendations to the fiscal committees of the legislature by October 1, 2013. The work group shall include jail administrators, representatives from health care facilities at the local jail level and the state prisons level, and other representatives as deemed necessary.

(3) COMMUNITY SUPERVISION

General Fund--State Appropriation (FY 2014)	\$132,992,000
General Fund--State Appropriation (FY 2015)	\$132,198,000
TOTAL APPROPRIATION	\$265,190,000

The appropriations in this subsection are subject to the following conditions and limitations: \$2,071,000 of the general fund--state appropriation for fiscal year 2014 and \$2,073,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to contract for additional residential drug offender sentencing alternative treatment slots. By December 1, 2013, the department shall provide a report to the appropriate fiscal committees of the house of representatives and the senate on the use of the additional treatment slots.

(4) CORRECTIONAL INDUSTRIES

General Fund--State Appropriation (FY 2014)	\$3,488,000
General Fund--State Appropriation (FY 2015)	\$3,478,000
TOTAL APPROPRIATION	\$6,966,000

(5) INTERAGENCY PAYMENTS

General Fund--State Appropriation (FY 2014)	\$35,241,000
General Fund--State Appropriation (FY 2015)	\$31,488,000
TOTAL APPROPRIATION	\$66,729,000

The appropriations in this subsection are subject to the following conditions and limitations: The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund--State Appropriation (FY 2014)	\$2,234,000
General Fund--State Appropriation (FY 2015)	\$2,185,000
General Fund--Federal Appropriation	\$20,954,000
General Fund--Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION	\$25,433,000

NEW SECTION. Sec. 222. FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund--Federal Appropriation	\$269,786,000
General Fund--Private/Local Appropriation	\$34,161,000
Unemployment Compensation Administration Account--	
Federal Appropriation	\$319,246,000
Administrative Contingency Account--State	
Appropriation	\$22,731,000
Employment Service Administrative Account--State	
Appropriation	\$35,802,000
TOTAL APPROPRIATION	\$681,726,000

The appropriations in this subsection are subject to the following conditions and limitations:

(1) \$12,386,000 of the unemployment compensation administration account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for the replacement of the unemployment insurance tax information system for the employment security department. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act.

(2) \$3,735,000 of the unemployment compensation account--federal appropriation is from amounts made available to the state by section 903(g) of the social security act (Reed act). This amount is provided solely for the replacement of call center technology to improve the integration of the telephone and computing systems to increase efficiency and improve customer service.

(3) \$182,000 of the employment services administrative account--state appropriation is provided for costs associated with the second stage of the review and evaluation of the training benefits program as directed in section 15(2), chapter 4, Laws of 2011 (unemployment insurance program). This second stage shall be developed and conducted by the joint legislative audit and review committee and shall consist of further work on the process study and net-impact/cost-benefit analysis components of the evaluation.

(4) \$86,000 of the administrative contingency account--state appropriation is provided solely for implementation of House Bill No. 1872 (science, technology, engineering, and math). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(5) \$240,000 of the administrative contingency account--state appropriation is provided solely for the employment security department to contract with a center for workers in King county. The amount appropriated in this subsection shall be used by the contracted center for workers to support initiatives that generate high-skill, high-wage jobs; improve workforce and training systems; improve service delivery for dislocated workers; and build alliances with community and environmental organizations.

(End of part)

PART III

NATURAL RESOURCES

NEW SECTION. Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund--State Appropriation (FY 2014)	\$446,000
General Fund--State Appropriation (FY 2015)	\$448,000
General Fund--Federal Appropriation	\$31,000
General Fund--Private/Local Appropriation	\$877,000
TOTAL APPROPRIATION	\$1,802,000

NEW SECTION. Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2014)	\$30,655,000
General Fund--State Appropriation (FY 2015)	\$30,205,000
General Fund--Federal Appropriation	\$104,564,000
General Fund--Private/Local Appropriation	\$16,912,000
Reclamation Account--State Appropriation	\$3,719,000
Flood Control Assistance Account--State Appropriation	\$1,972,000
State Emergency Water Projects Revolving Account--State Appropriation	\$40,000
Waste Reduction/Recycling/Litter Control--State Appropriation	\$9,709,000
State Drought Preparedness Account--State Appropriation	\$204,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	\$425,000
Aquatic Algae Control Account--State Appropriation	\$513,000
Water Rights Tracking System Account--State Appropriation	\$46,000
Site Closure Account--State Appropriation	\$551,000
Wood Stove Education and Enforcement Account--State Appropriation	\$608,000
Worker and Community Right-to-Know Account--State Appropriation	\$1,697,000
Water Rights Processing Account--State Appropriation	\$135,000
State Toxics Control Account--State Appropriation	\$148,070,000
State Toxics Control Account--Private/Local Appropriation	\$977,000
Local Toxics Control Account--State Appropriation	\$27,299,000
Water Quality Permit Account--State Appropriation	\$40,724,000
Underground Storage Tank Account--State Appropriation	\$3,330,000
Biosolids Permit Account--State Appropriation	\$1,837,000
Hazardous Waste Assistance Account--State Appropriation	\$5,989,000

Air Pollution Control Account--State Appropriation	\$3,124,000
Oil Spill Prevention Account--State Appropriation	\$5,667,000
Air Operating Permit Account--State Appropriation	\$3,152,000
Freshwater Aquatic Weeds Account--State Appropriation	\$1,410,000
Oil Spill Response Account--State Appropriation	\$7,076,000
Water Pollution Control Revolving Account--State Appropriation	\$354,000
Water Pollution Control Revolving Account--Federal Appropriation	\$1,494,000
Water Pollution Control Revolving Administration--State Appropriation	\$1,021,000
TOTAL APPROPRIATION	\$453,479,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$170,000 of the oil spill prevention account--state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(2) Pursuant to RCW 43.135.055, the department is authorized to increase the following fees as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Wastewater discharge permit, not more than 4.55 percent in fiscal year 2014 and 4.63 percent in fiscal year 2015; and reasonably available control technology fee.

(3) \$1,981,000 of the state toxics control account--state appropriation is for the department to provide training regarding the benefits of low-impact development including, but not limited to, when the use of low-impact development is appropriate and feasible, and the design, installation, maintenance, and best practices of low-impact development. The department will consult with Washington State University extension low-impact development technical center and others in the development of the low-impact technical training. As appropriate, the department may contract with the Washington State University extension low-impact development technical center, private sector vendors, associations, and others to deliver the technical training. The training must be provided free of cost to phase I and phase II permittees and the private development community including builders, engineers, and other industry professionals. The training must be sequenced geographically and provided in time for local jurisdictions to comply with RCW 90.48.260 and 36.70A.130(5). By August 1, 2013, the department of ecology shall provide the governor and appropriate legislative committees a plan for how low-impact development training funds will be spent during fiscal years 2014 through 2017.

(4) \$440,000 of the state toxics control account--state appropriation is provided solely for administering the water pollution control facilities financial assistance program authorized in chapter 90.50A RCW.

(5) \$350,000 of the state toxics control account--state appropriation is provided solely for the Spokane river regional toxics task force to support their efforts to address elevated levels of polychlorinated biphenyls in the Spokane river. Funding will be used to determine the extent of the cleanup required, implement cleanup actions to meet applicable water quality standards, and prevent recontamination.

(6) \$216,000 of the state toxics control account--state appropriation is provided solely for the department to administer and implement a local matching grant program to monitor and collect bacteria data and notify the public when results exceed standards at public marine beaches in the department's beach environmental assessment, communication, and health program. Grant recipients may include local health jurisdictions, local governments, tribal governments, universities, nonprofit organizations, and private organizations. Grant recipients must provide matching funds equal to the size of the grant.

(7) \$516,000 of the state toxics control account--state appropriation is provided solely for the department to support an ultrafine particulate study to determine how, if at all, the biomass cogeneration facilities in Port Townsend and Port Angeles may impact air quality and the health of citizens in the region.

(8) \$38,000 of the air operating permit account--state appropriation and \$36,000 of the general fund--private/local appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1374 (energy facility site evaluation council). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(9) \$152,000 of the state toxics control account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1294 (flame retardants). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$65,000 of the water quality permit account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1245 (derelict and abandoned vessels). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 303. FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund--State Appropriation (FY 2014)	\$11,929,000
General Fund--State Appropriation (FY 2015)	\$11,929,000
General Fund--Federal Appropriation	\$5,959,000
Winter Recreation Program Account--State Appropriation	\$2,064,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$215,000
Snowmobile Account--State Appropriation	\$4,855,000
Aquatic Lands Enhancement Account--State Appropriation	\$363,000
Parks Renewal and Stewardship Account--State Appropriation	\$92,556,000
Parks Renewal and Stewardship Account--Private/Local Appropriation	\$300,000
TOTAL APPROPRIATION	\$130,170,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$79,000 of the general fund--state appropriation for fiscal year 2014 and \$79,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant for the operation of the Northwest weather and avalanche center.

(2) Prior to closing any state park, the commission must notify all affected local governments and relevant nonprofit organizations of the intended closure and provide an opportunity for the notified local governments and nonprofit organizations to elect to acquire, or enter into, a maintenance and operating contract with the commission that would allow the park to remain open.

(3) The commission shall prepare a report on its efforts to increase revenue from all sources, including the discover pass. The report shall also include a status update on the fiscal health of the state parks system, and shall be submitted to the office of financial management and the appropriate committees of the legislature by October 28, 2013.

NEW SECTION. Sec. 304. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

General Fund--State Appropriation (FY 2014)	\$814,000
General Fund--State Appropriation (FY 2015)	\$802,000
General Fund--Federal Appropriation	\$3,419,000
General Fund--Private/Local Appropriation	\$24,000
Aquatic Lands Enhancement Account--State Appropriation	\$478,000
Vessel Response Account--State Appropriation	\$2,000
Firearms Range Account--State Appropriation	\$37,000
Recreation Resources Account--State Appropriation	\$3,049,000
NOVA Program Account--State Appropriation	\$963,000
TOTAL APPROPRIATION	\$9,588,000

NEW SECTION. Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund--State Appropriation (FY 2014)	\$2,247,000
General Fund--State Appropriation (FY 2015)	\$2,169,000
General Fund--Private/Local Appropriation	\$120,000
TOTAL APPROPRIATION	\$4,536,000

The appropriations in this section are subject to the following conditions and limitations: \$14,000 of the general fund--state appropriation for fiscal year 2014, \$14,000 of the general fund--state appropriation for fiscal year 2015, and \$120,000 of the general fund-- private/local appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 1374 (energy facility site evaluation council). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 306. FOR THE CONSERVATION COMMISSION

General Fund--State Appropriation (FY 2014)	\$6,847,000
General Fund--State Appropriation (FY 2015)	\$6,744,000
General Fund--Federal Appropriation	\$2,301,000
TOTAL APPROPRIATION	\$15,892,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the conservation commission, in consultation with conservation districts, must submit to the office of financial management and legislative fiscal committees by December 10, 2013, a report containing proposals for the consolidation of conservation districts within counties in which there is more than one district. The report must include details on the anticipated future savings that would be expected from consolidating districts starting on July 1, 2014.

(2) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$246,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to implement the voluntary stewardship program in Thurston and Chelan counties. These amounts may not be used to fund agency indirect and administrative expenses.

(3) \$1,000,000 of the general fund--federal appropriation is provided solely to implement the voluntary stewardship program statewide. The commission shall place the appropriation in this subsection in unallotted status, and may not allot any of these funds until the federal government has provided funding to the commission for the purpose of implementing the voluntary stewardship program.

(4) The conservation commission must evaluate the current system for the election of conservation district board supervisors and recommend improvements to ensure the highest degree of public involvement in these elections. The commission must engage with stakeholder groups and conservation districts to gather a set of options for improvement to district elections, which must include an option aligning district elections with state and local general elections. The commission must submit a report detailing the options to the office of financial management and appropriate committees of the legislature by December 10, 2013.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund--State Appropriation (FY 2014)	\$30,919,000
General Fund--State Appropriation (FY 2015)	\$29,843,000
General Fund--Federal Appropriation	\$108,740,000
General Fund--Private/Local Appropriation	\$58,670,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$395,000
Aquatic Lands Enhancement Account--State Appropriation	\$15,852,000
Recreational Fisheries Enhancement--State Appropriation	\$2,587,000
Warm Water Game Fish Account--State Appropriation	\$2,488,000
Eastern Washington Pheasant Enhancement Account--State Appropriation	\$849,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$209,000
Aquatic Invasive Species Prevention Account--State	

Appropriation	\$732,000	
State Wildlife Account--State Appropriation		\$102,018,000
Special Wildlife Account--State Appropriation		\$2,397,000
Special Wildlife Account--Federal Appropriation		\$500,000
Special Wildlife Account--Private/Local Appropriation		\$3,440,000
Wildlife Rehabilitation Account--State Appropriation	\$259,000	
State Toxics Control Account--State Appropriation		\$1,224,000
Hydraulic Project Approval Account--State Appropriation		\$674,000
Regional Fisheries Enhancement Salmonid Recovery Account--Federal Appropriation	\$5,001,000	
Oil Spill Prevention Account--State Appropriation		\$905,000
Oyster Reserve Land Account--State Appropriation		\$772,000
TOTAL APPROPRIATION		\$368,474,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$130,000 of the general fund--state appropriation for fiscal year 2014 and \$130,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(2) Prior to submitting its 2015-2017 biennial operating and capital budget request related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review this request. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with their agency budget proposal.

(3) \$400,000 of the general fund--state appropriation for fiscal year 2014 and \$400,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the U.S. army corps of engineers.

(4) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(5) During the 2013-2015 fiscal biennium, the department must retain ownership and continue to occupy the downtown Olympia office building at 600 Capitol Way.

(6) \$450,000 of the general fund--state appropriation for fiscal year 2014 and \$450,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the department for resources that serve to promote and engage nonlethal deterrence methods relating to wolf and livestock interaction with a priority given to funding cooperative agreements with livestock producers.

(7) \$150,000 of the general fund--state appropriation for fiscal year 2014 and \$150,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the department for the transfer of trout from the Clark's Creek hatchery to the Lakewood hatchery and for the production of Steelhead, Coho, and Chinook at the Clark's Creek hatchery.

(8) \$300,000 of the state wildlife account--state appropriation is provided solely for the department to increase production of juvenile fall Chinook on the Cowlitz river. The funds provided may be used to match or leverage funds from private or public sources for the same purpose.

(9) \$100,000 of the state wildlife account--state appropriation and \$38,000 of the wolf interaction conflict account--state appropriation are provided solely for implementation of Substitute House Bill No. 1501 (wolf conservation and management). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(10) \$524,000 of the state wildlife account--state appropriation is provided solely for Engrossed Substitute House Bill No. 1999 (hunter safety). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1112 (science and public policy). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund--State Appropriation (FY 2014)	\$41,735,000
General Fund--State Appropriation (FY 2015)	\$44,343,000
General Fund--Federal Appropriation	\$26,951,000
General Fund--Private/Local Appropriation	\$2,372,000
Forest Development Account--State Appropriation	\$48,836,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$4,479,000
Surveys and Maps Account--State Appropriation	\$2,164,000
Aquatic Lands Enhancement Account--State Appropriation	\$4,301,000
Resources Management Cost Account--State Appropriation	\$111,001,000
Surface Mining Reclamation Account--State Appropriation	\$3,956,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation	\$11,761,000
Aquatic Land Dredged Material Disposal Site Account--State Appropriation	\$843,000
Natural Resources Conservation Areas Stewardship Account--State Appropriation	\$34,000

State Toxics Control Account--State Appropriation	\$3,028,000
Forest Practices Application Account--State Appropriation	\$1,697,000
Air Pollution Control Account--State Appropriation	\$780,000
NOVA Program Account--State Appropriation	\$648,000
Derelict Vessel Removal Account--State Appropriation	\$1,770,000
Agricultural College Trust Management Account--State Appropriation	\$2,703,000
TOTAL APPROPRIATION	\$318,402,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,383,000 of the general fund--state appropriation for fiscal year 2014 and \$1,320,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) \$19,099,000 of the general fund--state appropriation for fiscal year 2014, \$19,099,000 of the general fund--state appropriation for fiscal year 2015, and \$5,000,000 of the disaster response account--state appropriation are provided solely for emergency fire suppression. None of the general fund and disaster response account amounts provided in this subsection may be used to fund agency indirect and administrative expenses. Agency indirect and administrative costs shall be allocated among the agency's remaining accounts and appropriations. The department of natural resources shall submit a quarterly report to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from the disaster response account. This work shall be done in coordination with the military department.

(3) \$4,500,000 of the forest and fish support account--state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$518,000 of the forest and fish support account--state appropriation is provided solely for outcome-based performance contracts with nongovernmental organizations to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect cost set at or below a rate of eighteen percent.

(5) \$717,000 of the forest and fish support account--state appropriation is provided solely to fund interagency agreements with the department of ecology and the department of fish and wildlife as part of the adaptive management process.

(6) \$440,000 of the state general fund--state appropriation for fiscal year 2014 and \$440,000 of the state general fund--state appropriation for fiscal year 2015 are provided solely for forest work crews that support correctional camps and are contingent upon continuing operations of Naselle youth camp.

(7) \$2,382,000 of the resource management cost account--state appropriation is for addressing the growing backlog of expired aquatic leases and new aquatic lease applications. The department shall implement a Lean process to improve the lease review process and further reduce the backlog, and submit a report on its progress in addressing the backlog and implementation of the Lean process to the governor and the appropriate committees of the legislature by October 1, 2013.

(8) \$1,948,000 of the state toxics control account--state appropriation is provided solely for the department to pay a portion of the costs to complete remedial investigation work at Whitmarsh landfill and Mill site A and perform final-year maintenance of the Olympic view triangle site in Commencement Bay.

(9) \$265,000 of the resources management cost account--state appropriation is provided solely for implementation of Second Substitute House Bill No. 1764 (geoduck diver licenses). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(10) \$425,000 of the derelict vessel removal account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1245 (derelict and abandoned vessels). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE

General Fund--State Appropriation (FY 2014)	\$15,262,000
General Fund--State Appropriation (FY 2015)	\$15,260,000
General Fund--Federal Appropriation	\$23,066,000
General Fund--Private/Local Appropriation	\$192,000
Aquatic Lands Enhancement Account--State Appropriation	\$2,842,000
State Toxics Control Account--State Appropriation	\$5,174,000
Water Quality Permit Account--State Appropriation	\$67,000
TOTAL APPROPRIATION	\$61,863,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,308,445 of the general fund--state appropriation for fiscal year 2014 and \$5,302,905 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementing the food assistance program as defined in RCW 43.23.290.

(2) Pursuant to RCW 43.135.055 and 16.57.220, the department is authorized to institute livestock inspection fees in the 2013-2015 fiscal biennium for calves less than thirty days old.

(3) Pursuant to RCW 43.135.055 and 16.36.150, the department is authorized to establish a fee for the sole purpose of purchasing and operating a database and any other technology or software needed to administer animal disease traceability activities for cattle sold or slaughtered in the state or transported out of the state.

(4) Within the amounts appropriated in this section, the department of agriculture must convene and facilitate a work group with appropriate stakeholders to review fees supporting the food safety program. In developing strategies to make the food safety program more self-supporting, the department will consider length of time since the last fee increase, similar fees that exist in neighboring states, and fee increases that will ensure reasonable competitiveness in the respective industries. The department must submit a report containing recommendations that will make

the food safety program less reliant on the state general fund to the office of financial management and legislative fiscal committees by December 1, 2013.

NEW SECTION. Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Pollution Liability Insurance Program Trust

Account--State Appropriation \$986,000

NEW SECTION. Sec. 311. FOR THE PUGET SOUND PARTNERSHIP

General Fund--State Appropriation (FY 2014) \$2,421,000

General Fund--State Appropriation (FY 2015) \$2,325,000

General Fund--Federal Appropriation \$11,585,000

Aquatic Lands Enhancement Account--State Appropriation \$1,920,000

State Toxics Control Account--State Appropriation \$677,000

TOTAL APPROPRIATION \$18,928,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$788,000 of the aquatic lands enhancement account--state appropriation is provided solely for coordinating a study of Puget Sound juvenile steelhead marine survival conducted by the department of fish and wildlife and based on a study plan developed in cooperation with federal, tribal, and nongovernmental entities.

(2) By October 1, 2014, the Puget Sound partnership shall provide the governor a single, prioritized list of state agency 2015-2017 capital and operating budget requests related to Puget Sound restoration.

(End of part)

PART IV

TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2014) \$1,106,000

General Fund--State Appropriation (FY 2015) \$1,345,000

Architects' License Account--State Appropriation \$904,000

Professional Engineers' Account--State

Appropriation \$3,568,000

Real Estate Commission Account--State Appropriation \$9,961,000

Uniform Commercial Code Account--State

Appropriation \$3,158,000

Real Estate Education Account--State Appropriation \$276,000

Real Estate Appraiser Commission Account--State

Appropriation \$1,710,000

Business and Professions Account--State

Appropriation \$17,504,000

Funeral and Cemetery Account--State Appropriation \$5,000

Landscape Architects Account--State Appropriation \$4,000

Appraisal Management Company Account--State

Appropriation \$4,000

Real Estate Research Account--State Appropriation \$415,000

Geologists' Account--State Appropriation \$52,000

Derelict Vessel Removal Account--State Appropriation \$31,000

TOTAL APPROPRIATION \$40,043,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$566,000 of the business and professions account--state appropriation is provided solely for the implementation of Engrossed Substitute House Bill No. 1552 (scrap metal theft reduction). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(2) \$166,000 of the business and professions account--state appropriation in fiscal year 2014 only is provided solely for the implementation of Substitute House Bill No. 1779 (esthetics). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(3) \$592,000 of the business and professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1822 (debt collection practices). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 402. FOR THE STATE PATROL

General Fund--State Appropriation (FY 2014) \$34,556,000

General Fund--State Appropriation (FY 2015) \$32,392,000

General Fund--Federal Appropriation \$16,183,000

General Fund--Private/Local Appropriation \$3,020,000

Death Investigations Account--State Appropriation \$9,948,000

County Criminal Justice Assistance Account--State

Appropriation \$3,320,000

Municipal Criminal Justice Assistance Account--State	
Appropriation	\$1,344,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$8,000,000
Fire Service Training Account--State Appropriation	\$10,090,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$514,000
Fingerprint Identification Account--State	
Appropriation	\$13,950,000
Vehicle License Fraud Account--State Appropriation	\$448,000
TOTAL APPROPRIATION	\$133,950,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the fire service training account--state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account--state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$1,000,000 of the fire service training account--state appropriation is provided solely for the firefighter apprenticeship training program.

(4) \$3,480,000 of the fingerprint identification account--state appropriation is provided solely for upgrades to the Washington state identification system and the Washington crime information center. Amounts provided in this subsection may not be expended until the office of the chief information officer approves a plan to move the Washington state patrol's servers and data center equipment into the state data center in the 1500 Jefferson building, and the office of the chief information officer certifies that the Washington state patrol has begun the move. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

(5) \$154,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Substitute House Bill No. 1612 (firearms offenders). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(6) In accordance with RCW 43.135.055 and 43.43.742, the state patrol is authorized to increase the following fees in fiscal year 2014 as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Electronic and paper-based fingerprint and name and date of birth background checks.

(End of part)

PART V

EDUCATION

NEW SECTION. Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2014)	\$28,337,000
General Fund--State Appropriation (FY 2015)	\$27,277,000
General Fund--Federal Appropriation	\$63,826,000
General Fund--Private/Local Appropriation	\$4,003,000
TOTAL APPROPRIATION	\$123,443,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$18,043,000 of the general fund--state appropriation for fiscal year 2014 and \$16,983,000 of the general fund--state appropriation for fiscal year 2015 is for state agency operations.

(a) \$9,102,000 of the general fund--state appropriation for fiscal year 2014 and \$8,944,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection (1)(a), the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) Districts shall report to the office of the superintendent of public instruction daily student unexcused absence data by school, using a uniform definition of unexcused absence as established by the superintendent.

(iii) By September of each year, the office of the superintendent of public instruction shall produce an annual status report of the budget provisos in sections 501 and 513 of this act. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of staff, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, and proviso outcomes and achievements.

(iv) The superintendent of public instruction shall update the program prepared and distributed under RCW 28A.230.150 for the observation of temperance and good citizenship day to include providing an opportunity for eligible students to register to vote at school.

(b) \$1,017,000 of the general fund--state appropriation for fiscal year 2014 and \$1,017,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and workgroup deliberations, including the quality education council and the data governance working group.

(c)(i) \$851,000 of the general fund--state appropriation for fiscal year 2014 and \$851,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(ii) \$161,000 of the general fund--state appropriation for fiscal year 2014 and \$161,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the state board of education for implementation of Initiative Measure No. 1240 (charter schools).

(d) \$1,494,000 of the general fund--state appropriation for fiscal year 2014 and \$1,494,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the professional educator standards board for the following:

(i) \$1,050,000 in fiscal year 2014 and \$1,050,000 in fiscal year 2015 are for the operation and expenses of the Washington professional educator standards board;

(ii) \$419,000 of the general fund--state appropriation for fiscal year 2014 and \$419,000 of the general fund--state appropriation for fiscal year 2015 are for mentor stipends provided through the alternative routes to certification program administered by the professional educator standards board, including the pipeline for paraeducators program and the retooling to teach conditional loan programs. Funding within this subsection (1)(d)(ii) is also provided for the recruiting Washington teachers program; and

(iii) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use.

(e) \$133,000 of the general fund--state appropriation for fiscal year 2014 and \$133,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(f) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(g) \$45,000 of the general fund--state appropriation for fiscal year 2014 and \$45,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(h) \$131,000 of the general fund--state appropriation for fiscal year 2014 and \$131,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Initiative Measure No. 1240 (charter schools).

(i) \$1,826,000 of the general fund--state appropriation for fiscal year 2014 and \$1,802,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(j) \$25,000 of the general fund--state appropriation for fiscal year 2014 and \$25,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(k) \$1,500,000 of the general fund--state appropriation for fiscal year 2014 and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for collaborative schools for innovation and success authorized under chapter 53, Laws of 2012. The office of the superintendent of public instruction shall award \$500,000 per year in funding for each collaborative school for innovation and success selected for participation in the pilot program during 2012. For fiscal year 2014, these funds support one collaborative school for innovation and success to develop an approved innovation and success plan and for three collaborative schools for innovation and success to implement an approved innovation and success plan. For fiscal year 2015, these funds support implementation of four collaborative schools for innovation and success approved plans.

(l) \$123,000 of the general fund--state appropriation for fiscal year 2014 and \$123,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(m) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of chapter 178, Laws of 2012 (open K-12 education resources).

(n) \$93,000 of the general fund--state appropriation for fiscal year 2014 and \$93,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for chapter 185, Laws of 2011 (bullying prevention, which requires the office of the superintendent of public instruction to convene an ongoing workgroup on school bullying and harassment prevention. Within the amounts provided, \$140,000 is for youth suicide prevention activities.

(o) \$4,000 of the general fund--state appropriation for fiscal year 2014 and \$4,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1173 (financial education partnership). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(p) \$138,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1336 (troubled youth in school). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(q) \$118,000 of the general fund--state appropriation for fiscal year 2014 and \$14,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1134 (state-tribal education compacts). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(r) \$504,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1424 (K-12 dropout prevention). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(s) \$62,000 of the general fund--state appropriation for fiscal year 2014 and \$62,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1472 (computer science education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(t) \$27,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of House Bill No. 1556 (cardiac arrest education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(u) \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the development of recommendations for funding integrated school nursing and outreach services. The office of the superintendent of public instruction shall collaborate with the health care authority to develop recommendations for increasing federal financial participation for providing nursing services in schools with the goals of integrating nursing and outreach services and supporting one nurse for every four-hundred fifty students in elementary schools and one nurse for every seven-hundred fifty students in secondary schools. The recommendations shall include proposals for funding training and reimbursement for nurses that provide outreach services to help eligible students enroll in apple health for kids and other social services programs. The authority and the office of the superintendent of public instruction shall provide these recommendations to the governor and the legislature by December 1, 2013.

(v) \$229,000 of the general fund--state appropriation for fiscal year 2014 and \$224,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1872 (STEM education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(w) \$50,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the office of the superintendent of public instruction to contract with an organization to develop a model plan for evaluating the outcomes of state funded pilot education programs, including guidelines for standard data that must be gathered throughout any education pilot program, as well as guidance for data and evaluation methods depending on the design of the program and the target population. The contract must also include a provision to provide guidance for the evaluation of existing pilot programs.

(x) \$10,000 of the general fund--state appropriation for fiscal year 2014 and \$10,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the superintendent of public instruction to convene a committee for the selection and recognition of Washington innovative schools. The committee shall select and recognize Washington innovative schools based on the selection criteria established by the office of the superintendent of public instruction, in accordance with chapter 202, Laws of 2011 (innovation schools--recognition) and chapter 260, Laws of 2011 (innovation schools and zones).

(y) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of section 2 of House Bill No. 1252 (online professional development). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(2) \$10,294,000 of the general fund--state appropriation for fiscal year 2014 and \$10,294,000 of the general fund--state appropriation for fiscal year 2015 are for statewide programs.

(a) HEALTH AND SAFETY

(i) \$2,541,000 of the general fund--state appropriation for fiscal year 2014 and \$2,541,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(ii) \$135,000 of the general fund--state appropriation for fiscal year 2014 and \$135,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership.

(b) TECHNOLOGY

\$1,221,000 of the general fund--state appropriation for fiscal year 2014 and \$1,221,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) GRANTS AND ALLOCATIONS

(i) \$3,425,000 of the general fund--state appropriation for fiscal year 2014 and \$3,425,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state achievers scholarship program. The funds shall be used to support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars.

(ii) \$1,000,000 of the general fund--state appropriation for fiscal year 2014 and \$1,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(iii) \$337,000 of the general fund--state appropriation for fiscal year 2014 and \$337,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of the building bridges statewide program for comprehensive dropout prevention, intervention, and reengagement strategies.

(iv) \$135,000 of the general fund--state appropriation for fiscal year 2014 and \$135,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for dropout prevention programs at the office of the superintendent of public instruction, including the jobs for America's graduates (JAG) program.

(v) \$1,400,000 of the general fund--state appropriation for fiscal year 2014 and \$1,400,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 340, Laws of 2011 and chapter 51, Laws of 2012. This includes the development and implementation of the Washington kindergarten inventory of developing skills (WaKIDS).

(vi) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to subsidize advanced placement exam fees and international baccalaureate class fees and exam fees for low-income students. To be eligible for the subsidy, a student must be either enrolled or eligible to participate in the federal free or reduced price lunch program, and the student must have maximized the allowable federal contribution. The office of the superintendent of public instruction shall set the subsidy in an amount so that the advanced placement exam fee does not exceed \$15.00 and the combined class and exam fee for the international baccalaureate does not exceed \$14.50.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT
 General Fund--State Appropriation (FY 2014) \$5,437,939,000

General Fund--State Appropriation (FY 2015)	\$5,568,220,000
Education Legacy Trust Account--State Appropriation	\$668,182,000
TOTAL APPROPRIATION	\$11,674,341,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2013-14 and 2014-15 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2013 to August 31, 2013, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 50, Laws of 2011 1st sp. sess., as amended through sections 502 and 503 of the 2013 omnibus supplemental operating appropriations act.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2013-14 and 2014-15 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2013-14 School Year	2014-15 School Year
Grades K-3		23.58	21.94
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

General education class size in high poverty school:	2013-14 School Year	2014-15 School Year
Grades K-3	22.68	21.26
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Laboratory science, advanced placement, and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 students:

Career and Technical Education

students 2.02 per 1000 student FTE's

Skill Center students 2.36 per 1000 student FTE's

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2013-14 and 2014-15 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025
Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2013-14 and 2014-15 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2013-14 and 2014-15 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 1.77 percent in the 2013-14 school year and 1.57 percent in the 2014-15 school year for career and technical education students, and 20.43 percent in the 2013-14 school year and 18.98 percent in the 2014-15 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 18.68 percent in the 2013-14 school year and 18.68 percent in the 2014-15 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 20.95 percent in the 2013-14 school year and 20.95 percent in the 2014-15 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

- (a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and
- (b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

- (a) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2013-14 SCHOOL YEAR	2014-15 SCHOOL YEAR
Technology	\$76.23	\$94.88
Utilities and Insurance	\$207.11	\$257.79
Curriculum and Textbooks	\$81.84	\$101.86
Other Supplies and Library Materials		\$216.26
Instructional Professional Development for Certificated and Classified Staff	\$12.66	\$15.75
Facilities Maintenance	\$102.60	\$127.71
Security and Central Office	\$71.08	\$88.48
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$725.26	\$902.73

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,249.17 for the 2013-14 school year and \$1,270.41 for the 2014-15 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation of \$1,404.84 for the 2013-14 school year and \$1,428.72 for the 2014-15 school year.

(d) Students in laboratory science courses generate per student FTE MSOC allocations which equal the per student FTE rate for general education students established in (a) of this subsection.

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2013-14 and 2014-15 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2013, to August 31, 2013, are adjusted to reflect provisions of chapter 34, Laws of 2011 1st sp. sess. (allocation of funding for funding for students enrolled in alternative learning experiences).

(b) Amounts provided in this section beginning September 1, 2013, are adjusted to reflect provisions of Senate Bill No. 5794 (alternative learning experience courses).

(c) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary full day kindergarten programs in qualifying high poverty schools, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary full-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides full-day kindergarten programs for 37.6 percent of kindergarten enrollment in the 2013-14 school year and 53.2 percent in the 2014-15 school year.

(12) INCREASED INSTRUCTIONAL HOURS FOR GRADES SEVEN THROUGH TWELVE

Amounts provided in this section are sufficient to fund increased instructional hours in grades seven through twelve. For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for increased instructional hours. In calculating the allocations, the superintendent shall assume the following averages: (a) Additional instruction of 0.4444 hours per week per full-time equivalent student in grades seven through twelve in school year 2013-14 and 0.8888 hours per week in school year 2014-15; (b) the general education average class sizes specified in section 502(2)(c); (c) 36 instructional weeks per year; (d) 900 instructional hours per teacher; and (e) the district's average staff mix and compensation rates as provided in section 503 of this act.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2014 and 2015 as follows:

(a) \$607,000 of the general fund--state appropriation for fiscal year 2014 and \$617,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund--state appropriation for fiscal year 2014 and \$436,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(16) \$214,000 of the general fund--state appropriation for fiscal year 2014 and \$218,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for school district emergencies as certified by the superintendent of public instruction. At the close of the fiscal

year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment. In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the higher education coordinating board, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.280 and under section 502 of this act:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP document 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on March 31, 2013 at 15:31 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on March 31, 2013 at 15:31 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 18.04 percent for school year 2013-14 and 18.04 percent for school year 2014-15 for certificated instructional and certificated administrative staff and 17.45 percent for school year 2013-14 and 17.45 percent for the 2014-15 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2013-14

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90
0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765

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5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
11				46,772	50,121	52,557	50,249	53,599	56,034
12				48,249	51,761	54,269	51,835	55,238	57,748
13					53,440	56,024	53,476	56,918	59,501
14					55,128	57,844	55,165	58,716	61,322
15					56,563	59,349	56,599	60,242	62,917
16 or more					57,693	60,535	57,731	61,447	64,174

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2014-15

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	34,048	34,968	35,920	36,875	39,939	41,913	40,820	43,885	45,860
1	34,506	35,439	36,403	37,400	40,496	42,459	41,274	44,370	46,332
2	34,943	35,884	36,859	37,933	41,020	43,004	41,731	44,818	46,802
3	35,393	36,343	37,329	38,437	41,518	43,549	42,164	45,243	47,276
4	35,834	36,826	37,818	38,964	42,064	44,110	42,618	45,718	47,765
5	36,290	37,287	38,288	39,498	42,586	44,673	43,080	46,169	48,256
6	36,759	37,734	38,769	40,039	43,113	45,211	43,552	46,626	48,723
7	37,582	38,572	39,621	40,960	44,079	46,235	44,438	47,556	49,713
8	38,787	39,831	40,905	42,355	45,516	47,751	45,832	48,994	51,228
9		41,135	42,262	43,765	46,999	49,310	47,241	50,477	52,788
10			43,635	45,247	48,524	50,913	48,724	52,003	54,390
11				46,772	50,121	52,557	50,249	53,599	56,034
12				48,249	51,761	54,269	51,835	55,238	57,748
13					53,440	56,024	53,476	56,918	59,501
14					55,128	57,844	55,165	58,716	61,322
15					56,563	59,349	56,599	60,242	62,917

16 or
more

57,693 60,535 57,731 61,447 64,174

- (b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.
- (c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:
 - (i) Credits earned since receiving the masters degree; and
 - (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.
- (5) For the purposes of this section:
 - (a) "BA" means a baccalaureate degree.
 - (b) "MA" means a masters degree.
 - (c) "PHD" means a doctorate degree.
 - (d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.
 - (e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.
- (6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this part V, or any replacement schedules and documents, unless:
 - (a) The employee has a masters degree; or
 - (b) The credits were used in generating state salary allocations before January 1, 1992.
- (7) The salary allocation schedules established in this section are for allocation purposes only except as provided in RCW 28A.400.200(2).

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

The appropriation in this section is subject to the following conditions and limitations:

- (1)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act. Allocations for these salary adjustments shall be provided to all districts that are not grandfathered to receive salary allocations above the statewide salary allocation schedule, and to certain grandfathered districts to the extent necessary to ensure that salary allocations for districts that are currently grandfathered do not fall below the statewide salary allocation schedule.
- (b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.
- (c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 503(2)(b) of this act.
- (d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 18.04 percent for the 2013-14 school year and 18.04 percent for the 2014-15 school year for certificated instructional and certificated administrative staff and 17.45 percent for the 2013-14 school year and 17.45 percent for the 2014-15 school year for classified staff.
- (e) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 502 and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 502 and 503 of this act.
- (f) The appropriations in this section include no salary adjustments for substitute teachers.
- (2) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2013-14 and 2014-15 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$768.00 per month for the 2013-14 school year and \$768.00 per month for the 2014-15 school year.
- (3) The rates specified in this section are subject to revision each year by the legislature.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2014)	\$330,005,000
General Fund--State Appropriation (FY 2015)	\$330,842,000
Education Legacy Trust Account--State Appropriation	\$144,147,000
TOTAL APPROPRIATION	\$804,994,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.
- (2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for the transportation of students as provided in RCW 28A.160.192.
- (b) From July 1, 2013 to August 31, 2013, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 50, Laws of 2011 1st sp. sess., as amended through section 505 of the 2013 omnibus supplemental operating appropriations act.
- (3) A maximum of \$892,000 of this fiscal year 2014 appropriation and a maximum of \$892,000 of the fiscal year 2015 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.
- (4) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(5) The superintendent of public instruction shall base depreciation payments for school district buses on the pre-sales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(6) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(7) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund--State Appropriation (FY 2014)	\$7,111,000
General Fund--State Appropriation (FY 2015)	\$7,111,000
General Fund--Federal Appropriation	\$473,326,000
TOTAL APPROPRIATION	\$487,548,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,111,000 of the general fund--state appropriation for fiscal year 2014 and \$7,111,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced price lunch;

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in (a), (b), and (c) of this subsection.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2014)	\$723,348,000
General Fund--State Appropriation (FY 2015)	\$743,458,000
General Fund--Federal Appropriation	\$462,023,000
Education Legacy Trust--State Appropriation	\$85,078,000
TOTAL APPROPRIATION	\$2,013,907,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390.

(b) From July 1, 2013 to August 31, 2013, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 50, Laws of 2011 1st sp. sess., as amended through section 507 of the 2013 omnibus supplemental operating appropriations act.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund--state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$34,227,000 of the general fund--state appropriation for fiscal year 2014, \$35,592,000 of the general fund--state appropriation for fiscal year 2015, and \$29,574,000 of the general fund--federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2013-14 and 2014-15 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$678,000 may be expended from the general fund--state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$252,000 of the general fund--state appropriation for fiscal year 2014 and \$252,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2014, \$50,000 of the general fund--state appropriation for fiscal year 2015, and \$100,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS

General Fund--State Appropriation (FY 2014)	\$8,532,000
General Fund--State Appropriation (FY 2015)	\$8,540,000
TOTAL APPROPRIATION	\$17,072,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$314,451,000
General Fund--State Appropriation (FY 2015)	\$328,277,000
TOTAL APPROPRIATION	\$642,728,000

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 6.8 percent from the 2012-13 school year to the 2013-14 school year and 1.7 percent from the 2013-14 school year to the 2014-15 school year.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2014)	\$15,292,000
General Fund--State Appropriation (FY 2015)	\$15,495,000
TOTAL APPROPRIATION	\$30,787,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund--state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$1,070,000 of the general fund--state appropriation for fiscal year 2014 and \$1,070,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally

disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

NEW SECTION. Sec. 511. FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2014)	\$9,489,000
General Fund--State Appropriation (FY 2015)	\$9,594,000
Education Legacy Trust Account--State Appropriation	\$153,000
TOTAL APPROPRIATION	\$19,236,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 50, Laws of 2011 1st sp. sess., as amended through section 511 of the 2013 omnibus supplemental operating appropriations act.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2014 and \$85,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the centrum program at Fort Worden state park.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT

General Fund--Federal Appropriation	\$4,052,000
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NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS

General Fund--State Appropriation (FY 2014)	\$138,860,000
General Fund--State Appropriation (FY 2015)	\$101,615,000
General Fund--Federal Appropriation	\$206,243,000
General Fund--Private/Local Appropriation	\$4,002,000
Education Legacy Trust Account--State Appropriation	\$1,599,000
TOTAL APPROPRIATION	\$452,319,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$44,120,000 of the general fund--state appropriation for fiscal year 2014, \$28,232,000 of the general fund--state appropriation for fiscal year 2015, \$1,350,000 of the education legacy trust account--state appropriation, and \$15,868,000 of the general fund--federal appropriation are provided solely for development and implementation of the Washington state assessment system, including: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas and (b) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student assessment results, on or around June 10th of each year. State funding to districts shall be limited to one collection of evidence payment per student, per content-area assessment. Amounts in this subsection are adjusted to reflect savings from enacting legislation that redesigns statewide student assessments using consortium-developed assessments to align with the common core state standards and reduces the number of statewide student assessments.

(2) \$356,000 of the general fund--state appropriation for fiscal year 2014 and \$356,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$980,000 of the general fund--state appropriation for fiscal year 2014 and \$980,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for improving technology infrastructure, monitoring and reporting on school district technology development, promoting standards for school district technology, promoting statewide coordination and planning for technology development, and providing regional educational technology support centers, including state support activities, under chapter 28A.650 RCW.

(4) \$5,851,000 of the general fund--state appropriation for fiscal year 2014 and \$3,935,000 of the general fund--state appropriation for fiscal year 2014 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(5)(a) \$45,263,000 of the general fund--state appropriation for fiscal year 2014 and \$49,673,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$5,090 per teacher in the 2013-14 and 2014-15 school years;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (a)(ii) of this subsection for less than one full school year receive bonuses in a pro-rated manner. All bonuses in (a)(i) and (ii) of this subsection will be paid in July of each school year. Bonuses in (a)(i) and (ii) of this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2013-14 and 2014-15 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary schedule and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(6) \$477,000 of the general fund--state appropriation for fiscal year 2014 and \$477,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(7) \$950,000 of the general fund--state appropriation for fiscal year 2014 and \$950,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(8) \$810,000 of the general fund--state appropriation for fiscal year 2014 and \$810,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(9) \$3,234,000 of the general fund--state appropriation for fiscal year 2014 and \$3,234,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for grants to school districts to provide a continuum of care for children and families to help children become ready to learn. Grant proposals from school districts shall contain local plans designed collaboratively with community service providers. If a continuum of care program exists in the area in which the school district is located, the local plan shall provide for coordination with existing programs to the greatest extent possible.

(10) \$1,500,000 of the general fund--state appropriation for fiscal year 2014 and \$1,500,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of chapter 288, Laws of 2011 (actual student success program), including allocations to the opportunity internship program, the jobs for America's graduates program, the building bridges program, services provided by a college scholarship organization. Funding shall not be used in the 2013-15 fiscal biennium to provide awards for schools and school districts.

(11) \$2,000,000 of the general fund--state appropriation for fiscal year 2014 and \$2,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(12) \$1,277,000 of the general fund--state appropriation for fiscal year 2014 and \$1,277,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$300,000 of the 2014 appropriation and \$300,000 of the 2015 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2014 appropriation and \$100,000 of the fiscal year 2015 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(13) \$125,000 of the general fund--state appropriation for fiscal year 2014 and \$125,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(14) \$135,000 of the general fund--state appropriation for fiscal year 2014 and \$135,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(15) \$1,000,000 of the general fund--state appropriation for fiscal year 2014 and \$1,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a beginning educator support program. School districts and/or regional consortia may apply for grant funding. The superintendent shall implement this program in 5 to 15 school districts and/or regional consortia. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. \$250,000 may be used to provide statewide professional development opportunities for mentors and beginning educators.

(16) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2014, a high school must have offered a foundational project lead the way course during the 2012-13 school year. The 2014 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2013-14 school year. To be eligible for funding in 2015, a high school must have offered a foundational project lead the way course during the 2013-14 school year. The 2015 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2014-15 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(17) \$300,000 of the general fund--state appropriation for fiscal year 2014 and \$300,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for annual start-up grants for aerospace and manufacturing technical programs housed at four skill centers. The grants are provided for start-up equipment and curriculum purchases. To be eligible for funding, the skill center must agree to provide regional high schools with access to a technology laboratory, expand manufacturing certificate and course offerings at the skill center, and provide a laboratory space for local high school teachers to engage in professional development in the instruction of courses leading to student employment certification in the aerospace and manufacturing industries. Once a skill center receives a start-up grant, it is ineligible for additional start-up funding in the following school year. The office of the superintendent of public instruction shall administer the grants in consultation with the center for excellence for aerospace and advanced materials manufacturing.

(18) \$150,000 of the general fund--state appropriation for fiscal year 2014 and \$150,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for annual start-up grants to six high schools to implement the aerospace assembler program. Participating high schools must agree to offer the aerospace assembler training program to students by spring semester of school year 2013-14. Once a high school receives a start-up grant, it is ineligible for additional start-up funding in the following school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

(19) \$75,000 of the general fund--state appropriation for fiscal year 2014 and \$75,000 of the general fund--state appropriation for fiscal year 2015 is provided solely to subsidize the cost of national career readiness certification testing for the state's graduates of the aerospace assembly and advanced manufacturing high school and skill center programs. To be eligible for the subsidy, a student must be enrolled or eligible to participate in the federal free or reduced price lunch program.

(20)(a) \$3,883,000 of the general fund--state appropriation for fiscal year 2014 and \$55,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of House Bill No. 1680 (educational opportunity gap). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(b) Of the amount appropriated for fiscal year 2014 under (a) of this subsection, \$1,000,000 is provided solely for implementation of section 202 of House Bill No. 1680. If section 202 of House Bill No. 1680 is not enacted by June 30, 2013, the amount provided in this subsection (20)(b) shall lapse.

(c) Of the amount appropriated for fiscal year 2014 under (a) of this subsection, \$990,000 is provided solely for implementation of section 402 of House Bill No. 1680. If section 402 of House Bill No. 1680 is not enacted by June 30, 2013, the amount provided in this subsection (20)(c) shall lapse.

(21) \$25,000,000 of the general fund--state appropriation for fiscal year 2014 and \$5,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the provision of training for teachers in the performance-based teacher principal evaluation program.

(22) \$109,000 of the general fund--state appropriation for fiscal year 2014 and \$99,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of the superintendent of public instruction to implement a youth dropout prevention program that incorporates partnerships between community-based organizations, schools, food banks and farms or gardens. The office of the superintendent of public instruction shall select one school district that must partner with an organization that is operating an existing similar program and that also has the ability to serve at least 40 students. Of the amount appropriated in this subsection, up to \$10,000 may be used by the office of the superintendent of public instruction for administration of the program.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund--State Appropriation (FY 2014)	\$93,928,000
General Fund--State Appropriation (FY 2015)	\$104,316,000
General Fund--Federal Appropriation	\$71,015,000
TOTAL APPROPRIATION	\$269,259,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs as provided in RCW 28A.150.260(10)(b). In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six in school years 2013-14 and 2014-15; (ii) additional instruction of 5.0224 hours per week in school year 2013-14 and 5.2668 hours per week in school year 2014-15 per transitional bilingual program student in grades seven through eight; (iii) additional instruction of 5.4224 hours per week in school year 2013-14 and 6.0668 hours per week in school year 2014-15 per transitional bilingual program student in grades nine through twelve; (iv) additional instruction of 0.6000 hours per week in school year 2013-14 for the head count number of students who have exited the transitional bilingual instruction program within the previous school year based on their performance on the English proficiency assessment; (v) additional instruction of 1.2000 hours per week in school year 2014-15 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (vi) fifteen transitional bilingual program students per teacher; (vii) 36 instructional weeks per year; (viii) 900 instructional hours per teacher; and (ix) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 50, Laws of 2011 1st sp. sess., as amended through section 512 of the 2013 omnibus supplemental operating appropriations act.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 1.56 percent for school year 2013-14 and 1.41 percent for school year 2014-15.

(4) The general fund--federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund--state appropriation for fiscal year 2014 and \$35,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to track current and former transitional bilingual program students.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2014)	\$140,495,000
General Fund--State Appropriation (FY 2015)	\$152,956,000
General Fund--Federal Appropriation	\$448,435,000
Education Legacy Trust Account--State Appropriation	\$701,000
TOTAL APPROPRIATION	\$742,587,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund--state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 1.6125 hours per week per funded learning assistance program student for the 2013-14 school year and 1.7094 hours per week for the 2014-15 school year; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 50, Laws of 2011 1st sp. sess., as amended through section 513 of the 2013 omnibus supplemental operating appropriations act.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund--federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act.

(End of part)

PART VI

HIGHER EDUCATION

NEW SECTION. Sec. 601. The appropriations in sections 605 through 611 of this act are subject to the following conditions and limitations:

(1) "Institutions" means the institutions of higher education receiving appropriations under sections 605 through 611 of this act.

(2) The legislature, the office of financial management, and other state agencies need consistent and accurate personnel data from institutions of higher education for policy planning purposes. Institutions of higher education shall report personnel data to the department of personnel for inclusion in the department's data warehouse. Uniform reporting procedures shall be established by the office of financial management's office of the state human resources director for use by the reporting institutions, including provisions for common job classifications and common definitions of full-time equivalent staff. Annual contract amounts, number of contract months, and funding sources shall be consistently reported for employees under contract.

(3) In addition to waivers granted under the authority of RCW 28B.15.910, the governing boards and the state board may waive all or a portion of operating fees for any student. State general fund appropriations shall not be provided to replace tuition and fee revenue foregone as a result of waivers granted under this subsection.

(4) The institutions of higher education receiving state appropriations under sections 605 through 611 of this act shall allot anticipated state and tuition expenditures by budget program and fiscal year.

(5)(a) For institutions receiving appropriations in section 605 of this act, the only allowable salary increases provided are those with normally occurring promotions and increases related to faculty and staff retention. In fiscal year 2014 and fiscal year 2015, the state board for community and technical colleges may use salary and benefit savings from faculty turnover to provide salary increments and associated benefits for faculty who qualify through professional development and training.

(b) For employees under the jurisdiction of chapter 41.56 RCW, salary increases will be in accordance with the applicable collective bargaining agreement. However, an increase shall not be provided to any classified employee whose salary is above the approved salary range maximum for the class to which the employee's position is allocated.

(c) For each institution of higher education receiving appropriations under sections 606 through 611 of this act:

(i) The only allowable salary increases are those associated with normally occurring promotions and increases related to faculty and staff retention; and

(ii) Institutions may provide salary increases from other sources to instructional and research faculty at the universities and The Evergreen State College, exempt professional staff, teaching and research assistants, as classified by the office of financial management, and all other nonclassified staff, but not including employees under chapter 41.80 RCW. Any salary increase granted under the authority of this subsection (4)(c)(ii) shall not be included in an

institution's salary base for future state funding. It is the intent of the legislature that state general fund support for an institution shall not increase during the current or any future biennium as a result of any salary increases authorized under this subsection (4)(c)(ii).

NEW SECTION. Sec. 602. (1) Within the amounts appropriated in this act, each institution of higher education is expected to enroll and educate at least the following numbers of full-time equivalent state- supported students per academic year:

	2013-14 Annual Average	2014-15 Annual Average
University of Washington	37,162	37,162
Washington State University	22,228	22,228
Central Washington University	8,808	8,808
Eastern Washington University	8,734	8,734
The Evergreen State College	4,213	4,213
Western Washington University	11,762	11,762
State Board for Community & Technical Colleges		
Adult Students	139,237	139,237
Running Start Students	11,558	11,558

(2) In achieving or exceeding these enrollment targets, each institution shall seek to:

(a) Maintain and to the extent possible increase enrollment opportunities at branch campuses;

(b) Maintain and to the extent possible increase enrollment opportunities at university centers and other partnership programs that enable students to earn baccalaureate degrees on community college campuses; and

(c) Eliminate and consolidate programs of study for which there is limited student or employer demand, or that are not areas of core academic strength for the institution, particularly when such programs duplicate offerings by other in-state institutions.

(3) For purposes of monitoring and reporting statewide enrollment, the University of Washington and Washington State University shall notify the office of financial management of the number of full-time student equivalent enrollments budgeted for each of their campuses.

NEW SECTION. Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS

(1) In order to operate within the state funds appropriated in this act, the governing boards of the state research universities, the state regional universities, and The Evergreen State College are authorized to adopt and adjust tuition and fees for the 2013-14 and 2014-15 academic years as provided in this section.

(2) For the purposes of chapter 28B.15 RCW, the omnibus appropriations act assumes increases of tuition levels for resident undergraduate students over the amounts charged to resident undergraduate students for the prior year, as follows:

University of Washington	5%
Washington State University	5%
Central Washington University	3%
Eastern Washington University	3%
The Evergreen State College	3%

(3) The governing boards of the state research universities, the state regional universities, and The Evergreen State College may exceed the tuition levels assumed in subsection (2) of this section. However, to the extent that tuition levels exceed the tuition levels assumed in subsection (2) of this section, the institution shall be subject to the conditions and limitations provided in chapter 28B.15 RCW as amended by chapter 10, Laws of 2011 sp. sess. (higher education opportunity act). In order to facilitate the full implementation of chapter 10, Laws of 2011 sp. sess., the institutions of higher education are authorized to adopt tuition levels that are less than, equal to, or greater than the tuition levels assumed in subsection (2) of this section.

(4) Each governing board is authorized to increase tuition charges to graduate and professional students, and to nonresident undergraduate students, by amounts judged reasonable and necessary by the governing board.

(5) Each governing board is authorized to increase summer quarter or semester tuition fees for resident and nonresident undergraduate, graduate, and professional students pursuant to RCW 28B.15.067.

(6) Each governing board is authorized to adopt or increase charges for fee-based, self-sustaining degree programs, credit courses, noncredit workshops and courses, and special contract courses by amounts judged reasonable and necessary by the governing board.

(7) Each governing board is authorized to adopt or increase services and activities fees for all categories of students as provided in RCW 28B.15.069.

(8) Each governing board is authorized to adopt or increase technology fees as provided in RCW 28B.15.069.

(9) Each governing board is authorized to adopt or increase special course and lab fees, and health and counseling fees, to the extent necessary to cover the reasonable and necessary exceptional cost of the course or service.

(10) Each governing board is authorized to adopt or increase administrative fees such as, but not limited to, those charged for application, matriculation, special testing, and transcripts by amounts judged reasonable and necessary by the governing board.

(11) The state universities, the regional universities, and The Evergreen State College must accept the transfer of college-level courses taken by running start students if a student seeking a transfer of the college-level courses has been admitted to the state university, the regional university, or The Evergreen State College, and if the college-level courses are recognized as transferrable by the admitting institution of higher education.

NEW SECTION. Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

(1) The state board may increase the tuition fees charged to resident undergraduate students by no more than three percent over the amounts charged to resident undergraduates during the prior academic year. The board may increase tuition fees under this subsection differentially based on student credit hour load, provided that the overall increase in average tuition revenue per student does not exceed three percent.

(2) Appropriations in section 605 include the restoration of the three percent reduction in compensation costs taken in the 2011-2013 fiscal biennium. This funding is sufficient to implement 2013-2015 collective bargaining agreements at institutions of higher education negotiated under chapter 41.80 RCW. The colleges may also use the restored funds for any other purpose including restoring prior compensation reductions, increasing compensation, and implementing other collective bargaining agreements.

(3) The state board may increase the tuition fees charged to nonresident students by amounts judged reasonable and necessary by the board.

(4) The trustees of the technical colleges are authorized to either (a) increase operating fees for resident undergraduates by no more than three percent over the amounts charged to resident undergraduates during the prior academic year; or (b) fully adopt the tuition fee charge schedule adopted by the state board for community colleges.

(5) For academic years 2013-14 and 2014-15, the trustees of the technical colleges are authorized to increase building fees by an amount judged reasonable in order to progress toward parity with the building fees charged students attending the community colleges.

(6) The state board is authorized to increase the maximum allowable services and activities fees as provided in RCW 28B.15.069. The trustees of the community and technical colleges are authorized to increase services and activities fees up to the maximum level authorized by the state board.

(7) The trustees of the community and technical colleges are authorized to adopt or increase charges for fee-based, self-sustaining programs such as summer session, international student contracts, and special contract courses by amounts judged reasonable and necessary by the trustees.

(8) The trustees of the community and technical colleges are authorized to adopt or increase special course and lab fees to the extent necessary to cover the reasonable and necessary exceptional cost of the course or service.

(9) The trustees of the community and technical colleges are authorized to adopt or increase administrative fees such as but not limited to those charged for application, matriculation, special testing, and transcripts by amounts judged reasonable and necessary by the trustees.

NEW SECTION. Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2014) \$548,495,000

General Fund--State Appropriation (FY 2015) \$549,676,000

Community/Technical College Capital Projects

Account--State Appropriation \$17,548,000

Education Legacy Trust Account--State

Appropriation \$110,469,000

TOTAL APPROPRIATION \$1,226,188,000

The appropriations in this section are subject to the following conditions and limitations:

(1) When implementing the appropriations in this section, the state board and the trustees of the individual community and technical colleges shall minimize impact on academic programs, maximize reductions in administration, and shall at least maintain, and endeavor to increase, enrollment opportunities and degree and certificate production in high employer-demand fields of study at their academic year 2008-09 levels.

(2) \$33,261,000 of the general fund--state appropriation for fiscal year 2014 and \$33,261,000 of the general fund--state appropriation for fiscal year 2015 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2014 and at least 6,200 full-time equivalent students in fiscal year 2015.

(3) \$5,450,000 of the education legacy trust account--state appropriation is provided solely for administration and customized training contracts through the job skills program.

(4) \$3,928,000 of the education legacy trust account appropriation is provided solely for the expansion of enrollment in aerospace and STEM (science, technology, engineering and math) programs. The state board will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the state board shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the colleges, and how many students are enrolled in aerospace and STEM programs above the 2012-2013 academic year baseline.

(5) \$200,000 of the education legacy trust account appropriation is provided solely for the aerospace center of excellence currently hosted by Everett community college to:

(a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;

(b) Enhance information technology to increase business and student accessibility and use of the center's web site; and

(c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.

(6) \$362,000 of the education legacy trust account appropriation is provided solely for the opportunity center for employment and education internet technology integration project at north Seattle community college.

(7) \$510,000 of the education legacy trust account appropriation is provided solely for implementation of a maritime industries training program at south Seattle community college.

(8) \$200,000 of the general fund--state appropriation for fiscal year 2014 and \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the labor center at the Georgetown south Seattle community college campus. \$50,000 of the amount provided in this subsection for fiscal year 2014 and \$50,000 of the amounts for 2015 are provided solely for the labor center archive project.

(9) \$10,000,000 of the education legacy trust account appropriation is provided solely for the student achievement initiative.

(10) \$75,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Second Substitute House Bill No. 1680 (education opportunity gap). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

(11) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.

(12) Within existing funds, boards of the trustees at the community and technical colleges shall award faculty salary step increases, pursuant to locally bargained agreements and the provisions of House Bill No. 1348 (community and tech colleges).

(13) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 606. FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2014)	\$227,004,000
General Fund--State Appropriation (FY 2015)	\$226,894,000
Geoduck Aquaculture Research Account--State Appropriation	\$300,000
Education Legacy Trust Account--State Appropriation	\$20,769,000
Economic Development Strategic Reserve Account-- State Appropriation	\$3,000,000
Biotoxin Account--State Appropriation	\$390,000
Accident Account--State Appropriation	\$6,767,000
Medical Aid Account--State Appropriation	\$6,566,000
TOTAL APPROPRIATION	\$491,690,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$300,000 of the geoduck aquaculture research account--state appropriation is provided solely for the University of Washington sea grant program to commission scientific research studies that examine possible negative and positive effects, including the cumulative effects and the economic contribution, of evolving shellfish aquaculture techniques and practices on Washington's economy and marine ecosystems. The research conducted for the studies is not intended to be a basis for an increase in the number of shellfish harvesting permits available and should be coordinated with any research efforts related to ocean acidification. The University of Washington must submit an annual report detailing any findings and outline the progress of the study, consistent with RCW 43.01.036, to the appropriate legislative committees by December 1st of each year.

(3) \$52,000 of the general fund--state appropriation for fiscal year 2014 and \$52,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the center for international trade in forest products in the college of forest resources.

(4) \$2,000,000 of the education legacy trust account appropriation is provided solely for the college of engineering to support an increase in the number of engineering graduates by 425 students. By September 1, 2013, and each September 1st thereafter, the university shall provide an updated report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in engineering programs above the baseline.

(5) \$14,491,000 of the education legacy trust account appropriation is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(6) \$6,000,000 of the general fund--state appropriation for fiscal year 2014 and \$6,000,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for creation of a clean energy institute. The institute shall integrate physical sciences and engineering with a research focus on energy storage and solar energy.

(7) \$3,000,000 of the economic development strategic reserve account appropriation is provided solely to support the joint center for aerospace innovation technology.

(8) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 607. FOR WASHINGTON STATE UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$147,413,000
General Fund--State Appropriation (FY 2015)	\$149,072,000
Education Legacy Trust Account--State Appropriation	\$39,377,000
TOTAL APPROPRIATION	\$335,862,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,000,000 of the education legacy trust account appropriation is provided solely for the college of engineering to support an increase in the number of engineering graduates by 425 students. By September 1, 2013, and each September 1st thereafter, the university shall provide an updated report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in engineering programs above the baseline.

(3) \$8,389,000 of the education legacy trust account appropriation is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(4) \$25,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Ruckelshaus center to collaborate with local governments, the media, and representatives of the public regarding public record requests made to local government. The center shall facilitate meetings and discussions and report to the appropriate committees of the legislature. The report shall include information on:

(a) Recommendations related to balancing open public records with concerns of local governments related to interfering with the work of the local government;

(b) Resources necessary to accommodate requests;

(c) Potential harassment of government employees;

(d) Potential safety concerns of people named in the record;

(e) Potentially assisting criminal activity; and

(f) Other issues brought forward by the participants.

The center shall report to the appropriate committees of the legislature by December 15, 2013.

(5) \$250,000 of the general fund--state appropriation for fiscal year 2014 and \$250,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Washington State University agricultural research center to research and conduct a detailed analysis of nonlethal methods of mitigating conflicts between livestock and large wild carnivores. The amounts appropriated in this subsection may not be subject to an administrative fee or charge, and must be used for costs directly associated with the research and analysis.

(6) \$2,915,000 of the general fund--state appropriation for fiscal year 2014 and \$3,885,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for expansion of medical education and biomedical research in Spokane.

(7) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

NEW SECTION. Sec. 608. FOR EASTERN WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$28,705,000
General Fund--State Appropriation (FY 2015)	\$28,756,000
Education Legacy Trust Account--State Appropriation	\$16,560,000
TOTAL APPROPRIATION	\$74,021,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,082,000 of the education legacy trust account appropriation is provided solely for improvements in student completion and retention rates in order to increase the university's four year graduation rate. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the university, and any changes in completion and retention rates.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$25,964,000
General Fund--State Appropriation (FY 2015)	\$25,965,000
Education Legacy Trust Account--State Appropriation	\$19,819,000
TOTAL APPROPRIATION	\$71,748,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$2,761,000 of the education legacy trust account appropriation is provided solely for improvements in student completion and retention rates in order to increase the university's four year graduation rate. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the university, and any changes in completion and retention rates.

(3) \$25,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the college of education to conduct a study identifying the duties encompassed in a state-funded teacher's typical work day. The study must include an estimate of the percent of a teacher's typical day that is spent on teaching related duties and the percentage of the teacher's day that is spent on duties that are not directly related to teaching. The university shall submit a report to the appropriate committees of the legislature by December 1, 2013.

(4) Amounts appropriated in this section are sufficient for the university to develop a plan to create an online degree granting entity that awards degrees based on an alternative credit model. The university shall submit a final plan by December 1, 2013, to the higher education committees of the legislature.

(5) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 610. FOR THE EVERGREEN STATE COLLEGE

General Fund--State Appropriation (FY 2014)	\$16,746,000
General Fund--State Appropriation (FY 2015)	\$16,537,000
Education Legacy Trust Account--State Appropriation	\$5,855,000
TOTAL APPROPRIATION	\$39,138,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$1,157,000 of the education legacy trust account appropriation is provided solely for instructional support. By September 1, 2014, and each September 1st thereafter, the college shall provide a report that provides the specific details on how these amounts were spent in the preceding fiscal year and any process changes or best-practices implemented by the college.

(3) \$75,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the Washington state institution for public policy to conduct a comprehensive study of the financial incentives promoting distributed generation in Washington. Distributed generation is electric generation, often from renewable resources, connected to a utility's distribution grid and located at or near where the electricity will be used.

(a) Specifically, the institute's study shall:

(i) Include a review of the costs and benefits of net metering, the renewable energy investment cost recovery program, other tax credits, reductions, and exemptions, and the provisions of double renewable energy credits for renewable resource generation projects under five megawatts as allowed under the energy independence act;

(ii) Determine whether the incentives available to distributed generation are consistent with one another and work together in meeting the state's goals for the electric distribution system and promoting cost-effective distributed generation;

(iii) Evaluate whether the current incentive structure encourages long-term, sustainable energy and environmental benefits to the ratepayers and the citizens of Washington;

(iv) Recommend, as needed, changes to the current incentive structure or new policies based on its findings;

(v) Contain both a region specific life-cycle assessment and economic analysis of distributed generation; and

(vi) Establish a system to properly assign incentives to distributed generation on a per-technology basis, based on the costs and benefits associated with each technology type.

(b) The institute shall provide a final report to the legislature by February 1, 2014.

(4) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(5) The Evergreen State College shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY

General Fund--State Appropriation (FY 2014)	\$38,025,000
General Fund--State Appropriation (FY 2015)	\$38,062,000
Education Legacy Trust Account--State Appropriation	\$14,088,000
TOTAL APPROPRIATION	\$90,175,000

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and governing board shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$5,958,000 of the education legacy trust account appropriation is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

(3) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

NEW SECTION. Sec. 612. FOR THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION AND ADMINISTRATION

General Fund--State Appropriation (FY 2014)	\$5,320,000
General Fund--State Appropriation (FY 2015)	\$5,336,000
General Fund--Federal Appropriation	\$4,820,000
TOTAL APPROPRIATION	\$15,476,000

The appropriations in this section are subject to the following conditions and limitations: The student achievement council is authorized to increase or establish fees for initial degree authorization, degree authorization renewal, degree authorization reapplication, new program applications, and new site applications pursuant to RCW 28B.85.060.

NEW SECTION. Sec. 613. FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$257,535,000
General Fund--State Appropriation (FY 2015)	\$269,729,000
General Fund--Federal Appropriation	\$11,658,000
General Fund--Private/Local Appropriation	\$34,000
Education Legacy Trust Account--State Appropriation	\$58,698,000
Washington Opportunity Pathways Account--State Appropriation	\$147,000,000
TOTAL APPROPRIATION	\$744,654,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$247,392,000 of the general fund--state appropriation for fiscal year 2014, \$260,043,000 of the general fund--state appropriation, \$147,000,000 of the opportunity pathways account--state appropriation, and \$3,524,000 of the education legacy trust account--state appropriation are provided solely for student financial aid payments under the state need grant and state work study programs including up to four percent administrative allowance for the state work study program.

(2) Changes made to the state need grant program in the 2011-2013 fiscal biennium are continued in the 2013-2015 fiscal biennium including aligning increases in awards given to private institutions with the annual tuition increases for public research institutions or the private institution's average annual tuition increase experience of 3.5 percent per year, whichever is less, and reducing the awards for students who first enrolled as a new student in for-profit institutions as of the 2011-2012 academic year or thereafter by fifty percent.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2013-2015 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) Within the funds appropriated in this section, eligibility for the state need grant shall include students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. The student achievement council shall report to the legislature by December 1, 2014, regarding the number of students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits, and their academic progress including degree completion. Awards for all students shall be adjusted by the estimated amount by which Pell grant increases exceed projected increases in the noninstructional costs of attendance. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(5) Students who are eligible for the college bound scholarship shall be given priority for the state need grant program. Institutions must award the maximum state need grant for which the student is eligible under state policies prior to awarding a college bound scholarship for students who have applied for aid in a timely fashion.

(6) \$50,174,000 of the education legacy trust account appropriation is provided solely for the college bound scholarship program.

(7) Students who meet the qualifications pursuant to section 950 of this act are eligible to receive state need grant awards.

(8) \$5,000,000 of the education legacy trust account appropriation is provided solely for the opportunity scholarship program.

(9) \$2,236,000 of the general fund--state appropriation for fiscal year 2014 and \$2,236,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the passport to college program. The maximum scholarship award shall be \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2014 and 2015 for this purpose.

(10) In developing the skilled and educated workforce report pursuant to RCW 28B.77.080(3), the council shall use the bureau of labor statistics analysis of the education and training requirements of occupations, in addition to any other method the council may choose to use, to assess the number and type of higher education and training credentials required to match employer demand for a skilled and educated workforce.

(11) \$100,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for the implementation of Substitute House Bill No. 1817 (higher ed financial aid). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 614. FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund--State Appropriation (FY 2014)	\$1,629,000
General Fund--State Appropriation (FY 2015)	\$1,518,000
General Fund--Federal Appropriation	\$54,254,000
TOTAL APPROPRIATION	\$57,401,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For the 2013-2015 fiscal biennium the board shall not designate recipients of the Washington award for vocational excellence or recognize them at award ceremonies as provided in RCW 28C.04.535.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2014 and \$42,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the implementation of Substitute House Bill No. 1472 (computer science education). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

NEW SECTION. Sec. 615. FOR THE DEPARTMENT OF EARLY LEARNING

General Fund--State Appropriation (FY 2014)	\$43,953,000
General Fund--State Appropriation (FY 2015)	\$55,069,000
General Fund--Federal Appropriation	\$313,982,000
Opportunity Pathways Account--State Appropriation	\$80,000,000
Home Visiting Services Account--Federal Appropriation	\$613,000
Children's Trust Account--State Appropriation	\$180,000
TOTAL APPROPRIATION	\$493,797,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$30,016,000 of the general fund--state appropriation for fiscal year 2014, \$42,797,000 of the general fund--state appropriation for fiscal year 2015, and \$80,000,000 of the opportunity pathways account appropriation are provided solely for the early childhood education assistance program services. Of these amounts, \$10,284,000 is a portion of the biennial amount of state maintenance of effort dollars required to receive federal child care and development fund grant dollars.

(2) \$638,000 of the general fund--state appropriation for fiscal year 2014, and \$638,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for child care resource and referral network services.

(3) \$200,000 of the general fund--state appropriation for fiscal year 2014 and \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(4) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(5) \$1,434,000 of the general fund--state appropriation for fiscal year 2014, \$1,434,000 of the general fund--state appropriation for fiscal year 2015, and \$22,144,000 of the general fund--federal appropriation are provided solely for expenditure into the home visiting services account. This funding is intended to meet federal maintenance of effort requirements and to secure private matching funds.

(a) All federal funds received by the department for home visiting activities must be deposited into the home visiting services account.

(b) The department must consult with stakeholders during the development of the Washington home visiting plan and any future proposals for federal funding.

(c) No more than \$613,000 of the home visiting services account--federal appropriation may be expended for program administration in the 2013-2015 fiscal biennium pursuant to RCW 43.215.130. No other funds may be expended for that purpose.

(6)(a) \$153,717,000 of the general fund--federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center.

(7) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report quarterly enrollments and active caseload for the working connections child care program to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care.

(8) \$1,025,000 of the general fund--state appropriation for fiscal year 2014, \$1,025,000 of the general fund--state appropriation for fiscal year 2015, and \$13,424,000 of the general fund--federal appropriation are provided solely for the seasonal child care program. If federal sequestration cuts are realized, cuts to the seasonal child care program must be proportional to other federal reductions made within the department.

(9) \$4,122,000 of the general fund--state appropriation for fiscal year 2014, \$2,522,000 of the general fund--state appropriation for fiscal year 2015, and \$2,704,000 of the general fund--federal appropriation are provided solely for the medicaid treatment child care (MTCC) program. The department shall contract for MTCC services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration. In addition to referrals made by children's administration, the department shall authorize services for children referred to the MTCC program, as long as the children meet the eligibility requirements as outlined in the Washington state plan for the MTCC program. Of the amounts appropriated in this subsection, \$60,000 per fiscal year may be used by the department for administering the MTCC program, if needed.

(10) \$150,000 of the general fund--state appropriation for fiscal year 2014 and \$150,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(11) \$793,000 of the general fund--state appropriation for fiscal year 2014 and \$796,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of an electronic benefits transfer system. To the maximum extent possible, the department shall work to integrate this system with the department of social and health services payment system. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section . . . of this act, information systems projects.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2014 and \$50,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for implementation of Second Substitute House Bill No. 1671 (child care reform). If the bill is not enacted by June 30, 2013, the amounts provided in this subsection shall lapse.

(13) \$60,000 of the general fund--state appropriation for fiscal year 2014 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (state-tribal education compacts). If the bill is not enacted by June 30, 2013, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 616. FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2014)	\$6,024,000
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General Fund--State Appropriation (FY 2015) \$5,809,000
 General Fund--Private/Local Appropriation \$18,000
 TOTAL APPROPRIATION \$11,851,000

NEW SECTION. Sec. 617. FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund--State Appropriation (FY 2014) \$8,610,000
 General Fund--State Appropriation (FY 2015) \$8,604,000
 TOTAL APPROPRIATION \$17,214,000

NEW SECTION. Sec. 618. FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund--State Appropriation (FY 2014) \$1,126,000
 General Fund--State Appropriation (FY 2015) \$1,099,000
 General Fund--Federal Appropriation \$2,074,000
 General Fund--Private/Local Appropriation \$12,000
 TOTAL APPROPRIATION \$4,311,000

NEW SECTION. Sec. 619. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014) \$2,110,000
 General Fund--State Appropriation (FY 2015) \$2,140,000
 TOTAL APPROPRIATION \$4,250,000

NEW SECTION. Sec. 620. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund--State Appropriation (FY 2014) \$1,601,000
 General Fund--State Appropriation (FY 2015) \$1,534,000
 TOTAL APPROPRIATION \$3,135,000

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2014) \$973,839,000
 General Fund--State Appropriation (FY 2015) \$1,051,513,000
 State Building Construction Account--State
 Appropriation \$4,297,000
 Columbia River Basin Water Supply Development
 Account--State Appropriation \$269,000
 State Taxable Building Construction Account--State
 Appropriation \$211,000
 Debt-Limit Reimbursable Bond Retire Account--State
 Appropriation \$2,320,000
 TOTAL APPROPRIATION \$2,032,449,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2014 shall be expended into the debt-limit general fund bond retirement account by June 30, 2014.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

Accident Account--State Appropriation \$4,138,000
 Medical Aid Account--State Appropriation \$4,138,000
 TOTAL APPROPRIATION \$8,276,000

NEW SECTION. Sec. 703. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2014) \$25,636,000
 General Fund--State Appropriation (FY 2015) \$16,102,000
 Nondebt-Limit Reimbursable Bond Retirement Account--State
 Appropriation \$140,215,000
 TOTAL APPROPRIATION \$181,953,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2014 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2014.

NEW SECTION. Sec. 704. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund--State Appropriation (FY 2014)	\$1,726,000
General Fund--State Appropriation (FY 2015)	\$1,726,000
State Building Construction Account--State Appropriation	\$867,000
Columbia River Basin Water Supply Development Account--State Appropriation	\$57,000
State Taxable Building Construction Account--State Appropriation	\$45,000
TOTAL APPROPRIATION	\$4,421,000

NEW SECTION. Sec. 705. FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY

General Fund--State Appropriation (FY 2014)	\$4,000,000
General Fund--State Appropriation (FY 2015)	\$4,000,000
TOTAL APPROPRIATION	\$8,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the disaster response account to be used for any Washington state fire service resource mobilization costs incurred by the Washington state patrol in response to an emergency or disaster authorized under RCW 43.43.960 and 43.43.964.

NEW SECTION. Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT

General Fund--State Appropriation (FY 2014)	\$5,100,000
General Fund--State Appropriation (FY 2015)	\$2,500,000
TOTAL APPROPRIATION	\$7,600,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the disaster response account for emergency fire suppression by the department of natural resources and to complete projects necessary to recover from previously declared disasters.

NEW SECTION. Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--EMERGENCY FUND

General Fund--State Appropriation (FY 2014)	\$850,000
General Fund--State Appropriation (FY 2015)	\$850,000
TOTAL APPROPRIATION	\$1,700,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for the governor's emergency fund for the critically necessary work of any agency.

NEW SECTION. Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION TECHNOLOGY REVOLVING ACCOUNT

General Fund--State Appropriation (FY 2014)	\$8,000,000
General Fund--State Appropriation (FY 2015)	\$8,000,000
TOTAL APPROPRIATION	\$16,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the education technology revolving account for the purpose of covering ongoing operational and equipment replacement costs incurred by the K-20 educational network program in providing telecommunication services to network participants.

NEW SECTION. Sec. 709. FOR THE OFFICE OF FINANCIAL MANAGEMENT--O'BRIEN BUILDING IMPROVEMENT

General Fund--State Appropriation (FY 2014)	\$2,948,000
General Fund--State Appropriation (FY 2015)	\$2,942,000
TOTAL APPROPRIATION	\$5,890,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the general administration services account for payment of principal, interest, and financing expenses associated with the certificate of participation for the O'Brien building improvement, project number 20081007.

NEW SECTION. Sec. 710. FOR THE DEPARTMENT OF HEALTH--COUNTY PUBLIC HEALTH ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$24,000,000
General Fund--State Appropriation (FY 2015)	\$24,000,000
TOTAL APPROPRIATION	\$48,000,000

The appropriations in this section are subject to the following conditions and limitations: The director of the department of health shall distribute the appropriations to the following counties and health districts in the amounts designated to support public health services, including public health nursing:

Health District	FY 2014	FY 2015	2013-15 Biennium
Adams County Health District	\$30,951	\$30,951	\$61,902
Asotin County Health District	\$67,714	\$67,714	\$135,428

Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
Clallam County Health and Human Services Department	\$141,752	\$141,752	\$283,504
Clark County Health District	\$1,057,792	\$1,057,792	\$2,115,594
Skamania County Health Department	\$26,681	\$26,681	\$53,362
Columbia County Health District	\$40,529	\$40,529	\$81,058
Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
Garfield County Health District	\$15,028	\$15,028	\$30,056
Grant County Health District	\$118,595	\$118,596	\$237,191
Grays Harbor Health Department	\$183,870	\$183,870	\$367,740
Island County Health Department	\$91,892	\$91,892	\$183,784
Jefferson County Health and Human Services	\$85,782	\$85,782	\$171,564
Seattle-King County Department of Public Health	\$9,531,747	\$9,531,747	\$19,063,494
Bremerton-Kitsap County Health District	\$554,669	\$554,669	\$1,109,338
Kittitas County Health Department	\$92,499	\$92,499	\$184,998
Klickitat County Health Department	\$62,402	\$62,402	\$124,804
Lewis County Health Department	\$105,801	\$105,801	\$211,602
Lincoln County Health Department	\$29,705	\$29,705	\$59,410
Mason County Department of Health Services	\$95,988	\$95,988	\$191,976
Okanogan County Health District	\$63,458	\$63,458	\$126,916
Pacific County Health Department	\$77,427	\$77,427	\$154,854
Tacoma-Pierce County Health Department	\$2,820,590	\$2,820,590	\$5,641,180
San Juan County Health and Community Services	\$37,531	\$37,531	\$75,062
Skagit County Health Department	\$223,927	\$223,927	\$447,854
Snohomish Health District	\$2,258,207	\$2,258,207	\$4,516,414
Spokane County Health District	\$2,101,429	\$2,101,429	\$4,202,858
Northeast Tri-County Health District	\$110,454	\$110,454	\$220,908
Thurston County Health Department	\$600,419	\$600,419	\$1,200,838
Wahkiakum County Health Department	\$13,773	\$13,772	\$27,545
Walla Walla County-City Health Department	\$172,062	\$172,062	\$344,124
Whatcom County Health Department	\$855,863	\$855,863	\$1,711,726
Whitman County Health Department	\$78,733	\$78,733	\$157,466
Yakima Health District	\$623,797	\$623,797	\$1,247,594

TOTAL APPROPRIATIONS	\$24,000,000	\$24,000,000	\$48,000,000
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NEW SECTION. Sec. 711. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

(1) There is appropriated for state contributions to the law enforcement officers' and firefighters' retirement system:

General Fund--State Appropriation (FY 2014)	\$58,700,000
General Fund--State Appropriation (FY 2015)	\$61,600,000
TOTAL APPROPRIATION	\$120,300,000

(2) There is appropriated for contributions to the judicial retirement system:

General Fund--State Appropriation (FY 2014)	\$10,600,000
General Fund--State Appropriation (FY 2015)	\$10,600,000
TOTAL APPROPRIATION	\$21,200,000

NEW SECTION. Sec. 712. FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE EFFICIENCY AND RESTRUCTURING REPAYMENT

General Fund--State Appropriation (FY 2014)	\$4,981,000
General Fund--State Appropriation (FY 2015)	\$4,981,000
TOTAL APPROPRIATION	\$9,962,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the cleanup settlement account on July 1, 2013, and July 1, 2014, as repayment of moneys that were transferred to the state efficiency and restructuring account.

NEW SECTION. Sec. 713. FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMPENSATION INCREASE - NEW STEP M

General Fund--State Appropriation (FY 2014)	\$17,988,000
General Fund--State Appropriation (FY 2015)	\$20,627,000
Special Compensation Increase Revolving Account Appropriation	\$25,751,000
TOTAL APPROPRIATION	\$64,366,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely to increase agency and institution appropriations to reflect compensation increases resulting from the implementation of a new step M on the salary grid for classified employees.

(2) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer shall transfer sufficient moneys from each dedicated fund or account to the special compensation increase revolving account in accordance with schedules provided by the office of financial management.

NEW SECTION. Sec. 714. FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEAN MANAGEMENT STRATEGIES EFFICIENCY SAVINGS

General Fund--State Appropriation (FY 2015)	(\$20,000,000)
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The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature is committed to promoting a state government culture that makes sustained improvement a habitual behavior from front-line staff to agency leadership.

(2) The office of financial management must develop a strategic lean management action plan to drive efficiencies in state spending and to increase productivity of state employees while improving and increasing state services for taxpayers. The action plan must determine the specific agencies and programs that would benefit most from application of the application plan, and the plan must target resources accordingly.

(3) The office of financial management must integrate lean principles into all performance management efforts.

(4) The office of financial management and the office of the chief information officer must integrate lean principles into all major information technology initiatives.

(5) The office of financial management must develop and implement a lean practitioner fellowship program to train state agency staff. Agency staff participating in the fellowship will be assigned to work on statewide efforts that streamline and improve processes across agencies.

(6) Agencies must report to the office of financial management at least twice per fiscal year process improvements and efficiencies gained through tools such as the lean strategy. The office of financial management must compile and transmit these reports to the appropriate fiscal committees of the legislature at least every six months, beginning January 1, 2014.

(7) The office of financial management must report to the legislature by December 2014 on the viability of the lean/performance management program becoming a self-funding program.

(8) The office of financial management must reduce allotments for affected state agencies by \$20,000,000 from the state general fund for fiscal year 2015 in this act to reflect fiscal year 2015 savings resulting from application of the lean management and performance management strategies required by this section.

NEW SECTION. Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ELECTRONIC MEDICAL RECORD STUDY

General Fund--State Appropriation (FY 2014)	\$2,068,000
General Fund--State Appropriation (FY 2015)	\$2,066,000
General Fund--Federal Appropriation	\$240,000
TOTAL APPROPRIATION	\$4,374,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the state psychiatric hospitals to plan, procure, and implement the core elements of an electronic medical record system that is compliant with the international classification of diseases (ICD-10) by October 1, 2014. These funds must only be used for an electronic medical record system that meets federal criteria for electronic sharing of patient information and clinical care summaries with doctors' offices, hospitals, and health systems which use federally certified electronic health record systems. The procurement and implementation shall be conducted to allow for these services to be expanded to the department of corrections. The amounts provided in this subsection are conditioned on the department satisfying the requirements of the project management oversight standards and policies established by the office of the chief information officer and the provisions of section 944 of this act, information systems projects.

NEW SECTION. Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--CONSOLIDATED TECHNOLOGY SERVICES

General Fund--State Appropriation (FY 2014)	\$2,055,000
General Fund--State Appropriation (FY 2015)	\$2,469,000
Other Appropriated Funds	\$4,462,000
TOTAL APPROPRIATION	\$8,986,000

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect expenditures associated with consolidated technology services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92J-2013 dated April 7, 2013.

NEW SECTION. Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ATTORNEY GENERAL LEGAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$401,000)
General Fund--State Appropriation (FY 2015)	(\$338,000)
Other Appropriated Funds	(\$2,759,000)
TOTAL APPROPRIATION	(\$3,498,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with attorney general legal services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92E-2013 dated April 7, 2013.

NEW SECTION. Sec. 718. FOR THE OFFICE OF FINANCIAL MANAGEMENT--ADMINISTRATIVE HEARINGS

General Fund--State Appropriation (FY 2014)	\$89,000
General Fund--State Appropriation (FY 2015)	\$89,000
Other Appropriated Funds	\$284,000
TOTAL APPROPRIATION	\$462,000

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect expenditures associated with administrative hearings.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92G-2013 dated April 7, 2013.

NEW SECTION. Sec. 719. FOR THE OFFICE OF FINANCIAL MANAGEMENT--DEPARTMENT OF ENTERPRISE SERVICES CENTRAL SERVICES

General Fund--State Appropriation (FY 2014)	(\$2,102,000)
General Fund--State Appropriation (FY 2015)	(\$323,000)
Other Appropriated Funds	(\$1,804,000)
TOTAL APPROPRIATION	(\$4,229,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with central services provided by the department of enterprise services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document 92K-2013 dated April 7, 2013.

NEW SECTION. Sec. 720. FOR THE OFFICE OF THE INSURANCE COMMISSIONER--HEALTH BENEFIT EXCHANGE ACCOUNT

General Fund--State Appropriation (FY 2014)	\$676,000
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The appropriations in this section are subject to the following conditions and limitations: The amounts in this section are provided solely for expenditure into the health benefit exchange account--state and are provided as a loan to be repaid with amounts from the health benefit exchange account--state by July 30, 2015.

NEW SECTION. Sec. 721. FOR THE OFFICE OF FINANCIAL MANAGEMENT--COMMUNICATION SERVICES REFORM

General Fund--State Appropriation (FY 2014)	\$47,000
General Fund--State Appropriation (FY 2015)	\$4,953,000
TOTAL APPROPRIATION	\$5,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for expenditure into the universal communications services fund to implement Substitute House Bill No. 1971 (communications services). If the bill is not enacted by June 30, 2013, the appropriations provided in this section shall lapse.

NEW SECTION. Sec. 722. FOR THE OFFICE OF FINANCIAL MANAGEMENT--CONTRIBUTIONS FOR STATE EMPLOYEE HEALTH INSURANCE

General Fund--State Appropriation (FY 2014)	(\$11,096,000)
General Fund--State Appropriation (FY 2015)	(\$5,541,000)
General Fund--Federal Appropriation	(\$1,757,000)
Special Insurance Contribution Adjustment	
Revolving Account Appropriation	(\$13,348,000)
TOTAL APPROPRIATION	(\$31,742,000)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely to reduce agency and institution appropriations to reflect the reductions in the state employer funding rate for health insurance, and decreased employer health insurance costs consistent with the contribution rates included in sections 936, 937, and 938 of this act.

(2) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer shall transfer sufficient moneys from each dedicated fund or account to the special insurance contribution adjustment revolving account in accordance with schedules provided by the office of financial management. The office shall reduce allotments for all agencies to reflect these savings.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions	\$8,248,000
General Fund Appropriation for public utility district excise tax distributions	\$50,894,000
General Fund Appropriation for prosecuting attorney distributions	\$6,068,000
General Fund Appropriation for boating safety and education distributions	\$4,000,000
General Fund Appropriation for other tax distributions	\$65,000
General Fund Appropriation for habitat conservation program distributions	\$3,000,000
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies	\$3,158,000
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution	\$146,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties	\$72,120,000
County Criminal Justice Assistance Appropriation	\$78,983,000
Municipal Criminal Justice Assistance Appropriation	\$30,550,000
City-County Assistance Account Appropriation for local government financial assistance distribution	\$17,134,000
Liquor Excise Tax Account Appropriation for liquor excise tax distribution	\$49,487,000
Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistribution effect of the sourcing law	

changes	\$50,488,000	
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation	\$7,760,000	
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	\$5,025,000	
Liquor Revolving Account Appropriation for liquor profits distribution	\$98,876,000	
TOTAL APPROPRIATION		\$459,002,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	\$2,469,000
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The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2013-2015 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 803. FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driver Safety Account Appropriation	\$1,646,000
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The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2013-2015 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

NEW SECTION. Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal flood control funds distribution	\$66,000	
General Fund Appropriation for federal grazing fees distribution	\$1,706,000	
Forest Reserve Fund Appropriation for federal forest reserve fund distribution	\$5,636,000	
TOTAL APPROPRIATION		\$7,408,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

NEW SECTION. Sec. 805. FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to the state general fund, \$10,000,000 for fiscal year 2014 and \$10,000,000 for fiscal year 2015	\$20,000,000
Waste Reduction, Recycling, and Litter Control Account: For transfer to the state general fund, \$5,850,000 for fiscal year 2014 and \$5,850,000 for fiscal year 2015	\$11,700,000
Drinking Water Assistance Account: For transfer to the drinking water assistance repayment account	\$32,000,000
General Fund: For transfer to the streamlined sales and use tax account, \$25,284,000 for fiscal year 2014 and \$25,204,000 for fiscal year 2015	\$50,488,000
Public Works Assistance Account: For transfer to the water pollution control revolving account, \$7,750,000 for fiscal year 2014 and \$7,750,000 for fiscal year 2015	\$15,500,000
Public Works Assistance Account: For transfer to the drinking water assistance account, \$4,400,000 for fiscal year 2014 and \$4,400,000 for fiscal year 2015	\$8,800,000

Public Works Assistance Account: For transfer to the state general fund, \$50,000,000 for fiscal year 2014 and \$50,000,000 for fiscal year 2015 \$100,000,000

Local Toxics Control Account: For transfer to the state general fund, \$10,000,000 for fiscal year 2014 and \$11,000,000 for fiscal year 2015 \$21,000,000

State Taxable Building Construction Account: For transfer to the Columbia River basin taxable bond water supply development account, an amount not to exceed \$30,545,000

General Fund: For transfer to the child and family reinvestment account, \$3,221,667 for fiscal year 2014 and \$1,756,058 for fiscal year 2015 \$4,977,725

Flood Control Assistance Account: For transfer to the state general fund, \$1,000,000 for fiscal year 2014 and \$1,000,000 for fiscal year 2015 \$2,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account \$157,221,000

Tobacco Settlement Account: For transfer to the state general fund from the amounts deposited in the account that are attributable to the annual strategic contribution payment received in fiscal year 2014 \$14,000,000

Tobacco Settlement Account: For transfer to the state general fund from the amounts deposited in the account that are attributable to the annual strategic contribution payment received in fiscal year 2015 \$14,000,000

Tobacco Settlement Account: For transfer to the life sciences discovery fund, in an amount not to exceed the actual remaining amount of the annual strategic contribution payment to the tobacco settlement account for fiscal year 2014 \$12,515,000

Tobacco Settlement Account: For transfer to the life sciences discovery fund, in an amount not to exceed the actual remaining amount of the annual strategic contribution payment to the tobacco settlement account for fiscal year 2015 \$12,515,000

The transfer to the life sciences discovery fund is subject to the condition that \$250,000 of the appropriation in fiscal year 2014 and \$250,000 of the appropriation in fiscal year 2015 are provided solely to promote the development and delivery of global health technologies and products.

(a) The life sciences discovery fund authority must either administer a grant application, review, and reward process, or contract with a qualified nonprofit organization for these services. State moneys must be provided for grants to entities for the development, production, promotion, and delivery of global health technologies and products. Grant award criteria must include:

(i) The quality of the proposed research or the proposed technical assistance in product development or production process design. Any grant funds awarded for research activities must be awarded for nonbasic research that will assist in the commercialization or manufacture of global health technologies;

(ii) The potential for the grant recipient to improve global health outcomes;

(iii) The potential for the grant to leverage additional funding for the development of global health technologies and products;

(iv) The potential for the grant to stimulate, or promote technical skills training for, employment in the development of global health technologies in the state; and

(v) The willingness of the grant recipient, when appropriate, to enter into royalty or licensing income agreements with the authority.

(b) The authority, or the contractor of the authority, must report information including the types of products and research funded, the funding leveraged by the grants, and the number and types of jobs created as a result of the grants, to the economic development committees of the legislature by December 1, 2014.

Aquatic Lands Enhancement Account: For transfer to the geoduck aquaculture research account, \$150,000 for fiscal year 2014 and \$150,000 for fiscal year 2015 \$300,000

Health Benefit Exchange Account: For transfer to the state general fund for fiscal year 2015 \$676,000

Criminal Justice Treatment Account: For transfer to the state general fund, \$437,000 for fiscal year 2014 and \$2,746,000 for fiscal year 2015 \$3,183,000

(End of part)

PART IX
MISCELLANEOUS

NEW SECTION. Sec. 901. EXPENDITURE AUTHORIZATIONS

The appropriations contained in this act are maximum expenditure authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the treasury on the basis of a formal loan agreement shall be recorded as loans receivable and not as expenditures for accounting purposes. To the extent that moneys are disbursed on a loan basis, the corresponding appropriation shall be reduced by the amount of loan moneys disbursed from the treasury during the 2011-2013 fiscal biennium.

NEW SECTION. Sec. 902. EMERGENCY FUND ALLOCATIONS

Whenever allocations are made from the governor's emergency fund appropriation to an agency that is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. An appropriation is not necessary to effect such repayment.

NEW SECTION. Sec. 903. STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenues for distribution, state contributions to the law enforcement officers' and fire fighters' retirement system plan 2, and bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under chapters 39.94 and 39.96 RCW or any proper bond covenant made under law.

NEW SECTION. Sec. 904. BOND EXPENSES

In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the applicable construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 905. VOLUNTARY RETIREMENT, SEPARATION, AND DOWNSHIFTING INCENTIVES

As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement a voluntary retirement and/or separation, program that is cost neutral or results in cost savings (including costs to the state pension systems) over a two-year period following the commencement of the program, provided that such a program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management, in consultation with the office of the state human resources director and the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have a contractual right to a financial incentive offered under this section. Offers shall be reviewed and monitored jointly by the office of the state human resources director and the department of retirement systems. Agencies are required to submit a report by July 30, 2015, to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two year period.

The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 907. COLLECTIVE BARGAINING AGREEMENTS

The following sections represent the results of the 2013-2015 collective bargaining process required under the provisions of chapters 41.80, 41.56 and 74.39A RCW. Provisions of the collective bargaining agreements contained in sections . . . through . . . of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements or the continuation of terms and conditions of the 2011-2013 agreements contained in Part IX of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 908. COLLECTIVE BARGAINING AGREEMENT--WFSE

An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for backfill costs for a personal leave day. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 909. COLLECTIVE BARGAINING AGREEMENT--WPEA

An agreement has been reached between the governor and the Washington public employees association general government under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 910. COLLECTIVE BARGAINING AGREEMENT--COALITION OF UNIONS

An agreement has been reached between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 911. COLLECTIVE BARGAINING AGREEMENT--WAFWP

An agreement has been reached between the governor and the Washington association of fish and wildlife professionals under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 912. COLLECTIVE BARGAINING AGREEMENT--PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 913. COLLECTIVE BARGAINING AGREEMENT--SEIU 1199NW

An agreement has been reached between the governor and the service employees international union healthcare 1199nw under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for backfill costs for a personal leave day. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 914. COLLECTIVE BARGAINING AGREEMENT--TEAMSTERS LOCAL 117

An agreement has been reached between the governor and the international brotherhood of teamsters local 117 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 915. COLLECTIVE BARGAINING AGREEMENT--WFSE HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington federation of state employees community college coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 916. COLLECTIVE BARGAINING AGREEMENT--WPEA HIGHER EDUCATION COMMUNITY COLLEGE COALITION

An agreement has been reached between the governor and the Washington public employees association community college coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund-state revenue from increased economic activity.

NEW SECTION. Sec. 917. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--LANGUAGE ACCESS PROVIDERS WFSE

An agreement has been reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for a rate increase of 50 cents per hour effective July 1, 2013, and rate increase of 50 cents per hour effective July 1, 2014. Funding is also provided to accommodate a change to the no-show payment rules.

NEW SECTION. Sec. 918. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU HEALTHCARE 775NW HOMECARE WORKERS

An agreement has been reached between the governor and the service employees international union healthcare 775nw through an interest arbitration decision under the provisions of chapter 74.39A and 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for increases to wages and pay differentials, mileage allowance, and healthcare contributions. Funding is also provided for a paid holiday and payment of certification and testing fees.

NEW SECTION. Sec. 919. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS

An agreement has been reached between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for increases to health care, scholarship funding and non-standard hours bonus.

NEW SECTION. Sec. 920. COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES--WSRCC ADULT FAMILY HOMES

An agreement has been reached between the governor and the Washington state residential care council under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for a specialty adult family home contract for community placement of clients currently in western state hospital and an increase in the daily bed hold rate (days eight through twenty).

NEW SECTION. Sec. 921. COLLECTIVE BARGAINING AGREEMENT--WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association through an interest arbitration decision under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2013, and a one percent increase to longevity pay for years five through nine effective July 1, 2014.

NEW SECTION. Sec. 922. COLLECTIVE BARGAINING AGREEMENT--WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association through an interest arbitration decision under the provisions of chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2014, and for parking of department issued vehicles for employees assigned vehicles at the general administration building or capital campus.

NEW SECTION. Sec. 923. COLLECTIVE BARGAINING AGREEMENT--YAKIMA VALLEY COMMUNITY COLLEGE--WPEA

An agreement has been reached between Yakima Valley Community College and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes that economic terms and conditions replicate those specified in the agreement executed by and between the Washington state higher education coalition and the Washington public employees association under RCW 41.80.010 for the term July 1, 2013, to June 30, 2015.

NEW SECTION. Sec. 924. COLLECTIVE BARGAINING AGREEMENT--THE EVERGREEN STATE COLLEGE--WFSE

An agreement has been reached between The Evergreen State College and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and a personal leave day. Funding is also provided for a one percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 925. COLLECTIVE BARGAINING AGREEMENT--WESTERN WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between the Western Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes compensation equal to any compensation increase approved, implemented, and funded by the state for general government classified represented staff through the general service salary schedule.

NEW SECTION. Sec. 926. COLLECTIVE BARGAINING AGREEMENT--WESTERN WASHINGTON UNIVERSITY--PSE

An agreement has been reached between the Western Washington University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes compensation equal to any compensation increase approved, implemented, and funded by the state for general government classified represented staff through the general service salary schedule.

NEW SECTION. Sec. 927. COLLECTIVE BARGAINING AGREEMENT--EASTERN WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between Eastern Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. Funding is also provided for a one percent salary increase for all bargaining unit members beginning July 1, 2013, and a one percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 928. COLLECTIVE BARGAINING AGREEMENT--CENTRAL WASHINGTON UNIVERSITY--WFSE

An agreement has been reached between Central Washington University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step and for a one percent salary increase for all bargaining unit members beginning July 1, 2014. The agreement also includes additional one-time payments each November of each fiscal year for members continually employed during the preceding twelve months in an amount up to three percent of member's gross wages contingent on the university's achievement of the goals contained in its student success incentive program.

NEW SECTION. Sec. 929. COLLECTIVE BARGAINING AGREEMENT--CENTRAL WASHINGTON UNIVERSITY--PSE

An agreement has been reached between Central Washington University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement includes a one percent salary increase for all bargaining unit members beginning July 1, 2014, and in the event classified employees bargaining at the general government's higher education tables receive a general wage increase greater than one percent, salary ranges will increase by the higher amount. The agreement also includes additional one-time payments each November each fiscal year for members continually employed during the preceding twelve months in an amount up to three percent of member's gross wages contingent on the university's achievement of the goals contained in its student success incentive program.

NEW SECTION. Sec. 930. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--WFSE

An agreement has been reached between the University of Washington and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for additional premium pay, preceptor pay, and professional development increases. Funding is also provided for a two percent wage increase for all bargaining unit members beginning July 1, 2013, a two percent wage increase for all bargaining unit members beginning July 1, 2014. The agreement also provides that if the university agrees to across-the-board salary increases for any SEIU 925 bargaining unit that are more favorable than those negotiated with WFSE, the university will grant the same salary increase to WFSE-represented employees.

NEW SECTION. Sec. 931. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--SEIU 925

An agreement has been reached between the University of Washington and the service employees international union local 925 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for additional step increases, a two percent salary increase for all bargaining unit members beginning July 1, 2013, and a two percent salary increase for all bargaining unit members beginning July 1, 2014. The agreement also provides that if the university agrees to across-the-board salary increases or general increases for a SEIU 1199 or Washington state nurse association bargaining unit that are more favorable than those negotiated with SEIU 925, the university will grant the same salary increase to SEIU 925-represented employees.

NEW SECTION. Sec. 932. COLLECTIVE BARGAINING AGREEMENT--UNIVERSITY OF WASHINGTON--TEAMSTERS 117 (UW POLICE OFFICERS)

An agreement has been reached between the University of Washington and the teamsters 117 under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided for a two percent salary increase for all bargaining unit members beginning July 1, 2013, and a two percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 933. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--WFSE

An agreement has been reached between the Washington State University and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. The agreement provides that if a general salary increase, implementation of a salary survey, or a longevity step (Step M) is approved and funded by the state for university nonbargaining unit covered classified staff, WFSE bargaining unit members will receive the same.

NEW SECTION. Sec. 934. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--PSE

An agreement has been reached between the Washington State University and the public schools employees under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. The agreement provides that the bargaining unit members have a "me-too" agreement regarding cost of living increases with university classified staff utilizing the general service higher education salary schedule should the university request and receive funding to provide an across-the-board salary increase for classified staff.

NEW SECTION. Sec. 935. COLLECTIVE BARGAINING AGREEMENT--WASHINGTON STATE UNIVERSITY--WSU POLICE GUILD

An agreement has been reached between the Washington State University and the WSU Police Guild under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step.

NEW SECTION. Sec. 936. COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS

No agreement was reached between the governor and the health care super coalition under the provisions of chapter 41.80 RCW for the 2013-2015 fiscal biennium. Appropriations in this act for state agencies, including institutions of higher education are sufficient to continue the provisions of the 2011-2013 collective bargaining agreement, and are subject to the following conditions and limitations: (1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed \$791 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 per month.

NEW SECTION. Sec. 937. COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for represented employees outside the super coalition for health benefits, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed \$791 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 per month.

NEW SECTION. Sec. 938. COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$782 per eligible employee for fiscal year 2014. For fiscal year 2015 the monthly employer funding rate shall not exceed \$791 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require or make any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts shall not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy shall be up to \$150.00 per month.

(3) Technical colleges, school districts, and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(a) For each full-time employee, \$64.40 per month beginning September 1, 2013, and \$70.39 beginning September 1, 2014; and

(b) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 and 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$64.40 each month beginning September 1, 2013, and \$70.39 beginning September 1, 2014, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection (3) shall not apply to employees of a technical college, school district, or educational service district who purchase insurance benefits through contracts with the health care authority.

NEW SECTION. Sec. 939. COMPENSATION--REVISE PENSION CONTRIBUTION RATES

The appropriations for school districts and state agencies, including institutions of higher education are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. Sec. 940. NONREPRESENTED EMPLOYEE LONGEVITY STEP

For classified state employees, except those within the Washington management service and except those represented by a bargaining unit under chapters 41.80, 41.56, or 47.64 RCW, funding is provided within agency appropriations for implementation of a longevity step, in accordance with rules adopted under RCW 41.06.133.

NEW SECTION. Sec. 941. COLLECTIVE BARGAINING AGREEMENTS

For collective bargaining agreements negotiated with the state for the 2013-2015 fiscal biennium under chapter 41.80 RCW, the governor may request funds to implement the terms and conditions of any agreement negotiated by an institution of higher education and submitted to the office of financial management after October 1, 2012, but before December 20, 2012, if that agreement is determined to be financially feasible to the state by the director of financial management.

NEW SECTION. Sec. 942. COMPENSATION - CONTINGENT INCREASE IN SALARIES AND WAGES

(1) If the director of the office of financial management determines that the February 2014 economic and revenue forecast council forecast for general fund--state revenues for fiscal year 2015 is \$200,000,000 or more than the September 2012 economic and revenue forecast council forecast for general fund--state revenues for fiscal year 2015 as a result of increased economic activity, effective July 1, 2014, appropriations to state agencies will increase in the amounts specified in LEAP Document 2013-H01 to fund a one percent salary increase effective July 1, 2014, through June 30, 2015, for the following state employees:

- (a) All classified employees;
- (b) Employees in the Washington management service;
- (c) Except as provided in subsection (2) of this section, employees exempt from merit system rules in the legislative, executive, and judicial branches;

(d) Employees of the marine division of the department of transportation represented by the office and professional employees international union local eight and service employees international union local six.

(2) The salary increase in this section is not provided to the following state employees:

- (a) Commissioned officers of the Washington state patrol represented by the Washington state patrol troopers association and the Washington state patrol lieutenants association;
- (b) Employees of the marine division of the department of transportation represented by:
 - (i) The ferry agents, supervisors, project administrators association;
 - (ii) The Pacific northwest regional council of carpenters;
 - (iii) The Puget Sound metal trades council;
 - (iv) The marine engineers' beneficial association unlicensed engine room employees;
 - (v) The marine engineers' beneficial association licensed engineer officers;
 - (vi) The masters, mates and pilots - mates;
 - (vii) The masters, mates and pilots - masters;
 - (viii) The masters, mates and pilots - watch supervisors; and
 - (ix) The inlandboatmen's union of the pacific.
- (c) Employees whose maximum salaries are set by the commission on salaries for elected officials; and
- (d) Faculty employees and employees exempt from merit system rules at institutions of higher education.

(3) For purposes of this section, "increased economic activity" means additional revenue derived from taxable business and consumer activity and does not include revenue changes from changes in state or federal law or revenue changes characterized by the economic and revenue forecast council as a noneconomic change.

NEW SECTION. Sec. 943. ACQUISITION OF INFORMATION TECHNOLOGY PROJECTS THROUGH FINANCIAL CONTRACTS

(1) Financial contracts for the acquisition of the information technology projects authorized in this section must be approved jointly by the office of the financial management and the office of the chief information officer. Information technology projects funded under this section shall meet the following requirements:

- (a) The project reduces costs and achieves economies of scale by leveraging statewide investments in systems and data and other common or enterprise-wide solutions within and across state agencies;
- (b) The project begins or continues replacement of legacy information technology systems and replacing these systems with modern and more efficient information technology systems;
- (c) The project improves the ability of an agency to recover from major disaster;
- (d) The project provides future savings and efficiencies for an agency through reduced operating costs, improved customer service, or increased revenue collections; and
- (e) Preference for project approval must be given to an agency that has prior approval from the office of the chief information officer, an approved business plan, and where the primary hurdle to project funding is the lack of funding capacity.

(2) The following state agencies may enter into financial contracts to finance expenditures for the acquisition and implementation of the following information technology projects for up to the respective amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW:

- (a) Subject to subsection (4) of this section, \$10,000,000 for the department of enterprise services time, leave, and attendance pilot project;
- (b) \$3,867,000 for the Washington state patrol for continuation of the mobile office platform;
- (c) \$8,500,000 for the department of social and health services conversion to the tenth version of the world health organization's international classification of diseases;
- (d) \$5,558,343 for the department of early learning system implementation of electronic benefit transfers;
- (e) \$9,404,000 for the employment security department to modernize the unemployment insurance benefit system; and
- (f) \$4,323,000 for the department of corrections for radio infrastructure upgrades.

(3) The office of financial management with assistance from the office of the chief information officer will report to the governor and fiscal committees of the legislature by November 1st of each year on the status of distributions and expenditures on information technology projects and improved statewide or agency performance results achieved by project funding.

(4) If the Washington state department of transportation enters into financial contracts pursuant to chapter 39.94 RCW for the acquisition and implementation of a time, leave, and labor distribution system, the authorization provided to the department of enterprise services in subsection (2)(a) of this section expires.

NEW SECTION. Sec. 944. INFORMATION SYSTEMS PROJECTS

Agencies shall comply with the following requirements regarding information systems projects when specifically directed to do so by this act.

(1) Agency planning and decisions concerning information technology shall be made in the context of its information technology portfolio. "Information technology portfolio" means a strategic management approach in which the relationships between agency missions and information technology investments can be seen and understood, such that: Technology efforts are linked to agency objectives and business plans; the impact of new investments on existing infrastructure and business functions are assessed and understood before implementation; and agency activities are consistent with the development of an integrated, nonduplicative statewide infrastructure.

(2) Agencies shall use their information technology portfolios in making decisions on matters related to the following: (a) System refurbishment, acquisitions, and development efforts; (b) setting goals and objectives for using information technology in meeting legislatively-mandated missions and business needs; (c) assessment of overall information processing performance, resources, and capabilities; (d) ensuring appropriate transfer of technological expertise for the operation of any new systems developed using external resources; and (e) progress toward enabling electronic access to public information.

(3) Each project will be planned and designed to take optimal advantage of Internet technologies and protocols. Agencies shall ensure that the project is in compliance with the architecture, infrastructure, principles, policies, and standards of digital government as maintained by the office of the chief information officer.

(4) The agency shall produce a feasibility study for information technology projects at the direction of the technology services board and in accordance with published office of the chief information officer policies and guidelines. At a minimum, such studies shall include a statement of: (a) The purpose or impetus for change; (b) the business value to the agency, including an examination and evaluation of benefits, advantages, and cost; (c) a comprehensive risk assessment based on the proposed project's impact on both citizens and state operations, its visibility, and the consequences of doing nothing; (d) the impact on agency and statewide information infrastructure; and (e) the impact of the proposed enhancements to an agency's information technology capabilities on meeting service delivery demands.

(5) The agency shall produce a comprehensive management plan for each project. The plan or plans shall address all factors critical to successful completion of each project. The plan(s) shall include, but is not limited to, the following elements: A description of the problem or opportunity that the information technology project is intended to address; a statement of project objectives and assumptions; a definition and schedule of phases, tasks, and activities to be accomplished; and the estimated cost of each phase. The planning for the phased approach shall be such that the business case justification for a project needs to demonstrate how the project recovers cost or adds measurable value or positive cost benefit to the agency's business functions within each development cycle.

(6) The agency shall produce quality assurance plans for information technology projects. Consistent with the direction of the technology services board and the published policies and guidelines of the office of the chief information officer, the quality assurance plan shall address all factors critical to successful completion of the project and successful integration with the agency and state information technology infrastructure. At a minimum, quality assurance plans shall provide time and budget benchmarks against which project progress can be measured, a specification of quality assurance responsibilities, and a statement of reporting requirements. The quality assurance plans shall set out the functionality requirements for each phase of a project.

(7) A copy of each feasibility study, project management plan, and quality assurance plan shall be provided to the office of the chief information officer and legislative fiscal committees. The plans and studies shall demonstrate a sound business case that justifies the investment of taxpayer funds on any new project, an assessment of the impact of the proposed system on the existing information technology infrastructure, the disciplined use of preventative measures to mitigate risk, and the leveraging of private-sector expertise as needed. Authority to expend any funds for individual information systems projects is conditioned on the approval of the relevant feasibility study, project management plan, and quality assurance plan by the office of the chief information officer.

(8) Quality assurance status reports shall be submitted to the office of the chief information officer and legislative fiscal committees at intervals specified in the project's quality assurance plan.

NEW SECTION. Sec. 945. PERSONAL COMPUTER ACQUISITION AND REPLACEMENT

(1) The legislature finds that the state must achieve reduced costs in the acquisition and deployment of new and replacement personal computers. The office of the chief information officer of the state must develop a policy on the procurement of personal computers with the goal of reducing the total life cycle cost of ownership. The policy must be effective no later than September 1, 2013.

(2) At a minimum, the policy must address frequency of replacement, identify a preferred financing method, and identify one or more preferred equipment configurations. Financing methods examined in developing the policy must include leasing, lease purchasing, purchasing using certificates of participation and cash purchase. In determining total life cycle costs, the office of the chief information officer must consider the cost of acquisition, deployment, financing, maintenance, and decommissioning of personal computers including any residual software licensing costs. The office of the chief information officer may include any other criteria deemed appropriate in developing the policy.

(3) The office of the attorney general shall participate in a pilot acquisition program. Key elements of the pilot will include a regular replacement cycle that ensures reliable equipment and is acquired by lease. Deployment of the replacement computer and decommissioning of the old computer must also be part of the acquisition contract. The office of the attorney general must work with the office of the chief information officer to determine the costs and benefits of this approach relative to cash procurement and agency deployment and decommissioning. The office of the chief information officer shall report on the findings of the pilot not later than January 1, 2015.

(4) While judicial, legislative, and higher education agencies are exempt from this policy, they are encouraged to adhere to the policy to the maximum extent practicable in meeting the goal of lowering the total life cycle cost of ownership for personal computers.

NEW SECTION. Sec. 946. INFORMATION TECHNOLOGY SECURITY PROGRAMS AND TRAINING

(1) The office of the state chief information officer has developed information technology security guidelines to assist state agencies in implementing an information technology security program. Before any agency may expend amounts appropriated in this act on information technology equipment, the agency must adopt the information technology security guidelines or the state chief information officer must approve an agency's information technology security program.

(2) Before any agency expends appropriations provided in this act for information technology equipment purchases, employees of that agency that use information technology resources must be scheduled for training on information technology security.

(3) The office of the chief information officer, the department of enterprise services, and the consolidated technology services agency must facilitate the training of newly hired employees in information technology security.

Sec. 947. RCW 2.28.170 and 2009 c 445 s 2 are each amended to read as follows:

(1) Counties may establish and operate drug courts.

(2) For the purposes of this section, "drug court" means a court that has special calendars or dockets designed to achieve a reduction in recidivism and substance abuse among nonviolent, substance abusing felony and nonfelony offenders, whether adult or juvenile, by increasing their likelihood for successful rehabilitation through early, continuous, and intense judicially supervised treatment; mandatory periodic drug testing; and the use of appropriate sanctions and other rehabilitation services.

(3)(a) Any jurisdiction that seeks a state appropriation to fund a drug court program must first:

(i) Exhaust all federal funding that is available to support the operations of its drug court and associated services; and

(ii) Match, on a dollar-for-dollar basis, state moneys allocated for drug court programs with local cash or in-kind resources. Moneys allocated by the state must be used to supplement, not supplant, other federal, state, and local funds for drug court operations and associated services. However, from July 26, 2009, until June 30, ~~((2013))~~ 2015, no match is required for state moneys expended for the administrative and overhead costs associated with the operation of a drug court pursuant to RCW 70.96A.350.

(b) Any county that establishes a drug court pursuant to this section shall establish minimum requirements for the participation of offenders in the program. The drug court may adopt local requirements that are more stringent than the minimum. The minimum requirements are:

(i) The offender would benefit from substance abuse treatment;

(ii) The offender has not previously been convicted of a serious violent offense or sex offense as defined in RCW 9.94A.030; and

(iii) Without regard to whether proof of any of these elements is required to convict, the offender is not currently charged with or convicted of an offense:

(A) That is a sex offense;

(B) That is a serious violent offense;

(C) During which the defendant used a firearm; or

(D) During which the defendant caused substantial or great bodily harm or death to another person.

Sec. 948. RCW 15.76.115 and 2011 1st sp.s. c 50 s 926 are each amended to read as follows:

The fair fund is created in the custody of the state treasury. All moneys received by the department of agriculture for the purposes of this fund and from RCW 67.16.105(7) shall be deposited into the fund. At the beginning of fiscal year 2002 and each fiscal year thereafter, the state treasurer shall transfer into the fair fund from the general fund the sum of two million dollars, except ~~((for fiscal year 2011 the state treasurer shall transfer into the fair fund from the general fund the sum of one million one hundred three thousand dollars, and except))~~ during fiscal year ~~((2012))~~ 2014 and fiscal year ~~((2013))~~ 2015 the state treasurer shall transfer into the fair fund from the general fund the sum of one million ~~((seven))~~ five hundred ~~((fifty))~~ thousand dollars each fiscal year. Expenditures from the fund may be used only for assisting fairs in the manner provided in this chapter. Only the director of agriculture or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

Sec. 949. RCW 28B.20.476 and 2007 c 216 s 2 are each amended to read as follows:

The geoduck aquaculture research account is created in the custody of the state treasurer. All receipts from any legislative appropriations, the aquaculture industry, or any other private or public source directed to the account must be deposited in the account. Expenditures from the account may only be used by the sea grant program for the geoduck research projects identified by RCW 28B.20.475. Only the president of the University of Washington or the president's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. During the 2013-2015 fiscal biennium, amounts available in the geoduck aquaculture research account may also be appropriated for the sea grant program at the University of Washington to conduct research examining the possible negative and positive effects of evolving shellfish aquaculture techniques and practices on Washington's economy and marine ecosystems.

Sec. 950. RCW 28B.92.010 and 2004 c 275 s 34 are each amended to read as follows:

The purposes of this chapter are to establish the principles upon which the state financial aid programs will be based and to establish the state of Washington state need grant program, thus assisting financially needy or disadvantaged students domiciled in Washington to obtain the opportunity of attending an accredited institution of higher education. State need grants under this chapter are available only to students who are resident students as defined in RCW 28B.15.012(2) (a) through ~~((d))~~ (e) or any person who has completed the full senior year of high school and obtained a high school diploma, either at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington state for at least three years immediately before receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an eligible institution of higher education and has been granted deferred action for childhood arrival status pursuant to the rules and regulations adopted by the United States citizenship and immigration services.

Sec. 951. RCW 41.26.802 and 2008 c 99 s 4 are each amended to read as follows:

(1) By September 30, 2011, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer five million dollars to the local public safety enhancement account.

(2) ~~((By September 30, 2013, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer ten million dollars to the local public safety enhancement account.~~

(3)) By September 30, 2015, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more

than five percent, subject to appropriation by the legislature, the state treasurer shall transfer twenty million dollars to the local public safety enhancement account.

(4) By September 30, 2017, and by September 30 of each odd-numbered year thereafter, if the prior fiscal biennium's general state revenues exceed the previous fiscal biennium's revenues by more than five percent, subject to appropriation by the legislature, the state treasurer shall transfer the lesser of one-third of the increase, or fifty million dollars, to the local public safety enhancement account.

Sec. 952. RCW 41.60.050 and 2011 1st sp.s. c 50 s 937 and 2011 1st sp.s. c 43 s 473 are each reenacted and amended to read as follows:

The legislature shall appropriate from the personnel service fund for the payment of administrative costs of the productivity board. However, during the 2011-2013 ~~and 2013-2015~~ fiscal (~~biennium~~) ~~biennia~~, the operations of the productivity board shall be suspended.

Sec. 953. RCW 41.80.010 and 2011 1st sp.s. c 50 s 938 and 2011 c 344 s 1 are each reenacted and amended to read as follows:

(1) For the purpose of negotiating collective bargaining agreements under this chapter, the employer shall be represented by the governor or governor's designee, except as provided for institutions of higher education in subsection (4) of this section.

(2)(a) If an exclusive bargaining representative represents more than one bargaining unit, the exclusive bargaining representative shall negotiate with each employer representative as designated in subsection (1) of this section one master collective bargaining agreement on behalf of all the employees in bargaining units that the exclusive bargaining representative represents. For those exclusive bargaining representatives who represent fewer than a total of five hundred employees each, negotiation shall be by a coalition of all those exclusive bargaining representatives. The coalition shall bargain for a master collective bargaining agreement covering all of the employees represented by the coalition. The governor's designee and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of agency-specific issues for inclusion in or as an addendum to the master collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This section does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(b) This subsection (2) does not apply to exclusive bargaining representatives who represent employees of institutions of higher education, except when the institution of higher education has elected to exercise its option under subsection (4) of this section to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(c) If five hundred or more employees of an independent state elected official listed in RCW 43.01.010 are organized in a bargaining unit or bargaining units under RCW 41.80.070, the official shall be consulted by the governor or the governor's designee before any agreement is reached under (a) of this subsection concerning supplemental bargaining of agency specific issues affecting the employees in such bargaining unit.

(3) The governor shall submit a request for funds necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of the office of financial management as being feasible financially for the state.

The legislature shall approve or reject the submission of the request for funds as a whole. The legislature shall not consider a request for funds to implement a collective bargaining agreement unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 41.80.090.

(4)(a)(i) For the purpose of negotiating agreements for institutions of higher education, the employer shall be the respective governing board of each of the universities, colleges, or community colleges or a designee chosen by the board to negotiate on its behalf.

(ii) A governing board of a university or college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section, except that:

(A) The governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of a university or college that the representative represents; or

(B) If the parties mutually agree, the governor or the governor's designee and an exclusive bargaining representative shall negotiate one master collective bargaining agreement for all of the bargaining units of employees of more than one university or college that the representative represents.

(iii) A governing board of a community college may elect to have its negotiations conducted by the governor or governor's designee under the procedures provided for general government agencies in subsections (1) through (3) of this section.

(b) Prior to entering into negotiations under this chapter, the institutions of higher education or their designees shall consult with the director of the office of financial management regarding financial and budgetary issues that are likely to arise in the impending negotiations.

(c)(i) In the case of bargaining agreements reached between institutions of higher education other than the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of the bargaining agreements, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in (c)(iii) of this subsection.

(ii) In the case of bargaining agreements reached between the University of Washington and exclusive bargaining representatives agreed to under the provisions of this chapter, if appropriations are necessary to implement the compensation and fringe benefit provisions of a bargaining agreement, the governor shall submit a request for such funds to the legislature according to the provisions of subsection (3) of this section, except as provided in this subsection (4)(c)(ii) and as provided in (c)(iii) of this subsection.

(A) If appropriations of less than ten thousand dollars are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered.

(B) If appropriations of ten thousand dollars or more are necessary to implement the provisions of a bargaining agreement, a request for such funds shall not be submitted to the legislature by the governor unless the request:

(I) Has been submitted to the director of the office of financial management by October 1 prior to the legislative session at which the request is to be considered; and

(II) Has been certified by the director of the office of financial management as being feasible financially for the state.

(C) If the director of the office of financial management does not certify a request under (c)(ii)(B) of this subsection as being feasible financially for the state, the parties shall enter into collective bargaining solely for the purpose of reaching a mutually agreed upon modification of the agreement necessary to address the absence of those requested funds. The legislature may act upon the compensation and fringe benefit provisions of the modified collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(iii) In the case of a bargaining unit of employees of institutions of higher education in which the exclusive bargaining representative is certified during or after the conclusion of a legislative session, the legislature may act upon the compensation and fringe benefit provisions of the unit's initial collective bargaining agreement if those provisions are agreed upon and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(5) There is hereby created a joint committee on employment relations, which consists of two members with leadership positions in the house of representatives, representing each of the two largest caucuses; the chair and ranking minority member of the house appropriations committee, or its successor, representing each of the two largest caucuses; two members with leadership positions in the senate, representing each of the two largest caucuses; and the chair and ranking minority member of the senate ways and means committee, or its successor, representing each of the two largest caucuses. The governor shall periodically consult with the committee regarding appropriations necessary to implement the compensation and fringe benefit provisions in the master collective bargaining agreements, and upon completion of negotiations, advise the committee on the elements of the agreements and on any legislation necessary to implement the agreements.

(6) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(7) After the expiration date of a collective bargaining agreement negotiated under this chapter, all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee shall be a separate agreement for which the governor may request funds necessary to implement the agreement. ~~((If such an agreement is negotiated and funded by the legislature, this agreement will supersede any terms and conditions of an expired 2009-2011 biennial master collective bargaining agreement under this chapter regarding health care benefits.))~~ The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating appropriations act by the sitting legislature.

Sec. 954. RCW 41.80.020 and 2011 1st sp.s. c 50 s 939 and 2011 1st sp.s. c 43 s 445 are each reenacted and amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, and other terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer is not required to bargain over matters pertaining to:

(a) Health care benefits or other employee insurance benefits, except as required in subsection (3) of this section;

(b) Any retirement system or retirement benefit; or

(c) Rules of the human resources director, the director of enterprise services, or the Washington personnel resources board adopted under RCW 41.06.157.

(3) Matters subject to bargaining include the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits. However, except as provided otherwise in this subsection for institutions of higher education, negotiations regarding the number of names to be certified for vacancies, promotional preferences, and the dollar amount expended on behalf of each employee for health care benefits shall be conducted between the employer and one coalition of all the exclusive bargaining representatives subject to this chapter. The exclusive bargaining representatives for employees that are subject to chapter 47.64 RCW shall bargain the dollar amount expended on behalf of each employee for health care benefits with the employer as part of the coalition under this subsection. Any such provision agreed to by the employer and the coalition shall be included in all master collective bargaining agreements negotiated by the parties. For institutions of higher education, promotional preferences and the number of names to be certified for vacancies shall be bargained under the provisions of RCW 41.80.010(4). For agreements covering the ~~((2011-2013))~~ 2013-2015 fiscal biennium, any agreement between the employer and the coalition regarding the dollar amount expended on behalf of each employee for health care benefits is a separate agreement and shall not be included in the master collective bargaining agreements negotiated by the parties.

(4) The employer and the exclusive bargaining representative shall not agree to any proposal that would prevent the implementation of approved affirmative action plans or that would be inconsistent with the comparable worth agreement that provided the basis for the salary changes implemented beginning with the 1983-1985 biennium to achieve comparable worth.

(5) The employer and the exclusive bargaining representative shall not bargain over matters pertaining to management rights established in RCW 41.80.040.

(6) Except as otherwise provided in this chapter, if a conflict exists between an executive order, administrative rule, or agency policy relating to wages, hours, and terms and conditions of employment and a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with the terms of a statute is invalid and unenforceable.

(7) This section does not prohibit bargaining that affects contracts authorized by RCW 41.06.142.

Sec. 955. RCW 43.08.190 and 2011 1st sp.s. c 50 s 941 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the "state treasurer's service fund." Such fund shall be used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

Moneys shall be allocated monthly and placed in the state treasurer's service fund equivalent to a maximum of one percent of the trust and treasury average daily cash balances from the earnings generated under the authority of RCW 43.79A.040 and 43.84.080 other than earnings generated from investment of balances in funds and accounts specified in RCW 43.79A.040(4)(c). The allocation shall precede the distribution

of the remaining earnings as prescribed under RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a uniform allocation rate for all funds and accounts; except that the state treasurer may negotiate a different allocation rate with any state agency that has independent authority over funds not statutorily required to be held in the state treasury or in the custody of the state treasurer. In no event shall the rate be less than the actual costs incurred by the state treasurer's office. If no rate is separately negotiated, the default rate for any funds held shall be the rate set for funds held pursuant to statute.

During the 2009-2011 fiscal biennium and the 2011-2013 ~~and 2013-2015 fiscal ((biennium))~~ biennia, the legislature may transfer from the state treasurer's service fund to the state general fund such amounts as reflect the excess fund balance of the fund.

Sec. 956. RCW 43.79.445 and 2005 c 166 s 3 are each amended to read as follows:

There is established an account in the state treasury referred to as the "death investigations account" which shall exist for the purpose of receiving, holding, investing, and disbursing funds appropriated or provided in RCW 70.58.107 and any moneys appropriated or otherwise provided thereafter.

Moneys in the death investigations account shall be disbursed by the state treasurer once every year on December 31 and at any other time determined by the treasurer. The treasurer shall make disbursements to: The state toxicology laboratory, counties for the cost of autopsies, the state patrol for providing partial funding for the state dental identification system, the criminal justice training commission for training county coroners, medical examiners and their staff, and the state forensic investigations council. ~~((Funds from the death investigations account may be appropriated during the 1997-99 biennium for the purposes of statewide child mortality reviews administered by the department of health.))~~ Funds from the death investigations account may be appropriated during the 2013-2015 fiscal biennium for the activities of the state crime laboratory within the Washington state patrol.

Sec. 957. RCW 43.79.480 and 2011 1st sp.s. c 50 s 947 are each amended to read as follows:

(1) Moneys received by the state of Washington in accordance with the settlement of the state's legal action against tobacco product manufacturers, exclusive of costs and attorneys' fees, shall be deposited in the tobacco settlement account created in this section except as these moneys are sold or assigned under chapter 43.340 RCW.

(2) The tobacco settlement account is created in the state treasury. Moneys in the tobacco settlement account may only be transferred to the state general fund, and to the tobacco prevention and control account for purposes set forth in this section. The legislature shall transfer amounts received as strategic contribution payments as defined in RCW 43.350.010 to the life sciences discovery fund created in RCW 43.350.070. During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer less than the entire strategic contribution payments, and may transfer amounts attributable to strategic contribution payments into the basic health plan stabilization account. During the 2013-2015 fiscal biennium, the legislature may transfer less than the entire strategic contribution payments, and may transfer amounts attributable to strategic contribution payments into the state general fund.

(3) The tobacco prevention and control account is created in the state treasury. The source of revenue for this account is moneys transferred to the account from the tobacco settlement account, investment earnings, donations to the account, and other revenues as directed by law. Expenditures from the account are subject to appropriation. During the 2009-2011 fiscal biennium, the legislature may transfer from the tobacco prevention and control account to the state general fund such amounts as represent the excess fund balance of the account.

Sec. 958. RCW 43.101.200 and 2011 1st sp.s. c 50 s 949 are each amended to read as follows:

(1) All law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2) Except as otherwise provided in this chapter, the commission shall provide the aforementioned training together with necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the ~~((2011-2013))~~ 2013-2015 fiscal biennium when the employing, county, city~~((s))~~, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary and benefits received by the replaced officer during his or her training period.

Sec. 959. RCW 43.155.050 and 2012 2nd sp.s. c 2 s 6004 are each amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated to provide for state match requirements under federal law for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans, emergency loans, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the 2011-2013 ~~and 2013-2015~~ fiscal ~~((biennium))~~ biennia, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. During the 2011-2013 fiscal biennium, the legislature may appropriate moneys from the account for economic development, innovation, and export grants, including brownfields; main street improvement grants; and the loan program consolidation board. During the 2013-2015 fiscal biennium, the legislature may appropriate moneys from the account for grants to local governments for growth management planning and implementation. During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund such amounts as reflect the excess fund balance of the account.

Sec. 960. RCW 46.66.080 and 2011 1st sp.s. c 50 s 958 are each amended to read as follows:

(1) The Washington auto theft prevention authority account is created in the state treasury, subject to appropriation. All revenues from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all receipts from gifts, grants, bequests, devises, or other funds from public and private sources to support the activities of the auto theft prevention authority must be deposited into the account. Expenditures from the account may be used only for activities relating to motor vehicle theft, including education, prevention, law enforcement, investigation, prosecution, and confinement. During the ~~((2009-2011 and))~~ 2011-2013 and 2013-2015 fiscal biennia, the legislature may appropriate moneys from the Washington auto theft prevention authority account for criminal justice purposes and community building ~~((and may transfer funds to the state general fund such amounts as reflect the excess fund balance of the account)).~~

(2) The authority shall allocate moneys appropriated from the account to public agencies for the purpose of establishing, maintaining, and supporting programs that are designed to prevent motor vehicle theft, including:

(a) Financial support to prosecution agencies to increase the effectiveness of motor vehicle theft prosecution;

(b) Financial support to a unit of local government or a team consisting of units of local governments to increase the effectiveness of motor vehicle theft enforcement;

(c) Financial support for the procurement of equipment and technologies for use by law enforcement agencies for the purpose of enforcing motor vehicle theft laws; and

(d) Financial support for programs that are designed to educate and assist the public in the prevention of motor vehicle theft.

(3) The costs of administration shall not exceed ten percent of the moneys in the account in any one year so that the greatest possible portion of the moneys available to the authority is expended on combating motor vehicle theft.

(4) Prior to awarding any moneys from the Washington auto theft prevention authority account for motor vehicle theft enforcement, the auto theft prevention authority must verify that the financial award includes sufficient funding to cover proposed activities, which include, but are not limited to: (a) State, municipal, and county offender and juvenile confinement costs; (b) administration costs; (c) law enforcement costs; (d) prosecutor costs; and (e) court costs, with a priority being given to ensuring that sufficient funding is available to cover state, municipal, and county offender and juvenile confinement costs.

(5) Moneys expended from the Washington auto theft prevention authority account under subsection (2) of this section shall be used to supplement, not supplant, other moneys that are available for motor vehicle theft prevention.

(6) Grants provided under subsection (2) of this section constitute reimbursement for purposes of RCW 43.135.060(1).

Sec. 961. RCW 70.93.180 and 2011 1st sp.s. c 50 s 963 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the "waste reduction, recycling, and litter control account". Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) Fifty percent to the department of ecology, for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for use in litter collection programs, to be distributed under RCW 70.93.220. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide, for the biennial litter survey under RCW 70.93.200(8), and for statewide public awareness programs under RCW 70.93.200(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, and recycling, so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b) Twenty percent to the department for local government funding programs for waste reduction, litter control, and recycling activities by cities and counties under RCW 70.93.250, to be administered by the department of ecology; and

(c) Thirty percent to the department of ecology for waste reduction and recycling efforts.

(2) All taxes imposed in RCW 82.19.010 and fines and bail forfeitures collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) of this section.

(3) Not less than five percent and no more than ten percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70.93.220 for the remainder of the funds, so that the most effective waste reduction, litter control, and recycling programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) ~~((During the 2009-2011 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2009-2011 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.~~

(5) During the 2011-2013 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2011-2013 fiscal biennium, subsection (1)(a), (b), and (c) of this section is suspended.) During the 2013-2015 fiscal biennium, the legislature may transfer from the waste reduction, recycling, and litter control account to the state general fund such amounts as reflect the excess fund balance of the account. Additionally, during the 2013-2015 fiscal biennium, subsection (1)(a),(b), and (c) of this section is suspended.

Sec. 962. RCW 70.96A.350 and 2011 2nd sp.s. c 9 s 910 are each amended to read as follows:

(1) The criminal justice treatment account is created in the state treasury. Moneys in the account may be expended solely for: (a) Substance abuse treatment and treatment support services for offenders with an addiction or a substance abuse problem that, if not treated, would result in addiction, against whom charges are filed by a prosecuting attorney in Washington state; (b) the provision of drug and alcohol treatment services and treatment support services for nonviolent offenders within a drug court program; (c) the administrative and overhead costs associated with the operation of a drug court; and (d) during the 2011-2013 biennium, the legislature may appropriate up to three million dollars from the account in order to offset reductions in the state general fund for treatment services provided by counties. This amount is not subject to the requirements of subsections (5) through (9) of this section. During the 2013-2015 fiscal biennium, the legislature may transfer from the criminal justice treatment account to the state general fund amounts as reflect the state savings associated with the implementation of the medicaid expansion of the federal affordable care act. Moneys in the account may be spent only after appropriation.

(2) For purposes of this section:

(a) "Treatment" means services that are critical to a participant's successful completion of his or her substance abuse treatment program, but does not include the following services: Housing other than that provided as part of an inpatient substance abuse treatment program, vocational training, and mental health counseling; and

(b) "Treatment support" means transportation to or from inpatient or outpatient treatment services when no viable alternative exists, and child care services that are necessary to ensure a participant's ability to attend outpatient treatment sessions.

(3) Revenues to the criminal justice treatment account consist of: (a) Funds transferred to the account pursuant to this section; and (b) any other revenues appropriated to or deposited in the account.

(4)(a) For the fiscal biennium beginning July 1, 2003, the state treasurer shall transfer eight million nine hundred fifty thousand dollars from the general fund into the criminal justice treatment account, divided into eight equal quarterly payments. For the fiscal year beginning July 1, 2005, and each subsequent fiscal year, the state treasurer shall transfer eight million two hundred fifty thousand dollars from the general fund to the criminal justice treatment account, divided into four equal quarterly payments. For the fiscal year beginning July 1, 2006, and each subsequent fiscal year, the amount transferred shall be increased on an annual basis by the implicit price deflator as published by the federal bureau of labor statistics.

(b) In each odd-numbered year, the legislature shall appropriate the amount transferred to the criminal justice treatment account in (a) of this subsection to the division of alcohol and substance abuse for the purposes of subsection (5) of this section.

(5) Moneys appropriated to the division of alcohol and substance abuse from the criminal justice treatment account shall be distributed as specified in this subsection. The department shall serve as the fiscal agent for purposes of distribution. Until July 1, 2004, the department may not use moneys appropriated from the criminal justice treatment account for administrative expenses and shall distribute all amounts appropriated under subsection (4)(b) of this section in accordance with this subsection. Beginning in July 1, 2004, the department may retain up to three percent of the amount appropriated under subsection (4)(b) of this section for its administrative costs.

(a) Seventy percent of amounts appropriated to the division from the account shall be distributed to counties pursuant to the distribution formula adopted under this section. The division of alcohol and substance abuse, in consultation with the department of corrections, the Washington state association of counties, the Washington state association of drug court professionals, the superior court judges' association, the Washington association of prosecuting attorneys, representatives of the criminal defense bar, representatives of substance abuse treatment providers, and any other person deemed by the division to be necessary, shall establish a fair and reasonable methodology for distribution to counties of moneys in the criminal justice treatment account. County or regional plans submitted for the expenditure of formula funds must be approved by the panel established in (b) of this subsection.

(b) Thirty percent of the amounts appropriated to the division from the account shall be distributed as grants for purposes of treating offenders against whom charges are filed by a county prosecuting attorney. The division shall appoint a panel of representatives from the Washington association of prosecuting attorneys, the Washington association of sheriffs and police chiefs, the superior court judges' association, the Washington state association of counties, the Washington defender's association or the Washington association of criminal defense lawyers, the department of corrections, the Washington state association of drug court professionals, substance abuse treatment providers, and the division. The panel shall review county or regional plans for funding under (a) of this subsection and grants approved under this subsection. The panel shall attempt to ensure that treatment as funded by the grants is available to offenders statewide.

(6) The county alcohol and drug coordinator, county prosecutor, county sheriff, county superior court, a substance abuse treatment provider appointed by the county legislative authority, a member of the criminal defense bar appointed by the county legislative authority, and, in counties with a drug court, a representative of the drug court shall jointly submit a plan, approved by the county legislative authority or authorities, to the panel established in subsection (5)(b) of this section, for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090, treatment support services, and for the administrative and overhead costs associated with the operation of a drug court.

(a) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent on the administrative and overhead costs associated with the operation of a drug court.

(b) No more than ten percent of the total moneys received under subsections (4) and (5) of this section by a county or group of counties participating in a regional agreement shall be spent for treatment support services.

(7) Counties are encouraged to consider regional agreements and submit regional plans for the efficient delivery of treatment under this section.

(8) Moneys allocated under this section shall be used to supplement, not supplant, other federal, state, and local funds used for substance abuse treatment.

(9) Counties must meet the criteria established in RCW 2.28.170(3)(b).

(10) The authority under this section to use funds from the criminal justice treatment account for the administrative and overhead costs associated with the operation of a drug court expires June 30, ~~((2013))~~ 2015.

Sec. 963. RCW 70.105D.070 and 2012 2nd sp.s. c 7 s 920 and 2012 2nd sp.s. c 2 s 6005 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2) The following moneys shall be deposited into the state toxics control account: (a) Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-three one-hundredths of one percent; (b) the costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (c) penalties collected or recovered under this chapter; and (d) any other money appropriated or transferred to the account by the legislature. Moneys in the account may be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(ii) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(iii) The hazardous waste cleanup program required under this chapter;

(iv) State matching funds required under the federal cleanup law;

(v) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

- (vi) State government programs for the safe reduction, recycling, or disposal of hazardous wastes from households, small businesses, and agriculture;
- (vii) Hazardous materials emergency response training;
- (viii) Water and environmental health protection and monitoring programs;
- (ix) Programs authorized under chapter 70.146 RCW;
- (x) A public participation program, including regional citizen advisory committees;
- (xi) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with cleanup standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both (A) a substantially more expeditious or enhanced cleanup than would otherwise occur, and (B) the prevention or mitigation of unfair economic hardship;
- (xii) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;
- (xiii) During the ~~((2009-2011 and 2011-2013))~~ 2013-2015 fiscal biennia, shoreline update technical assistance;
- ~~((xiv) During the 2009-2011 fiscal biennium, multijurisdictional permitting teams;~~
- (xv) During the 2011-2013 fiscal biennium, actions for reducing public exposure to toxic air pollution, and actions taken through the family forest fish passage program to correct barriers to fish passage on privately owned small forest lands; and
- (xvi) During the 2011-2013 fiscal biennium, the department of ecology's water quality, shorelands and environmental assessment, hazardous waste, waste to resources, nuclear waste, and air quality programs))
- (xiv) During the 2013-2015 fiscal biennium, the department of ecology's water quality, shorelands, environmental assessment, administration, and air quality programs;
- (xv) During the 2013-2015 fiscal biennium, solid and hazardous waste compliance at the department of corrections;
- (xvi) During the 2013-2015 fiscal biennium, activities at the department of fish and wildlife concerning water quality monitoring, hatchery water quality regulatory compliance, and technical assistance to local governments on growth management and shoreline management; and
- (xvii) During the 2013-2015 fiscal biennium, forest practices regulation at the department of natural resources.
- (3) The following moneys shall be deposited into the local toxics control account: Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-seven one-hundredths of one percent.
- (a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority:
- (i) Remedial actions;
- (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
- (iii) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;
- (iv) Funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and
- (v) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment.
- (b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process. ~~((During the 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.))~~
- (c) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:
- (i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:
- (A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;
- (B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or
- (C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;
- (ii) The use of outside contracts to conduct necessary studies;
- (iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.
- ~~((d) To facilitate and expedite cleanups using funds from the local toxics control account, during the 2009-2011 fiscal biennium the director may establish grant-funded accounts to hold and disperse local toxics control account funds and funds from local governments to be used for remedial actions.))~~
- (4) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.
- (5) ~~((Except during the 2011-2013 fiscal biennium,))~~ One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

(6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(7) The department shall adopt rules for grant or loan issuance and performance.

(8) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as reflect excess fund balance in the account.

(9) ~~((During the 2011-2013 fiscal biennium, the local toxics control account may also be used for local government shoreline update grants and actions for reducing public exposure to toxic air pollution; funding to local governments for flood levee improvements; and grants to local governments for brownfield redevelopment.))~~ During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government storm water planning and implementation activities.

(10) During the 2013-2015 fiscal biennium, the local toxics control account may also be used for local government shoreline update grants.

(11) During the 2013-2015 fiscal biennium, the legislature may transfer from the local toxics control account to the state general fund such amounts as reflect excess fund balance in the account.

Sec. 964. RCW 74.13.621 and 2009 c 564 s 954 are each amended to read as follows:

(1) Within existing resources, the department shall establish an oversight committee to monitor, guide, and report on kinship care recommendations and implementation activities. The committee shall:

(a) Draft a kinship care definition that is restricted to persons related by blood, marriage, or adoption, including marriages that have been dissolved, or for a minor defined as an "Indian child" under the federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the definition of "extended family member" under the federal Indian child welfare act, and a set of principles. If the committee concludes that one or more programs or services would be more efficiently and effectively delivered under a different definition of kin, it shall state what definition is needed, and identify the program or service in the report. It shall also provide evidence of how the program or service will be more efficiently and effectively delivered under the different definition. The department shall not adopt rules or policies changing the definition of kin without authorizing legislation;

(b) Monitor and provide consultation on the implementation of recommendations contained in the 2002 kinship care report, including but not limited to the recommendations relating to legal and respite care services and resources;

(c) Partner with nonprofit organizations and private sector businesses to guide a public education awareness campaign; and

(d) Assist with developing future recommendations on kinship care issues.

(2) The department shall consult with the oversight committee on its efforts to better collaborate and coordinate services to benefit kinship care families.

(3) The oversight committee must consist of a minimum of thirty percent kinship caregivers, who shall represent a diversity of kinship families. Statewide representation with geographic, ethnic, and gender diversity is required. Other members shall include representatives of the department, representatives of relevant state agencies, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and representatives of the legal or judicial field. Birth parents, foster parents, and others who have an interest in these issues may also be included.

(4) To the extent funding is available, the department may reimburse nondepartmental members of the oversight committee for costs incurred in participating in the meetings of the oversight committee.

(5) The kinship care oversight committee shall update the legislature and governor annually on committee activities, with the first update due by January 1, 2006.

(6) This section expires June 30, ~~((2011))~~ 2015.

Sec. 965. RCW 79.64.040 and 2012 2nd sp.s. c 7 s 927 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands, community forest trust lands, and aquatic lands, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsections (4) and (6) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) Deductions authorized under this section for transactions pertaining to community forest trust lands must be established at a level sufficient to defray over time the management costs for activities prescribed in a parcel's management plan adopted pursuant to RCW 79.155.080, and, if deemed appropriate by the board consistent with RCW 79.155.090, to reimburse the state and any local entities' eligible financial contributions for acquisition of the parcel.

(5) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530, the moneys received subject to this section are the net proceeds from the contract harvesting sale.

(6) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board.

Sec. 966. RCW 79.105.150 and 2012 2nd sp.s. c 7 s 929 and 2012 2nd sp.s. c 2 s 6008 are each reenacted and amended to read as follows:

(1) After deduction for management costs as provided in RCW 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys received by the state from the sale or lease of state-owned aquatic lands and from the sale of valuable material from state-owned aquatic lands shall be deposited in the aquatic lands enhancement account which is hereby created in the state treasury. After appropriation, these funds shall be used solely for aquatic lands enhancement projects; for the purchase, improvement, or protection of aquatic lands for public purposes; for providing and improving access to the lands; and for volunteer cooperative fish and game projects. ~~((During the 2011-2013 fiscal biennium, the aquatic lands enhancement account may also be used for scientific research as part of the adaptive management process and for developing a planning report for McNeil Island. During the 2011-2013 fiscal biennium, the legislature may transfer from the aquatic lands enhancement~~

~~account to the state general fund such amounts as reflect excess fund balance of the account.~~) During the ~~((2011-2013))~~ 2013-2015 fiscal biennium, the aquatic lands enhancement account may be used to support the shellfish program, the ballast water program, ~~((parks))~~ hatcheries, ~~((and))~~ the Puget Sound toxic sampling program at the department of fish and wildlife, the knotweed program at the department of agriculture, ~~((and))~~ the Puget SoundCorps program~~(: -During the 2011-2013 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the marine resources stewardship trust account funds for the purposes of RCW 43.372.070),~~ state park programs at the state parks and recreation commission, and the forest practices program at the department of natural resources. During the 2013-2015 fiscal biennium, the legislature may transfer from the aquatic lands enhancement account to the geoduck aquaculture research account for research related to shellfish aquaculture.

(2) In providing grants for aquatic lands enhancement projects, the recreation and conservation funding board shall:

(a) Require grant recipients to incorporate the environmental benefits of the project into their grant applications;

(b) Utilize the statement of environmental benefits, consideration, except as provided in RCW 79.105.610, of whether the applicant is a Puget Sound partner, as defined in RCW 90.71.010, whether a project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, and except as otherwise provided in RCW 79.105.630, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the applicant is an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030 in its prioritization and selection process; and

(c) Develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the grants.

(3) To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270.

(4) The department shall consult with affected interest groups in implementing this section.

(5) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 967. RCW 86.26.007 and 2012 2nd sp.s. c 7 s 932 are each amended to read as follows:

The flood control assistance account is hereby established in the state treasury. At the beginning of the 2005-2007 fiscal biennium, the state treasurer shall transfer three million dollars from the general fund to the flood control assistance account. Each biennium thereafter the state treasurer shall transfer four million dollars from the general fund to the flood control assistance account~~((-except that during the 2011-2013 fiscal biennium, the state treasurer shall transfer one million dollars from the general fund to the flood control assistance account)).~~ Moneys in the flood control assistance account may be spent only after appropriation for purposes specified under this chapter. During the 2013-2015 fiscal biennium, the legislature may transfer from the flood control assistance account to the state general fund such amounts as reflect the excess fund balance of the account.

(End of part)

SUPPLEMENTAL

PART XI

GENERAL GOVERNMENT

Sec. 1101. 2012 2nd sp.s. c 7 s 111 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund--State Appropriation (FY 2012)	\$6,757,000
General Fund--State Appropriation (FY 2013)	(((\$6,561,000))
\$6,603,000	
TOTAL APPROPRIATION	(((\$13,318,000))
\$13,360,000	

Sec. 1102. 2012 2nd sp.s. c 7 s 112 (uncodified) is amended to read as follows:

FOR THE LAW LIBRARY

General Fund--State Appropriation (FY 2012)	\$1,504,000
General Fund--State Appropriation (FY 2013)	\$24,000
Judicial Information System Account--State	
Appropriation	\$1,500,000
TOTAL APPROPRIATION	(((\$3,004,000))
\$3,028,000	

The appropriations in this section are subject to the following conditions and limitations: \$50,000 of the judicial information system account--state appropriation is provided solely to evaluate the state law library and assess its operational structure to determine the most effective delivery model for providing library services.

Sec. 1103. 2012 2nd sp.s. c 7 s 114 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund--State Appropriation (FY 2012)	\$15,275,000
General Fund--State Appropriation (FY 2013)	(((\$15,168,000))
\$15,253,000	
TOTAL APPROPRIATION	(((\$30,443,000))

\$30,528,000

Sec. 1104. 2012 2nd sp.s. c 7 s 115 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund--State Appropriation (FY 2012)	\$50,725,000
General Fund--State Appropriation (FY 2013)	(\$48,429,000)
\$49,123,000	
General Fund--Federal Appropriation	\$2,532,000
General Fund--Private/Local Appropriation	\$390,000
Judicial Information Systems Account--State	
Appropriation	\$42,362,000
Judicial Stabilization Trust Account--State	
Appropriation	(\$5,954,000)
\$5,425,000	
TOTAL APPROPRIATION	(\$150,392,000)
\$150,557,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,800,000 of the general fund--state appropriation for fiscal year 2012 and \$1,399,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for school districts for petitions to juvenile court for truant students as provided in RCW 28A.225.030 and 28A.225.035. The office of the administrator for the courts shall develop an interagency agreement with the superintendent of public instruction to allocate the funding provided in this subsection. Allocation of this money to school districts shall be based on the number of petitions filed. This funding includes amounts school districts may expend on the cost of serving petitions filed under RCW 28A.225.030 by certified mail or by personal service or for the performance of service of process for any hearing associated with RCW 28A.225.030.

(2)(a) \$8,252,000 of the general fund--state appropriation for fiscal year 2012 and \$7,313,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for distribution to county juvenile court administrators to fund the costs of processing truancy, children in need of services, and at-risk youth petitions. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula shall neither reward counties with higher than average per-petition processing costs nor shall it penalize counties with lower than average per-petition processing costs.

(b) Each fiscal year during the 2011-2013 fiscal biennium, each county shall report the number of petitions processed and the total actual costs of processing truancy, children in need of services, and at-risk youth petitions. Counties shall submit the reports to the administrator for the courts no later than 45 days after the end of the fiscal year. The administrator for the courts shall electronically transmit this information to the chairs and ranking minority members of the house of representatives and senate ways and means committees no later than 60 days after a fiscal year ends. These reports are deemed informational in nature and are not for the purpose of distributing funds.

(3) The distributions made under this subsection and distributions from the county criminal justice assistance account made pursuant to section 801 of this act constitute appropriate reimbursement for costs for any new programs or increased level of service for purposes of RCW 43.135.060.

(4) \$265,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the office of public guardianship to provide guardianship services for low-income incapacitated persons.

(5) \$1,178,000 of the judicial information systems account--state appropriation is provided solely for replacing computer equipment at state courts and state judicial agencies.

(6) No later than September 30, 2011, the judicial information systems committee shall provide a report to the legislature on the recommendations of the case management feasibility study, including plans for a replacement of the superior court management information system (SCOMIS) and plans for completing the data exchange core system component consistent with a complete data exchange standard. No later than December 31, 2011, the judicial information systems committee shall provide a report to the legislature on the status of the data exchange, the procurement process for a SCOMIS replacement, and a case management system that is designed to meet the requirements approved by the superior courts and county clerks of all thirty-nine counties. The legislature shall solicit input on both reports from judicial, legislative, and executive stakeholders.

(7) In order to gather better data on juveniles in the criminal justice system, the administrative office of the courts shall modify the judgment and sentence form for juvenile and adult sentences to include one or more check boxes indicating whether (a) the adult superior court had original jurisdiction for a defendant who was younger than eighteen years of age at the time the case was filed; (b) the case was originally filed in juvenile court but transferred to adult superior court jurisdiction; or (c) the case was originally filed in adult superior court or transferred to adult superior court but then returned to the juvenile court.

(8) \$540,000 of the judicial stabilization trust account--state appropriation is provided solely for the office of public guardianship to continue guardianship services for those low-income incapacitated persons who were receiving services on June 30, 2012.

(9) The Washington association of juvenile court administrators and the juvenile rehabilitation administration, in consultation with the community juvenile accountability act advisory committee and the Washington state institute for public policy, shall analyze and review data elements available from the administrative office of the courts for possible integration into the evidence-based program quality assurance plans and processes. The administrative office of the courts, the Washington association of juvenile court administrators, and the juvenile rehabilitation administration shall provide information necessary to complete the review and analysis. The Washington association of juvenile court administrators and the juvenile rehabilitation administration shall report the findings of their review and analysis, as well as any recommendations, to the legislature by December 1, 2012.

Sec. 1105. 2012 2nd sp.s. c 7 s 118 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund--State Appropriation (FY 2012)	\$5,102,000
General Fund--State Appropriation (FY 2013)	(\$5,247,000)
\$5,322,000	

Economic Development Strategic Reserve Account--State
 Appropriation \$1,500,000
 TOTAL APPROPRIATION ((~~\$1,849,000~~))
 \$11,924,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,500,000 of the economic development strategic reserve account appropriation is provided solely for efforts to assist with currently active industrial recruitment efforts that will bring new jobs to the state or will retain headquarter locations of major companies currently housed in the state.

(2) \$540,000 of the general fund--state appropriation for fiscal year 2012 and \$526,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the office of the education ombudsman.

(3) \$75,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1106. 2012 2nd sp.s. c 7 s 121 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund--State Appropriation (FY 2012) \$16,047,000
 General Fund--State Appropriation (FY 2013) ((~~\$8,612,000~~))
 \$9,972,000

General Fund--Federal Appropriation \$7,326,000
 Public Records Efficiency, Preservation, and Access
 Account--State Appropriation ((~~\$7,074,000~~))
 \$7,185,000

Charitable Organization Education Account--State
 Appropriation \$362,000

Local Government Archives Account--State
 Appropriation \$8,516,000

Election Account--Federal Appropriation \$17,284,000

Washington State Heritage Center Account--State
 Appropriation \$5,028,000
 TOTAL APPROPRIATION ((~~\$70,249,000~~))
 \$71,720,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,898,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures. Counties shall be reimbursed only for those odd-year election costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$1,847,000 of the general fund--state appropriation for fiscal year 2012 and \$1,926,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events of statewide significance during the 2011-2013 biennium. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

(b) The legislature finds that the commitment of on-going funding is necessary to ensure continuous, autonomous, and independent coverage of public affairs. For that purpose, the secretary of state shall enter into a contract with the nonprofit organization to provide public affairs coverage.

(c) The nonprofit organization shall prepare an annual independent audit, an annual financial statement, and an annual report, including benchmarks that measure the success of the nonprofit organization in meeting the intent of the program.

(d) No portion of any amounts disbursed pursuant to this subsection may be used, directly or indirectly, for any of the following purposes:

(i) Attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, by any county, city, town, or other political subdivision of the state of Washington, or by the congress, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency;

(ii) Making contributions reportable under chapter 42.17 RCW; or

(iii) Providing any: (A) Gift; (B) honoraria; or (C) travel, lodging, meals, or entertainment to a public officer or employee.

(3) Any reductions to funding for the Washington talking book and Braille library may not exceed in proportion any reductions taken to the funding for the library as a whole.

Sec. 1107. 2012 2nd sp.s. c 7 s 127 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund--State Appropriation (FY 2012) \$4,758,000
 General Fund--State Appropriation (FY 2013) ((~~\$7,690,000~~))
 \$7,890,000

General Fund--Federal Appropriation \$10,015,000

New Motor Vehicle Arbitration Account--State
 Appropriation \$968,000

Legal Services Revolving Account--State
 Appropriation ((~~\$197,375,000~~))
 \$197,412,000

Tobacco Prevention and Control Account--State	
Appropriation	\$270,000
Medicaid Fraud Penalty Account--State Appropriation	\$1,129,000
TOTAL APPROPRIATION	(\$222,205,000)
	\$222,442,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The attorney general shall report each fiscal year on actual legal services expenditures and actual attorney staffing levels for each agency receiving legal services. The report shall be submitted to the office of financial management and the fiscal committees of the senate and house of representatives no later than ninety days after the end of each fiscal year. As part of its by agency report to the legislative fiscal committees and the office of financial management, the office of the attorney general shall include information detailing the agency's expenditures for its agency-wide overhead and a breakdown by division of division administration expenses.

(2) Prior to entering into any negotiated settlement of a claim against the state that exceeds five million dollars, the attorney general shall notify the director of financial management and the chairs of the senate committee on ways and means and the house of representatives committee on ways and means.

(3) The attorney general shall annually report to the fiscal committees of the legislature all new *cy pres* awards and settlements and all new accounts, disclosing their intended uses, balances, the nature of the claim or account, proposals, and intended timeframes for the expenditure of each amount. The report shall be distributed electronically and posted on the attorney general's web site. The report shall not be printed on paper or distributed physically.

(4) The attorney general shall enter into an interagency agreement with the department of social and health services for expenditure of the state's proceeds from the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for the purposes set forth in sections 204 and 213 of this act.

(5) \$62,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 1770 (state purchasing). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(6) \$5,924,000 of the legal services revolving account--state appropriation is provided solely to implement House Bill No. 2123 (workers' compensation). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) The office of the attorney general is authorized to expend \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer protection costs in accordance with uses authorized in the court orders.

(8) \$96,000 of the legal services revolving fund--state appropriation is provided solely to implement Senate Bill No. 5076 (financial institutions). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(9) \$99,000 of the legal services revolving fund--state appropriation is provided solely to implement Engrossed Second Substitute Senate Bill No. 5769 (coal-fired generation). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$416,000 of the legal services revolving fund--state appropriation is provided solely to implement Substitute Senate Bill No. 5801 (industrial insurance system). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$31,000 of the legal services revolving fund--state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 5021 (election campaign disclosure). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) The executive ethics board shall: (a) Develop a statewide plan, with performance measures, to provide overall direction and accountability in all executive branch agencies and statewide elected offices; (b) coordinate and work with the commission on judicial conduct and the legislative ethics board; (c) assess and evaluate each agency's ethical culture through employee and stakeholder surveys, review Washington state quality award feedback reports, and publish an annual report on the results to the public; and (d) solicit outside evaluations, studies, and recommendations for improvements from academics, nonprofit organizations, the public disclosure commission, or other entities with expertise in ethics, integrity, and the public sector.

(13) \$11,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2301 (boxing, martial arts, wrestling). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(14) \$56,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2319 (affordable care act). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(15) \$5,743,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the legal costs associated with the evaluation, filing, prosecution, response to petitions for release, and appeal of sexually violent predator civil commitment cases, as provided in chapter 71.09 RCW. Within the amount provided in this subsection, the attorney general may enter into an interagency agreement with a county prosecutor to perform prosecution services pursuant to chapter 71.09 RCW.

(16) \$94,000 of the legal services revolving fund--state appropriation is provided solely to implement Senate Bill No. 6103 (reflexology and massage therapy). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(17) \$57,000 of the legal services revolving fund--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6237 (medical assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(18) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud) is not enacted by June 30, 2012, the amounts appropriated in this section from the medicaid fraud penalty account--state appropriation shall lapse and an additional \$730,000 shall be appropriated from the general fund--state for fiscal year 2013 for fraud detection and prevention activities, recovery of improper payments, and for other medicaid fraud enforcement activities.

(19) \$56,000 of the legal services revolving fund--state appropriation is provided solely to implement House Bill No. 2592 (extended foster care). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(20) \$65,000 of the legal services revolving fund--state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(21) \$200,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for settlement payment of the Backpage.com litigation.

Sec. 1108. 2012 2nd sp.s. c 7 s 129 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2012)	\$51,799,000
General Fund--State Appropriation (FY 2013)	((72,839,000))
	\$62,889,000
General Fund--Federal Appropriation	\$340,184,000
General Fund--Private/Local Appropriation	\$5,036,000
Public Works Assistance Account--State Appropriation	\$2,733,000
Drinking Water Assistance Administrative Account--State Appropriation	\$437,000
Lead Paint Account--State Appropriation	((65,000))
	\$100,000
Building Code Council Account--State Appropriation	\$13,000
Home Security Fund Account--State Appropriation	\$21,007,000
Affordable Housing for All Account--State Appropriation	\$11,899,000
County Research Services Account--State Appropriation	\$540,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account--State Appropriation	((1,166,000))
	\$969,000
Low-Income Weatherization Assistance Account--State Appropriation	((2,427,000))
	\$1,186,000
City and Town Research Services Account--State Appropriation	\$2,577,000
Community and Economic Development Fee Account--State Appropriation	\$6,781,000
Washington Housing Trust Account--State Appropriation	\$17,444,000
Prostitution Prevention and Intervention Account-- State Appropriation	\$86,000
Public Facility Construction Loan Revolving Account--State Appropriation	\$748,000
Washington Community Technology Opportunity Account-- State Appropriation	\$713,000
Liquor Revolving Account--State Appropriation	((2,802,000))
	\$3,032,000
TOTAL APPROPRIATION	((541,296,000))
	\$530,173,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Repayments of outstanding mortgage and rental assistance program loans administered by the department under RCW 43.63A.640 shall be remitted to the department, including any current revolving account balances. The department shall collect payments on outstanding loans, and deposit them into the state general fund. Repayments of funds owed under the program shall be remitted to the department according to the terms included in the original loan agreements.

(2) \$500,000 of the general fund--state appropriation for fiscal year 2012 and \$500,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a grant to resolution Washington to building statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(3) \$306,000 of the general fund--state appropriation for fiscal year 2012 and \$306,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a grant to the retired senior volunteer program.

(4) The department shall administer its growth management act technical assistance so that smaller cities receive proportionately more assistance than larger cities or counties.

(5) \$1,800,000 of the home security fund--state appropriation is provided for transitional housing assistance or partial payments for rental assistance under the independent youth housing program.

(6) \$5,000,000 of the home security fund--state appropriation is for the operation, repair, and staffing of shelters in the homeless family shelter program.

(7) \$198,000 of the general fund--state appropriation for fiscal year 2012 and \$198,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington new Americans program.

(8) \$2,949,000 of the general fund--state appropriation for fiscal year 2012 and \$2,949,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for associate development organizations.

(9) \$127,000 of the general fund--federal appropriation is provided solely for implementation of Substitute House Bill No. 1886 (Ruckelshaus center process). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) Up to \$200,000 of the general fund--private/local appropriation is for a grant to the Washington tourism alliance for the maintenance of the Washington state tourism web site www.experiencewa.com and its related sub-sites. The department may transfer ownership of the web site and other tourism promotion assets and assign obligations to the Washington tourism alliance for purposes of tourism promotion throughout the

state. The alliance may use the assets only in a manner consistent with the purposes for which they were created. Any revenue generated from these assets must be used by the alliance for the sole purposes of statewide Washington tourism promotion. The legislature finds that the Washington tourism alliance, a not-for-profit, 501.c.6 organization established, funded, and governed by Washington tourism industry stakeholders to sustain destination tourism marketing across Washington, is an appropriate body to receive funding and assets from and assume obligations of the department for the purposes described in this section.

(11) Within the appropriations in this section, specific funding is provided to implement Substitute Senate Bill No. 5741 (economic development commission).

(12) \$2,000,000 of the community and economic development fee account appropriation is provided solely for the department of commerce for services to homeless families through the Washington families fund.

(13) \$234,000 of the general fund--state appropriation for fiscal year 2012 and \$233,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington asset building coalitions.

(14) \$1,859,000 of the general fund--state appropriation for fiscal year 2012 and \$1,859,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for innovative research teams, also known as entrepreneurial STARS, at higher education research institutions, and for entrepreneurs-in-residence programs at higher education research institutions and entrepreneurial assistance organizations. Of these amounts no more than \$50,000 in fiscal year 2012 and no more than \$50,000 in fiscal year 2013 may be provided for the operation of entrepreneurs-in-residence programs at entrepreneurial assistance organizations external to higher education research institutions.

(15) Up to \$700,000 of the general fund--private/local appropriation is for pass-through grants to cities in central Puget Sound to plan for transfer of development rights receiving areas under the central Puget Sound regional transfer of development rights program.

(16) \$16,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to implement section 503 of Substitute House Bill No. 1277 (licensed settings for vulnerable adults). The long-term care ombudsman shall convene an adult family home quality assurance panel to review problems concerning the quality of care for residents in adult family homes. If Substitute House Bill No. 1277 (licensed settings for vulnerable adults) is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(17) \$19,605,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$39,527,000)~~ \$29,527,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for establishment of the essential needs and housing support program created in Engrossed Substitute House Bill No. 2082 (essential needs and assistance program). The department of commerce shall contract for these services with counties or community-based organizations involved in providing essential needs and housing supports to low-income persons who meet eligibility pursuant to Engrossed Substitute House Bill No. 2082. The department shall limit the funding used for administration of the program to no more than five percent. Counties and community providers shall limit the funding used for administration of the program to no more than seven percent.

(a) Of the amounts provided in this subsection, \$4,000,000 is provided solely for essential needs to clients who meet the eligibility established in Engrossed Substitute House Bill No. 2082. Counties and community-based organizations shall distribute basic essential products in a manner that prevents abuse. To the greatest extent possible, the counties or community-based organizations shall leverage local or private funds, and volunteer support to acquire and distribute the basic essential products.

(b) Of the amounts provided in this subsection, ~~(\$55,000,000)~~ \$45,000,000 is provided solely for housing support services to individuals who are homeless or who may become homeless, and are eligible for services under this program pursuant to Engrossed Substitute House Bill No. 2082.

(18) \$4,380,000 of the home security fund--state appropriation is provided solely for the department to provide homeless housing services in accordance with Engrossed Substitute House Bill No. 2048 (housing assistance surcharges). If Engrossed Substitute House Bill No. 2048 (housing assistance surcharges) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(19) \$85,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the developmental disabilities council to contract for a family-to-family mentor program to provide information and support to families and guardians of persons who are transitioning out of residential habilitation centers. To the maximum extent allowable under federal law, these funds shall be matched under medicaid through the department of social and health services and federal funds shall be transferred to the department for the purposes stated in this subsection.

(20) ~~(\$2,802,000)~~ \$3,032,000 of the liquor revolving account--state appropriation is provided solely for the department to contract with the municipal research and services center of Washington.

(21) \$1,000,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for deposit in the shelter to housing project account, hereby created in the custody of the state treasurer as a nonappropriated account. The department may expend funds from the account solely for a two-year pilot project to enable young adults to move from temporary emergency shelter housing to transitional and permanent housing throughout King county. The pilot project will be administered under contract with the YMCA of greater Seattle in collaboration with the rising out of the shadows young adult shelter. Funding may be used for case management, housing subsidy, transportation, shelter services, training and evaluation. The pilot project and the shelter to housing project account expire December 31, 2014.

(22) \$12,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Second Substitute Senate Bill No. 5292 (irrigation and port districts). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(23) \$100,000 of the general fund--private/local appropriation is provided solely for the department to provide analysis and an advisory opinion on whether a proposed electric generation project or conservation resource qualifies to meet mandatory conservation targets in accordance with Substitute Senate Bill No. 6414 (review process/utilities). The department is authorized to require an applicant to pay an application fee to cover the cost of reviewing the project and preparing an advisory opinion. If Substitute Senate Bill No. 6414 (review process/utilities) is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1109. 2012 2nd sp.s. c 7 s 131 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund--State Appropriation (FY 2012)	\$18,369,000
General Fund--State Appropriation (FY 2013)	(\$18,584,000)
	\$18,853,000
General Fund--Federal Appropriation	\$31,530,000
General Fund--Private/Local Appropriation	\$1,370,000
Performance Audits of Government Account--State	

Appropriation	\$198,000	
Economic Development Strategic Reserve Account--State		
Appropriation	\$280,000	
Department of Personnel Services--State		
Appropriation	\$8,551,000	
Data Processing Revolving Account--State		
Appropriation	\$5,910,000	
Higher Education Personnel Services Account--State		
Appropriation	\$1,537,000	
Aquatic Lands Enhancement Account--State Appropriation		\$100,000
TOTAL APPROPRIATION	(\$86,429,000)	
	\$86,698,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,210,000 of the general fund--state appropriation for fiscal year 2012 and \$1,210,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of House Bill No. 1178 (regulatory assistance office). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(2) \$150,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the office of financial management to contract with an independent consultant to evaluate and recommend the most cost-effective provision of services required to support the department of social and health services special commitment center on McNeil Island. The evaluation shall include island operation services that include, but are not limited to: (a) Marine transport of passengers and goods; (b) wastewater treatment; (c) fire protection and suppression; (d) electrical supply; (e) water supply; and (f) road maintenance.

The office of financial management shall solicit the input of Pierce county, the department of corrections, and the department of social and health services in developing the request for proposal, evaluating applications, and directing the evaluation. The consultant shall report to the governor and legislature by November 15, 2011.

(3) \$100,000 of the aquatic lands enhancement account--state appropriation is provided solely for the office of financial management to prepare a report to be used to initiate a comprehensive, long-range planning process for the future of McNeil Island during the 2013-2015 fiscal biennium.

(a) The report on the initiation of the process must document:

- (i) Ownership issues, including consultation with the federal government about its current legal requirements associated with the island;
- (ii) Federal and state decision-making processes to change use or ownership;
- (iii) Tribal treaty interests;
- (iv) Fish and wildlife species and their habitats;
- (v) Land use and public safety needs;
- (vi) Recreational opportunities for the general public;
- (vii) Historic and archaeological resources; and
- (viii) Revenue from and necessary to support potential future uses of the island.

(b) The report shall develop and recommend a comprehensive, long-range planning process for the future of the island and associated aquatic resources, addressing the items in (a) of this subsection.

(c) The office of financial management may use its own staff and other public agency and tribal staff or contract for services, and may create a work group of knowledgeable agencies, organizations, and individuals to assist in preparing the report.

(d) The office of financial management shall engage in broad consultation with interested parties, including, but not limited to:

- (i) Federal agencies with relevant responsibilities;
- (ii) Tribal governments;
- (iii) State agencies;
- (iv) Local governments and communities in the area, including the Anderson Island community, Steilacoom, and Pierce county; and
- (v) Interested private organizations and individuals.

(e) The report must be submitted to the governor and appropriate committees of the legislature by October 1, 2012.

(4) The appropriations in this section include funding for activities transferred from the sentencing guidelines commission to the office of financial management pursuant to Engrossed Substitute Senate Bill No. 5891 (criminal justice cost savings). Prior to the effective date of Engrossed Substitute Senate Bill No. 5891, the appropriations in this section may be expended for the continued operations and expenses of the sentencing guidelines commission pursuant to the expenditure authority schedule produced by the office of financial management in accordance with chapter 43.88 RCW.

~~((6))~~ (5) \$115,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Engrossed Substitute House Bill No. 2483 (higher education coordination). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

~~((7))~~ (6)(a) The office of financial management shall determine if cost savings can be achieved by the state through contracting for interpreter services more effectively. The office of financial management must work with all state agencies that use interpreter services to determine:

- (i) How agencies currently procure interpreter services;
- (ii) To what degree brokers or foreign language agencies are used in the acquisition of interpreter services; and
- (iii) The cost of interpreter services as currently provided.

(b) The office of financial management, in consultation with the department of enterprise services, must also examine approaches to procuring interpreter services, including using the department of enterprise services' master contract, limiting overhead costs associated with interpreter contracts, and direct scheduling of interpreters. The report must include recommendations for the state to procure services in a more consistent and cost-effective manner.

(c) The office of financial management, in consultation with the department of labor and industries, must determine the impact that any alternative approach to procuring interpreter services will have on medical providers.

(d) The report must include:

- (i) Analysis of the current process for procuring interpreter services;
- (ii) Recommendations regarding options to make obtaining interpreter services more consistent and cost-effective; and
- (iii) Estimates for potential cost savings.

(e) The office of financial management must report to the fiscal committees of the legislature by December 1, 2012.

~~((8))~~ (7) \$25,000 of the general fund--state appropriation for fiscal year 2012 and \$225,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of House Bill No. 2824 (education funding). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(8) \$175,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5802 (greenhouse gas emissions). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1110. 2012 2nd sp.s. c 7 s 132 (uncodified) is amended to read as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

Administrative Hearings Revolving Account--State

Appropriation ~~((35,713,000))~~

\$36,413,000

The appropriation in this section is subject to the following conditions and limitations: ~~((769,000))~~ \$700,000 of the administrative hearings revolving account--state appropriation is provided solely to ~~((implement Engrossed Substitute Senate Bill No. 5921 (social services programs). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse))~~ accommodate the number of fair hearings associated with medical assistance programs on behalf of the health care authority.

Sec. 1111. 2012 2nd sp.s. c 7 s 136 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS

Department of Retirement Systems Expense

Account--State Appropriation ~~((46,511,000))~~

\$46,591,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$146,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 2070 (state and local government employees). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(2) \$65,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of House Bill No. 1625 (plan 3 default investment option). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(3) \$133,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of Engrossed House Bill No. 1981 as amended (post-retirement employment). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(4) \$15,000 of the department of retirement systems expense account--state appropriation is provided solely for the administrative costs associated with implementation of Substitute House Bill No. 2021 (plan 1 annual increase amounts). If the bill is not enacted by June 30, 2011, the amount provided in this section shall lapse.

(5) \$32,000 of the department of retirement systems--state appropriation is provided solely for the administrative costs associated with implementation of Engrossed Senate Bill No. 5159 (state patrol retirement system service credit). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1112. 2012 2nd sp.s. c 7 s 137 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund--State Appropriation (FY 2012) \$100,691,000

General Fund--State Appropriation (FY 2013) ~~((99,207,000))~~

\$99,357,000

Timber Tax Distribution Account--State Appropriation \$5,900,000

Waste Reduction/Recycling/Litter Control--State

Appropriation \$129,000

Waste Tire Removal Account--State Appropriation \$2,000

State Toxics Control Account--State Appropriation \$87,000

Oil Spill Prevention Account--State Appropriation \$19,000

Master License Fund--State Appropriation \$13,922,000

Vehicle License Fraud Account--State Appropriation \$5,000

Performance Audits of Government Account--State

Appropriation \$3,188,000

TOTAL APPROPRIATION ~~((223,150,000))~~

\$223,300,000

Sec. 1113. 2012 2nd sp.s. c 7 s 139 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

OMWBE Enterprises Account--State Appropriation ~~((3,654,000))~~

\$3,754,000

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the minority and women's business

enterprises account--state appropriation is provided for implementation of a certification program for small business enterprises. The agency will collaborate with the department of transportation to certify small businesses as small business enterprises.

Sec. 1114. 2012 2nd sp.s. c 7 s 142 (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Control Board Construction and Maintenance	
Account--State Appropriation	\$3,063,000
Liquor Revolving Account--State Appropriation	\$171,838,000
General Fund--Federal Appropriation	\$945,000
General Fund--Private/Local Appropriation	\$25,000
TOTAL APPROPRIATION	\$175,871,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The legislature intends to facilitate the orderly transition of liquor services as required by Initiative Measure No. 1183. For liquor control board employees that remain through June 15, 2012, a temporary opportunity to cash out sick leave is provided to assist the unique challenges to the liquor control board and its employees posed by this transition.

(2) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, liquor control board employees who: (a) Occupy positions in the job classifications provided in subsection (3)(c) of this section that will be eliminated after the liquor control board ceases to distribute liquor; and (b) remain as liquor control board employees through June 15, 2012, and who separate from service due to lay off by October 1, 2012, may elect to receive remuneration for their entire sick leave balance at a rate equal to one day's current monetary compensation of the employee for each four full days of accrued sick leave.

(3) The following conditions apply to sick leave cash out under this subsection:

(a) The rate of monetary compensation for the purposes of this subsection shall not be reduced by any temporary salary reduction;

(b) Remuneration or benefits received under this subsection shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state;

(c) The following job classifications are eligible:

- (i) Liquor store clerk;
- (ii) Retail assistant store manager 1;
- (iii) Retail assistant store manager 2;
- (iv) Retail store manager 3;
- (v) Retail store manager 4;
- (vi) Retail district manager;
- (vii) Retail operations manager;
- (viii) Director of retail services;
- (ix) Director of distribution center;
- (x) Director of purchasing;
- (xi) Director of business enterprise;
- (xii) Warehouse operator 1;
- (xiii) Warehouse operator 2;
- (xiv) Warehouse operator 3; and
- (xv) Warehouse operator 4; and

(d) Should the legislature revoke any remuneration or benefits granted under this section, an affected employee shall not be entitled thereafter to receive such benefits as a matter of contractual right.

(4) Within the amounts appropriated in this section from the liquor revolving account--state appropriation, up to \$946,000 may be used by the liquor control board to implement Initiative Measure No. 502.

Sec. 1115. 2012 2nd sp.s. c 7 s 144 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

General Fund--State Appropriation (FY 2012)	\$7,116,000
General Fund--State Appropriation (FY 2013)	(\$6,872,000)
\$6,938,000	
General Fund--Federal Appropriation	(\$159,075,000)
\$159,114,000	
Enhanced 911 Account--State Appropriation	\$48,620,000
Disaster Response Account--State Appropriation	\$23,119,000
Disaster Response Account--Federal Appropriation	\$91,368,000
Military Department Rent and Lease Account--State	
Appropriation	\$615,000
Worker and Community Right-to-Know Account--State	
Appropriation	\$2,163,000
TOTAL APPROPRIATION	(\$338,948,000)
\$339,053,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,018,000 of the disaster response account--state appropriation and \$66,266,000 of the disaster response account--federal appropriation may be spent only on disasters declared by the governor and with the approval of the office of financial management. The military department shall submit a report to the office of financial management and the legislative fiscal committees on October 1st and February 1st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available

fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2011-2013 biennium based on current revenue and expenditure patterns.

(2) \$75,000,000 of the general fund--federal appropriation is provided solely for homeland security, subject to the following conditions:

(a) Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee; and

(b) The department shall submit an annual report to the office of financial management and the legislative fiscal committees detailing the governor's domestic security advisory group recommendations; homeland security revenues and expenditures, including estimates of total federal funding for the state; and incremental changes from the previous estimate.

(3) \$15,000 of the general fund--state appropriation in fiscal year 2013 is provided solely to maintain the three generator systems that allow the emergency operations center and emergency management division to operate during unexpected power outages.

Sec. 1116. 2012 2nd sp.s. c 7 s 149 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund--State Appropriation (FY 2012)	\$3,401,000
General Fund--State Appropriation (FY 2013)	\$3,309,000
((General Fund--Federal Appropriation	\$177,000
General Fund--Private/Local Appropriation	\$368,000))
Building Code Council Account--State Appropriation	\$1,186,000
Department of Personnel Service Account--State	
Appropriation	\$11,117,000
Enterprise Services Account--State Appropriation	\$26,336,000
TOTAL APPROPRIATION	((\$45,894,000)
	\$45,349,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are for the operations and expenses of the department of enterprise services as established by Engrossed Substitute Senate Bill No. 5931 (central service functions of state government), effective October 1, 2011. Prior to October 1, 2011, the appropriations in this section may be expended for the continued operations and expenses of the office of financial management, the department of general administration, the department of information services, and the department of personnel, pursuant to the expenditure authority schedules produced by the office of financial management, in accordance with chapter 43.88 RCW.

(2) \$3,028,000 of the general fund--state appropriation for fiscal year 2012 and \$2,967,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the payment of facilities and services charges, utilities and contracts charges, public and historic facilities charges, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to enjoy all of the same rights of occupancy and space use on the capitol campus as historically established.

(3) In accordance with RCW 46.08.172 and 43.135.055, the department is authorized to increase parking fees in fiscal years 2012 and 2013 as necessary to meet the actual costs of conducting business.

(4) The building code council account appropriation is provided solely for the operation of the state building code council as required by statute and modified by the standards established by executive order 10-06. The council shall not consider any proposed code amendment or take any other action not authorized by statute or in compliance with the standards established in executive order 10-06. No member of the council may receive compensation, per diem, or reimbursement for activities other than physical attendance at those meetings of the state building code council or the council's designated committees, at which the opportunity for public comment is provided generally and on all agenda items upon which the council proposes to take action.

(5) Specific funding is provided for the purposes of section 3 of House Bill No. 1770 (state purchasing).

(6) The amounts appropriated in this section are for implementation of Senate Bill No. 5931 (streamlining central service functions).

(7) The department of enterprise services shall purchase flags needed for ceremonial occasions on the capitol campus in order to fully represent the countries that have an international consulate in Washington state.

(8) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have written approval from the director of the department of enterprise services.

(9) The department shall adjust billings for self-insurance premiums to transportation agencies to reflect rate reductions assumed in this act.

(End of part)

PART XII

HUMAN SERVICES

Sec. 1201. 2012 2nd sp.s. c 7 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority and the department are authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under the Washington medicaid integration partnership (WMIP) and the medicare integrated care project (MICP), the health care authority and the department may combine and transfer such medicaid funds appropriated under sections 204, 206, 208, and 213 of this act as may be necessary to finance a unified health care plan for the WMIP and the MICP program enrollment. The WMIP pilot projects shall not exceed a daily enrollment of 6,000 persons, nor expand beyond one county during the 2011-2013 fiscal biennium. The amount of funding assigned from each program may not exceed the average per capita cost assumed in this act for individuals covered by that program, actuarially adjusted for the health condition of persons enrolled, times the number of clients enrolled. In implementing the WMIP and the MICP, the health care authority and the department may: (i) Withhold from calculations of "available resources" as set forth in RCW 71.24.025 a sum equal to the capitated rate for enrolled individuals; and (ii) employ capitation financing and risk-sharing arrangements in collaboration with health care service contractors licensed by the office of the insurance commissioner and qualified to participate in both the medicaid and medicare programs. The health care authority and the department shall conduct an evaluation of the WMIP by October 15, 2012, and of the MICP measuring changes in participant health outcomes, changes in patterns of service utilization, participant satisfaction, participant access to services, and the state fiscal impact.

(b) Effective January 1, 2013, if Washington has been selected to participate in phase two of the federal demonstration project for persons dually-eligible for both medicare and medicaid, the department and the authority may initiate the MICP. Participation in the project shall be limited to persons who are eligible for both medicare and medicaid and to counties in which the county legislative authority has agreed to the terms and conditions under which it will operate. The purpose of the project shall be to demonstrate and evaluate ways to improve care while reducing state expenditures for persons enrolled both in medicare and medicaid. To that end, prior to initiating the project, the department and the authority shall assure that state expenditures shall be no greater on either a per person or total basis than the state would otherwise incur. Individuals who are solely eligible for medicaid may also participate if their participation is agreed to by the health care authority, the department, and the county legislative authority.

(4) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(5) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in section 213 of this act. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(6)(a) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, ~~((2012))~~ 2013, unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year ~~((2012))~~ 2013 among programs after approval by the director of financial management. However, the department shall not transfer state moneys that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year ~~((2012))~~ 2013 caseload forecasts and utilization assumptions in the long-term care, foster care, adoptions support, medicaid personal care, and child support programs, the department may transfer state moneys that are provided solely for a specified purpose. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

Sec. 1202. 2012 2nd sp.s. c 7 s 202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM

General Fund--State Appropriation (FY 2012)	\$287,014,000
General Fund--State Appropriation (FY 2013)	((285,018,000))
	\$261,669,000
General Fund--Federal Appropriation	((479,315,000))
	\$476,739,000
General Fund--Private/Local Appropriation	((1,354,000))
	\$1,804,000
Home Security Fund Account--State Appropriation	\$10,741,000
Domestic Violence Prevention Account--State	
Appropriation	\$1,240,000
Education Legacy Trust Account--State Appropriation	\$725,000
TOTAL APPROPRIATION	((1,065,407,000))
	\$1,039,932,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within amounts provided for the foster care and adoption support programs, the department shall control reimbursement decisions for foster care and adoption support cases such that the aggregate average cost per case for foster care and for adoption support does not exceed the amounts assumed in the projected caseload expenditures.

(2) \$668,000 of the general fund--state appropriation for fiscal year 2012 and \$668,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to thirteen children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case management as a condition of the contract. The department shall collaborate with the pediatric interim care center to determine if and how the center could be appropriately incorporated into the performance-based contract model and report its findings to the legislature by December 1, 2012.

(3)(a) \$80,887,000 of the general fund--state appropriation for fiscal year 2012, (~~(\$81,067,000)~~) \$61,067,000 of the general fund--state appropriation for fiscal year 2013, and (~~(\$74,800,000)~~) \$71,598,034 of the general fund--federal appropriation are provided solely for services for children and families. The amounts provided in this section shall be allotted on a monthly basis and expenditures shall not exceed allotments based on a three month rolling average without approval of the office of financial management following notification to the legislative fiscal committees.

(b) The department shall use these services to safely reduce the number of children in out-of-home care, safely reduce the time spent in out-of-home care prior to achieving permanency, and safely reduce the number of children returning to out-of-home care following permanency. The department shall provide an initial report to the legislature and the governor by January 15, 2012, regarding the start-up costs associated with performance-based contracts under RCW 74.13.360 .

(c) Of the amounts provided in (a) of this subsection, \$579,000 of the general fund--state appropriation for fiscal year 2013 and \$109,000 of the general fund--federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$176,000 of the general fund--state appropriation for fiscal year 2012, \$177,000 of the general fund--state appropriation for fiscal year 2013, \$656,000 of the general fund--private/local appropriation, \$253,000 of the general fund--federal appropriation, and \$725,000 of the education legacy trust account--state appropriation are provided solely for children's administration to contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the transition to performance based contracts. Funding shall be prioritized to regions with high numbers of foster care youth and/or regions where backlogs of youth that have formerly requested educational outreach services exist. The department shall utilize private matching funds to maintain educational advocacy services.

(5) \$670,000 of the general fund--state appropriation for fiscal year 2012 and \$670,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for services provided through children's advocacy centers.

(6) To ensure expenditures remain within available funds appropriated in this section as required by RCW 74.13A.005 and 74.13A.020, the secretary shall not set the amount of any adoption assistance payment or payments, made pursuant to RCW 26.33.320 and 74.13A.005 through 74.13A.080, to more than ninety percent of the foster care maintenance payment for that child had he or she remained in a foster family home during the same period. This subsection does not apply to adoption assistance agreements in existence on the effective date of this section.

(7) \$10,741,000 of the home security fund--state appropriation is provided solely for the department to contract for services pursuant to RCW 13.32A.030 and 74.15.220. The department shall contract and collaborate with service providers in a manner that maintains the availability and geographic representation of secure and semi-secure crisis residential centers and HOPE centers. To achieve efficiencies and increase utilization, the department shall allow the co-location of these centers, except that a youth may not be placed in a secure facility or the secure portion of a co-located facility except as specifically authorized by chapter 13.32A RCW. The reductions to appropriations in this subsection related to semi-secure crisis residential centers reflect a reduction to the number of beds for semi-secure crisis residential centers and not a reduction in rates. Any secure crisis residential center or semi-secure crisis residential center bed reduction shall not be based solely upon bed utilization. The department is to exercise its discretion in reducing the number of beds but to do so in a manner that maintains availability and geographic representation of semi-secure and secure crisis residential centers.

(8) \$47,000 of the general fund--state appropriation for fiscal year 2012, \$14,000 of the general fund--state appropriation for fiscal year 2013, and \$40,000 of the general fund--federal appropriation are provided solely to implement Substitute House Bill No. 1697 (dependency system). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(9) \$564,000 of the general fund--federal appropriation is provided solely to implement Second Substitute House Bill No. 1128 (extended foster care). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$799,000 of the general fund--state appropriation for fiscal year 2013 and \$799,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Second Substitute House Bill No. 2264 (child welfare/contracting). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(11) \$178,000 of the general fund--federal appropriation is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2592 (extended foster care). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(12) \$616,000 of the general fund--state appropriation for fiscal year 2013 and \$616,000 of the general fund--federal appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6555 (child protective services). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

Sec. 1203. 2012 2nd sp.s. c 7 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2012)	\$85,723,000
General Fund--State Appropriation (FY 2013)	((\$85,258,000))
\$85,477,000	
General Fund--Federal Appropriation	((\$3,809,000))

\$3,808,000
 General Fund--Private/Local Appropriation(~~(\$1,903,000)~~)
 \$1,904,000
 Washington Auto Theft Prevention Authority Account--
 State Appropriation \$196,000
 Juvenile Accountability Incentive Account--Federal
 Appropriation \$2,801,000
 TOTAL APPROPRIATION (~~(\$179,690,000)~~)
 \$179,909,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$331,000 of the general fund--state appropriation for fiscal year 2012 and \$331,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for deposit in the county criminal justice assistance account for costs to the criminal justice system associated with the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county adult court costs associated with the implementation of chapter 338, Laws of 1997 and shall be distributed in accordance with RCW 82.14.310.

(2) \$2,716,000 of the general fund--state appropriation for fiscal year 2012 and \$2,716,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 338, Laws of 1997 (juvenile code revisions). The amounts provided in this subsection are intended to provide funding for county impacts associated with the implementation of chapter 338, Laws of 1997 and shall be distributed to counties as prescribed in the current consolidated juvenile services (CJS) formula.

(3) \$3,482,000 of the general fund--state appropriation for fiscal year 2012 and \$3,482,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement community juvenile accountability grants pursuant to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided in this subsection may be used solely for community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants.

(4) \$1,130,000 of the general fund--state appropriation for fiscal year 2012 and \$1,130,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement alcohol and substance abuse treatment programs for locally committed offenders. The juvenile rehabilitation administration shall award these moneys on a competitive basis to counties that submitted a plan for the provision of services approved by the division of alcohol and substance abuse. The juvenile rehabilitation administration shall develop criteria for evaluation of plans submitted and a timeline for awarding funding and shall assist counties in creating and submitting plans for evaluation.

(5) \$3,123,000 of the general fund--state appropriation for fiscal year 2012 and \$3,123,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for grants to county juvenile courts for the following programs identified by the Washington state institute for public policy (institute) in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Functional family therapy, multi-systemic therapy, aggression replacement training and interagency coordination programs, or other programs with a positive benefit-cost finding in the institute's report. County juvenile courts shall apply to the juvenile rehabilitation administration for funding for program-specific participation and the administration shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute.

(6) \$1,537,000 of the general fund--state appropriation for fiscal year 2012 and \$1,537,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for expansion of the following treatments and therapies in juvenile rehabilitation administration programs identified by the Washington state institute for public policy in its October 2006 report: "Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates": Multidimensional treatment foster care, family integrated transitions, and aggression replacement training, or other programs with a positive benefit-cost finding in the institute's report. The administration may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(7)(a) The juvenile rehabilitation administration shall administer a block grant, rather than categorical funding, of consolidated juvenile service funds, community juvenile accountability act grants, the chemical dependency disposition alternative funds, the mental health disposition alternative, and the sentencing disposition alternative for the purpose of serving youth adjudicated in the juvenile justice system. In making the block grant, the juvenile rehabilitation administration shall follow the following formula and will prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for moderate and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency disposition alternative; and (vi) two percent for the mental health and sentencing dispositional alternatives. Funding for the special sex offender disposition alternative (SSODA) shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the juvenile rehabilitation administration and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(b) The juvenile rehabilitation administration shall phase the implementation of the formula provided in subsection (1) of this section by including a stop-loss formula of five percent in fiscal year 2012 and five percent in fiscal year 2013.

(c) The juvenile rehabilitation administration and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the juvenile rehabilitation administration and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be cochaired by the juvenile rehabilitation administration and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. Initial members will include one juvenile court representative from the finance committee, the community juvenile accountability act committee, the risk assessment quality assurance committee, the executive board of the Washington association of juvenile court administrators, the Washington state center for court research, and a representative of the superior court judges association; two representatives from the juvenile rehabilitation administration headquarters program oversight staff, two representatives of the juvenile rehabilitation administration regional office staff, one representative of the juvenile rehabilitation administration fiscal staff and a

juvenile rehabilitation administration division director. The committee may make changes to the formula categories other than the evidence-based program and disposition alternative categories if it is determined the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost benefit savings to the state. Long-term cost benefit must be considered. Percentage changes may occur in the evidence-based program or disposition alternative categories of the formula should it be determined the changes will increase evidence-based program or disposition alternative delivery and increase the cost benefit to the state. These outcomes will also be considered in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts shall be responsible for collecting and distributing information and providing access to the data systems to the juvenile rehabilitation administration and the Washington state institute for public policy related to program and outcome data. The juvenile rehabilitation administration and the juvenile courts will work collaboratively to develop program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(8) The juvenile courts and administrative office of the courts shall collect and distribute information related to program outcome and provide access to these data systems to the juvenile rehabilitation administration and Washington state institute for public policy. Consistent with chapter 13.50 RCW, all confidentiality agreements necessary to implement this information-sharing shall be approved within 30 days of the effective date of this section. The agreements between administrative office of the courts, the juvenile courts, and the juvenile rehabilitation administration shall be executed to ensure that the juvenile rehabilitation administration receives the data that the juvenile rehabilitation administration identifies as needed to comply with this subsection. This includes, but is not limited to, information by program at the statewide aggregate level, individual court level, and individual client level for the purpose of the juvenile rehabilitation administration providing quality assurance and oversight for the locally committed youth block grant and associated funds and at times as specified by the juvenile rehabilitation administration as necessary to carry out these functions. The data shall be provided in a manner that reflects the collaborative work the juvenile rehabilitation administration and juvenile courts have developed regarding program outcomes that reinforce the greatest cost benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(9) The Washington association of juvenile court administrators and the juvenile rehabilitation administration, in consultation with the community juvenile accountability act advisory committee and the Washington state institute for public policy, shall analyze and review data elements available from the administrative office of the courts for possible integration into the evidence-based program quality assurance plans and processes. The administrative office of the courts, the Washington association of juvenile court administrators, and the juvenile rehabilitation administration shall provide information necessary to complete the review and analysis. The Washington association of juvenile court administrators and the juvenile rehabilitation administration shall report the findings of their review and analysis, as well as any recommendations, to the legislature by December 1, 2012.

Sec. 1204. 2012 2nd sp.s. c 7 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2012)	\$317,734,000
General Fund--State Appropriation (FY 2013)	(\$324,319,000)
	\$321,609,000
General Fund--Federal Appropriation	(\$449,593,000)
	\$446,619,000
General Fund--Private/Local Appropriation	\$17,864,000
Hospital Safety Net Assessment Fund--State	
Appropriation	\$5,251,000
TOTAL APPROPRIATION	(\$1,114,761,000)
	\$1,109,077,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$109,342,000 of the general fund--state appropriation for fiscal year 2012 and \$109,341,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for persons and services not covered by the medicaid program. This is a reduction of \$4,348,000 each fiscal year from the nonmedicaid funding that was allocated for expenditure by regional support networks during fiscal year 2011 prior to supplemental budget reductions. This \$4,348,000 reduction shall be distributed among regional support networks proportional to each network's share of the total state population. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: (i) Crisis and commitment services; (ii) community inpatient services; and (iii) residential care services, including personal care and emergency housing assistance.

(b) \$6,590,000 of the general fund--state appropriation for fiscal year 2012, \$6,590,000 of the general fund--state appropriation for fiscal year 2013, and \$7,620,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(a) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) \$5,850,000 of the general fund--state appropriation for fiscal year 2012, \$5,850,000 of the general fund--state appropriation for fiscal year 2013, and \$1,300,000 of the general fund--federal appropriation are provided solely for the western Washington regional support networks to provide either community- or hospital campus-based services for persons who require the level of care previously provided by the program for adaptive living skills (PALS) at western state hospital.

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 557 per day.

(e) From the general fund--state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund--state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

~~((g))~~ (f) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

~~((h))~~ (g) \$750,000 of the general fund--state appropriation for fiscal year 2012 and \$750,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

~~((i))~~ (h) \$1,125,000 of the general fund--state appropriation for fiscal year 2012 and \$1,125,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

~~((j))~~ (i) \$1,529,000 of the general fund--state appropriation for fiscal year 2012 and \$1,529,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

~~((k))~~ (j) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (a) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

~~((l))~~ (k) Given the recent approval of federal medicaid matching funds for the disability lifeline and the alcohol and drug abuse treatment support act programs, the department shall charge regional support networks for only the state share rather than the total cost of community psychiatric hospitalization for persons enrolled in those programs.

~~((m))~~ (l) \$750,000 of the general fund--state appropriation for fiscal year 2012, \$750,000 of the general fund--state appropriation for fiscal year 2013, and \$1,500,000 of the general fund--federal appropriation are provided solely to adjust regional support network capitation rates to account for the per diem rates actually paid for psychiatric care provided at hospitals participating in the certified public expenditure program operated pursuant to section 213 of this act.

~~((n))~~ (m) The appropriations in this section reflect efficiencies to be achieved through voluntary consolidation of regional support networks in accordance with Substitute House Bill No. 2139 (regional support networks). Voluntary consolidation of regional support networks is expected to result in administrative efficiencies and maximize dollars available for direct services to individuals with mental illnesses without corresponding increases in state appropriations.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$115,017,000
General Fund--State Appropriation (FY 2013)	(\$112,603,000)
\$118,883,000	
General Fund--Federal Appropriation	(\$153,618,000)
\$152,917,000	
General Fund--Private/Local Appropriation	(\$67,325,000)
\$64,555,000	
TOTAL APPROPRIATION	(\$448,563,000)
\$451,372,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund--state appropriation for fiscal year 2012 and \$231,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund--state appropriation for fiscal year 2012 and \$45,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$20,000,000 of the general fund--state appropriation for fiscal year 2012 and \$20,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to maintain staffed capacity to serve an average daily census in forensic wards at western state hospital of 270 patients per day.

(e) The appropriations in this section reflect efficiencies to be achieved through enactment of Substitute Senate Bill No. 6492 (competency to stand trial). These efficiencies are expected to enable the hospitals to substantially increase the timeliness with which evaluations of defendant competency to stand trial are completed, and treatment to restore competency is initiated, without corresponding increases in state appropriations.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012)	\$1,148,000
General Fund--State Appropriation (FY 2013)	\$1,276,000
General Fund--Federal Appropriation	(\$4,198,000)
	\$5,198,000
General Fund--Private/Local Appropriation	\$700,000
TOTAL APPROPRIATION	(\$7,322,000)
	\$8,322,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,161,000 of the general fund--state appropriation for fiscal year 2012 and \$1,161,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for children's evidence-based mental health services. Funding is sufficient to continue serving children at the same levels as fiscal year 2009.

(b) \$700,000 of the general fund--private/local appropriation is provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices for serving children and youth with mental health disorders. The department shall enter into an interagency agreement with the office of the attorney general for expenditure of \$700,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

(c) \$135,000 of the general fund--state appropriation for fiscal year 2013 and \$89,000 of the general fund--federal appropriation are provided solely for the department to contract with the University of Washington's evidence-based practice institute and the Washington state institute for public policy to consult with the department and the health care authority on the implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The department's programs responsible for administration of mental health, child welfare, and juvenile justice programs will coordinate with the health care authority on the development of contract terms which facilitate efforts to meet requirements of the bill. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2012)	\$4,482,000
General Fund--State Appropriation (FY 2013)	(\$4,247,000)
	\$4,161,000
General Fund--Federal Appropriation	(\$7,210,000)
	\$7,128,000
General Fund--Private/Local Appropriation	\$446,000
TOTAL APPROPRIATION	(\$16,385,000)
	\$16,217,000

(a) The appropriations in this subsection are subject to the following conditions and limitations: In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to increase license and certification fees in fiscal years 2012 and 2013 to support the costs of the regulatory program. The fee schedule increases must be developed so that the maximum amount of additional fees paid by providers statewide in the 2011-2013 fiscal biennium is \$446,000. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) \$19,000 of the general fund--state appropriation for fiscal year 2012, \$17,000 of the general fund--state appropriation for fiscal year 2013, and \$34,000 of the general fund--federal appropriation are provided solely to support a partnership among the department of social and health services, the department of health, and agencies that deliver medical care and behavioral health services in Cowlitz county. The partnership shall identify and recommend strategies for resolving regulatory, licensing, data management, reporting, and funding barriers to more effective integration of primary medical and behavioral health care services in the county.

Sec. 1205. 2012 2nd sp.s. c 7 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2012)	\$405,412,000
General Fund--State Appropriation (FY 2013)	(\$420,327,000)
	\$411,082,000
General Fund--Federal Appropriation	(\$752,059,000)
	\$745,033,000
General Fund--Private/Local Appropriation	\$184,000
TOTAL APPROPRIATION	(\$1,577,982,000)

\$1,561,711,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) Amounts appropriated in this subsection reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(c) Amounts appropriated in this subsection are sufficient to develop and implement the use of a consistent, statewide outcome-based vendor contract for employment and day services by July 1, 2012. The rates paid to vendors under this contract shall also be made consistent. In its description of activities the agency shall include activity listings and dollars appropriated for: Employment services, day services, child development services and county administration of services to the developmentally disabled. The department shall begin reporting to the office of financial management on these activities beginning in fiscal year 2010.

(d) \$944,000 of the general fund--state appropriation for fiscal year 2012, \$944,000 of the general fund--state appropriation for fiscal year 2013, and \$1,888,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund \$2.21 per paid hour worked by individual providers.

(e) \$1,329,000 of the general fund--state appropriation for fiscal year 2012, \$1,622,000 of the general fund--state appropriation for fiscal year 2013, and \$2,947,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. Contributions are funded at \$0.22 per benefit-eligible paid hour worked by all home care workers. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection. However, if the governor and the service employees international union healthcare 775nw can reach agreement on repurposing funding that is currently provided in the individual provider collective bargaining agreement for new individual provider wages paid during training or other training related items, then expenditures for training trust contributions for individual providers may include the amounts provided in this subsection and the agreed upon repurposed funding. Funding in this section for purposes other than the individual provider collective bargaining agreement cannot be used for the purposes of this subsection (1)(e). It is the intent of the legislature that the funding provided in this subsection, including any repurposed funding, is sufficient to cover the costs of individual provider training and therefore tuition or other entrance fees are not necessary.

(f) (~~(\$104,669,000)~~) \$107,538,000 of the general fund--state appropriation for fiscal year 2013 and (~~(\$104,669,000)~~) \$107,535,000 of the general fund--federal appropriation are provided solely for the department to provide personal care services to waiver and nonwaiver in-home clients. The department shall provide the legislature with a report by December 5, 2012, on the feasibility of converting the medicaid personal care program for in-home adults to a medicaid program as found in section 1915(i) of the federal social security act that utilizes the option for self-direction of individualized budgets. The department shall operate the personal care program within the amounts specifically provided.

(g)(i) Within the amounts appropriated in this subsection, the department shall revise the current working age adult policy to allow clients to choose between employment and community access activities. Clients age 21 and older who are receiving services through a home- and community-based medicaid waiver shall be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. The department shall inform clients and their legal representatives of all available options for employment and day services. Information provided to the client and the client's legal representative shall include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option. An individual client may be authorized for only one service option, either employment services or community access services. Clients may not participate in more than one of these services at any given time.

(ii) The department shall work with counties and stakeholders to strengthen and expand the existing community access program. The program must emphasize support for the client so they are able to participate in activities that integrate them into their community and support independent living and skills.

(iii) The appropriation in this subsection includes funding to provide employment or community access services to 168 medicaid eligible young adults with developmental disabilities living with their families who need employment opportunities and assistance after high school graduation.

(h) \$75,000 of the general fund--state appropriation for fiscal year 2012 and \$75,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the restoration of direct support to local organizations that utilize parent-to-parent networks and communication to promote access and quality of care for individuals with developmental disabilities and their families.

(i) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), adult family home license fees are increased in fiscal years 2012 and 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(i) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and \$175 per bed beginning in fiscal year 2013. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013, or the amount necessary to fully fund the license fee increase for publicly funded beds, pursuant to the most recent bed estimates maintained by the department.

(ii) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(j) Clients with developmental disabilities have demonstrated a need and a desire for a day services program as verified by over 900 clients currently accessing day programs through a long- term care service model. In addition, every individual, to include those with a developmental disability, should have the opportunity for meaningful employment which allows them to contribute to their communities and to become as self-sufficient as possible. Providing choice empowers recipients of publicly funded services and their families by expanding their degree of control over the services and supports they need.

The department shall work with legislators and stakeholders to develop a new approach to employment and day services. The objective of this plan is to ensure that adults with developmental disabilities have optimum choices, and that employment and day offerings are

comprehensive enough to meet the needs of all clients currently served on a home and community based waiver. The proposal shall be submitted to the 2012 legislature for consideration and shall be constructed such that a client ultimately receives employment, community access, or the community day option but not more than one service at a time. The proposal shall include options for program efficiencies within the current employment and day structure and shall provide details on the plan to implement a consistent, statewide outcome-based vendor contract for employment and day services as specified in (c) of this subsection.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$75,436,000
General Fund--State Appropriation (FY 2013)	(\$80,356,000)
	\$78,154,000
General Fund--Federal Appropriation	(\$153,570,000)
	\$152,963,000
General Fund--Private/Local Appropriation	\$22,043,000
TOTAL APPROPRIATION	(\$331,405,000)
	\$328,596,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$721,000 of the general fund--state appropriation for fiscal year 2012 and \$721,000 of the general fund--state appropriation for fiscal year 2013 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2012)	\$1,382,000
General Fund--State Appropriation (FY 2013)	(\$1,366,000)
	\$1,759,000
General Fund--Federal Appropriation	(\$1,319,000)
	\$1,519,000
TOTAL APPROPRIATION	(\$4,067,000)
	\$4,660,000

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012)	\$4,634,000
General Fund--State Appropriation (FY 2013)	(\$4,553,000)
	\$6,313,000
General Fund--Federal Appropriation	(\$9,588,000)
	\$9,786,000
General Fund--Private/Local Appropriation	(\$998,000)
	\$791,000
TOTAL APPROPRIATION	(\$19,773,000)
	\$21,524,000

The appropriations in this subsection are subject to the following conditions and limitations:

Amounts appropriated in this subsection are for the purposes of transitioning clients with developmental disabilities into community settings. The department is authorized as needed to use these funds to either pay for clients residing within a residential habilitation center or for placements in the community. Pursuant to Second Substitute Senate Bill No. 5459 (services for people with developmental disabilities), funding in this subsection must be prioritized for the purpose of facilitating the consolidation and closure of Frances Haddon Morgan Center. The department shall use a person-centered approach in developing the discharge plan to assess each resident's needs and identify services the resident requires to successfully transition to the community or another residential habilitation center. The department is authorized to use any savings from this effort for the purpose of developing community resources to address the needs of clients with developmental disabilities who are in crisis or in need of respite. The department shall track the costs and savings of closing Frances Haddon Morgan Center and any investments into community placements and resources. The department shall provide a fiscal progress report to the legislature by December 5, 2011.

Sec. 1206. 2012 2nd sp.s. c 7 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM

General Fund--State Appropriation (FY 2012)	\$791,493,000
General Fund--State Appropriation (FY 2013)	(\$809,338,000)
	\$802,115,000
General Fund--Federal Appropriation	(\$1,690,993,000)
	\$1,686,998,000
General Fund--Private/Local Appropriation	\$27,517,000
Traumatic Brain Injury Account--State Appropriation	\$3,388,000
Nursing Facility Quality Assurance Account--State Appropriation	\$88,000,000
TOTAL APPROPRIATION	(\$3,410,729,000)
	\$3,399,511,000

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$170.37 for fiscal year 2012 and shall not exceed (~~(\$171.43)~~) \$171.09 for fiscal year 2013, including the rate add-ons described in (a) and (b) of this subsection. However, if the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, the weighted average nursing facility payment rate shall not exceed \$159.87 for fiscal year 2012 and shall not exceed (~~(\$160.93)~~) \$161.29 for fiscal year 2013. There will be no adjustments for economic trends and conditions in fiscal years 2012 and 2013. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW. When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) Within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, 2012, using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the comparative add-on, acuity add-on, and safety net reimbursement, to the facility-based payment rates in effect June 30, 2010. If the facility-based payment rate calculated on July 1, 2012, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, if it is found that the direct care rate for any facility calculated using the payment methodology defined in chapter 74.46 RCW and as funded in the omnibus appropriations act, excluding the comparative add-on, acuity add-on, and safety net reimbursement, is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, (b), (c), and (d) of this subsection do not apply.

(2) After examining actual nursing facility cost information, the legislature finds that the medicaid nursing facility rates calculated pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home payments) provide sufficient reimbursement to efficiently and economically operating nursing facilities and bear a reasonable relationship to costs.

(3) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2012 and no new certificates of capital authorization for fiscal year 2013 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2012 and 2013.

(4) The long-term care program may develop and pay enhanced rates for exceptional care to nursing homes for persons with traumatic brain injuries who are transitioning from hospital care. The cost per patient day for caring for these clients in a nursing home setting may be equal to or less than the cost of caring for these clients in a hospital setting.

(5) Amounts appropriated in this section reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(6) \$1,883,000 of the general fund--state appropriation for fiscal year 2012, \$1,883,000 of the general fund--state appropriation for fiscal year 2013, and \$3,766,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund \$2.21 per paid hour worked by individual providers.

(7) \$2,449,000 of the general fund--state appropriation for fiscal year 2012, \$3,012,000 of the general fund--state appropriation for fiscal year 2013, and \$5,463,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. Contributions are funded at \$0.22 per benefit-eligible paid hour worked by all home care workers. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection. However, if the governor and the service employees international union healthcare 775nw can reach agreement on repurposing funding that is currently provided in the individual provider collective bargaining agreement for new individual provider wages paid during training or other training related items, then expenditures for training trust contributions for individual providers may include the amounts provided in this subsection and the agreed upon repurposed funding. Funding in this section for purposes other than the individual provider collective bargaining agreement cannot be used for the purposes of this subsection (7). It is the intent of the legislature that the funding provided in this subsection, including any repurposed funding, is sufficient to cover the costs of individual provider training and therefore tuition or other entrance fees are not necessary.

(8) (~~(\$338,550,000)~~) \$325,203,000 of the general fund--state appropriation for fiscal year 2013 and (~~(\$338,550,000)~~) \$324,653,000 of the general fund--federal appropriation are provided solely for the department to provide personal care services to waiver and nonwaiver in-home clients. The department shall provide the legislature with a report by December 5, 2012, on the feasibility of converting the medicaid personal care program for in-home adults to a medicaid program as found in section 1915(i) of the federal social security act that utilizes the option for self-direction of individualized budgets. The department shall operate the personal care program within the amounts specifically provided.

(9) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(10) The department shall eliminate the adult day health program under the state plan 1915(i) option and shall reestablish it under the long-term care home and community-based waiver.

(11) \$4,588,000 of the general fund--state appropriation for fiscal year 2012, \$4,559,000 of the general fund--state appropriation for fiscal year 2013, and \$9,237,000 of the general fund--federal appropriation are provided solely for the continued operation of community residential and support services for persons who are older adults or who have co-occurring medical and behavioral disorders and who have been discharged or diverted from a state psychiatric hospital. These funds shall be used to serve individuals whose treatment needs constitute substantial barriers to community placement, who no longer require active psychiatric treatment at an inpatient hospital level of care, and who no longer meet the criteria for inpatient involuntary commitment.

(12) \$1,840,000 of the general fund--state appropriation for fiscal year 2012 and \$1,877,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(13) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), nursing facility fees are increased in fiscal year 2012 and adult family home fees are increased in fiscal year 2012 and fiscal year 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(a) The current annual renewal license fee for nursing facilities shall be increased to \$359 per bed beginning in fiscal year 2012 and assumes \$517,000 of the general fund--private/local appropriation. Nursing facilities shall receive a vendor rate increase of \$0.08 per medicaid patient day to cover the license fee increase for publicly funded beds.

(b) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and assumes \$1,449,000 of the general fund--private/local appropriation; and \$175 per bed beginning in fiscal year 2013 and assumes \$2,463,000 of the general fund--private/local appropriation. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013, or the amount necessary to fully fund the license fee increase for publicly funded beds, pursuant to the most recent bed estimates maintained by the department.

(c) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(d) \$72,000 of the general fund--state appropriation for fiscal year 2012, \$708,000 of the general fund--private/local appropriation and \$708,000 of the general fund--federal appropriation are provided solely to implement sections 501 through 503 of Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults). The department shall use additional investigative resources to address complaints about provider practices as well as alleged abuse, neglect, abandonment, and exploitation of residents in adult family homes. The department shall develop a statewide internal quality review and accountability program to improve the accountability of staff and the consistent application of investigative activities, and shall convene a quality assurance panel to review problems in the quality of care in adult family homes.

(14) \$3,316,000 of the traumatic brain injury account--state appropriation is provided solely to continue services for persons with traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011 (traumatic brain injury strategic partnership).

(15) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

(16) The department shall participate in the work group established by the department of corrections in section 220(2) of this act to review release options for elderly and infirm offenders.

Sec. 1207. 2012 2nd sp.s. c 7 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES PROGRAM

General Fund--State Appropriation (FY 2012)	\$415,553,000
General Fund--State Appropriation (FY 2013)	(\$438,483,000)
	\$386,366,000
General Fund--Federal Appropriation	(\$1,174,416,000)
	\$1,180,028,000
General Fund--Private/Local Appropriation	\$30,592,000
TOTAL APPROPRIATION	(\$2,059,044,000)
	\$2,012,539,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$195,410,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$235,808,000)~~ \$178,052,000 of the general fund--state appropriation for fiscal year 2013, and ~~(\$725,586,000)~~ \$712,784,000 of the general fund--federal appropriation are provided solely for all components of the WorkFirst program. Under section 2 of Engrossed Substitute Senate Bill No. 5921 (social services programs), the amounts in this subsection assume that any participant in the temporary assistance for needy families where their participation is suspended and does not volunteer to participate in WorkFirst services or unsubsidized employment does not receive child care subsidies or WorkFirst subsidies as a condition of the suspension. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families.

(a) Within the amounts provided for WorkFirst in this subsection, the department shall continue to implement WorkFirst program improvements that are designed to achieve progress against outcome measures specified in Engrossed House Bill No. 2262 (WorkFirst and child care) and RCW 74.08A.410.

(b) The department may establish a career services work transition program.

(c) Within amounts appropriated in this section, the legislature expressly mandates that the department exercise its authority, granted in 1997 under RCW 74.08A.290, to contract for work activities services pursuant to that statutory authority and RCW 41.06.142(3).

(d) The department shall create a temporary assistance for needy families budget structure that allows for more transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure shall include budget units for the following: Grants, child care, WorkFirst activities, and administration of the program.

(2) \$23,679,000 of the general fund--state appropriation for fiscal year 2012, in addition to supplemental security income recoveries, is provided solely for financial assistance and other services to recipients in the program established in section 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates on October 31, 2011.

(3)(a) \$12,457,000 of the general fund-- state appropriation for fiscal year 2012 and \$21,959,000 of the general fund--state appropriation for fiscal year 2013, in addition to supplemental security income recoveries, are provided solely for the programs created in Engrossed Substitute House Bill No. 2082 (essential needs and assistance program) beginning November 1, 2011.

(b) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(c) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(4) \$1,657,000 of the general fund--state appropriation for fiscal year 2012 and \$1,657,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for naturalization services.

(5) \$2,366,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for ((refugee)) employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for ((refugee)) employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(6) On December 1, 2011, and annually thereafter, the department must report to the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(7) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be fifty percent of the federal supplemental nutrition assistance program benefit amount.

Sec. 1208. 2012 2nd sp.s. c 7 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM

General Fund--State Appropriation (FY 2012)	\$73,742,000
General Fund--State Appropriation (FY 2013)	((\$71,218,000))
\$71,019,000	
General Fund--Federal Appropriation	((\$184,401,000))
\$187,979,000	
General Fund--Private/Local Appropriation((\$13,486,000))	
\$16,248,000	
Criminal Justice Treatment Account--State	
Appropriation	\$20,748,000
Problem Gambling Account--State Appropriation	\$1,448,000
TOTAL APPROPRIATION	((\$365,043,000))
\$371,184,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the amounts appropriated in this section, the department may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program. For all contractors, indirect charges for administering the program shall not exceed ten percent of the total contract amount.

(2) Within the amounts appropriated in this section, the department shall continue to provide for chemical dependency treatment services for adult medicaid eligible, pregnant and parenting women, disability lifeline, and alcoholism and drug addiction treatment and support act, and medical care services clients.

(3) In accordance with RCW 70.96A.090 and 43.135.055, the department is authorized to increase fees for the review and approval of treatment programs in fiscal years 2012 and 2013 as necessary to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(4) \$3,500,000 of the general fund--federal appropriation (from the substance abuse prevention and treatment federal block grant) is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

(5) Within amounts appropriated in this section, the department is required to increase federal match available for intensive inpatient services. During fiscal year 2013, the department shall shift contracts for a minimum of 32 intensive inpatient beds currently provided in settings that are considered institutions for mental diseases to two or more facilities with no more than 16 beds that are able to claim federal match for services provided to medicaid clients or individuals covered under the department's section 1115 medicaid waiver. The department is authorized to conduct a request for proposal process to fulfill this requirement. By December 1, 2012, the department shall provide a plan to the office of financial management and to the relevant fiscal and policy committees of the legislature for transitioning all remaining intensive inpatient beds currently provided in settings that are considered institutions for mental diseases into facilities with no more than 16 beds by June 2017. The plan shall identify the maximum number of additional beds that can be transitioned into facilities with no more than 16 beds during the 2013-2015 fiscal biennium and the remaining number that will be transitioned during the 2015-2017 fiscal biennium, a timeline and process for accomplishing this, and a projection of the related general fund--state savings for each biennium.

(6) The amounts appropriated in this section include reductions of \$303,000 in the general fund--state appropriation for fiscal year 2012 and \$1,815,000 in the general fund--state appropriation for fiscal year 2013. The department must apply this reduction across all levels of chemical dependency residential treatment services excluding services contracted through the counties, services provided to pregnant and parenting women, services provided to juveniles, and services provided to parents in dependency proceedings.

Sec. 1209. 2012 2nd sp.s. c 7 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL REHABILITATION PROGRAM

General Fund--State Appropriation (FY 2012)	\$10,854,000
General Fund--State Appropriation (FY 2013)	(\$10,401,000)
\$10,353,000	
General Fund--Federal Appropriation	(\$105,060,000)
\$104,922,000	
Telecommunications Devices for the Hearing and	
Speech Impaired--State Appropriation	\$2,766,000
TOTAL APPROPRIATION	(\$129,081,000)
\$128,895,000	

The appropriations in this section are subject to the following conditions and limitations: \$480,000 of the telecommunications devices for the hearing and speech impaired account--state appropriation is provided solely for the office of deaf and hard of hearing to contract for services that provide employment support and help with life activities for deaf-blind individuals in King county.

Sec. 1210. 2012 2nd sp.s. c 7 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT PROGRAM

General Fund--State Appropriation (FY 2012)	\$48,167,000
General Fund--State Appropriation (FY 2013)	(\$36,128,000)
\$38,247,000	
TOTAL APPROPRIATION	(\$84,295,000)
\$86,414,000	

Sec. 1211. 2012 2nd sp.s. c 7 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund--State Appropriation (FY 2012)	\$26,069,000
General Fund--State Appropriation (FY 2013)	(\$24,474,000)
\$26,301,000	
General Fund--Federal Appropriation	(\$39,550,000)
\$42,090,000	
General Fund--Private/Local Appropriation	\$2,116,000
Performance Audits of State Government--State	
Appropriation	\$4,812,000
TOTAL APPROPRIATION	(\$97,021,000)
\$101,388,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the general fund--state appropriation for fiscal year 2012 and \$300,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington state mentors program to continue its public-private partnerships to provide technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$445,000 of the general fund--state appropriation for fiscal year 2012 and \$445,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for funding of the teamchild project.

(3) \$178,000 of the general fund--state appropriation for fiscal year 2012 and \$178,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the juvenile detention alternatives initiative.

(4) \$4,812,000 of the performance audits of state government--state appropriation is provided solely for support and expansion of the division of fraud investigation. The division shall conduct investigatory and enforcement activities for all department programs, including the child support and TANF programs.

(5) \$1,400,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the department to distribute as support to community public health and safety networks that have a history of providing training and services related to adverse childhood experiences. Distribution of these funds is contingent upon securing funding from a private entity or entities to provide one dollar in matching funds for each dollar in state funds received by a network so that the funding received by a community public health and safety network will be equal portions of state and private funding.

~~(6)~~ (6) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for a grant program focused on criminal street gang prevention and intervention. The Washington state partnership council on juvenile justice may award grants under this subsection. The council shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection.

~~(7)~~ (7) \$113,000 of the general fund--state appropriation for fiscal year 2013 and \$105,000 of the general fund--federal appropriation are provided solely for staffing costs associated with implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The amounts provided in this subsection must be used for coordinated evidence-based practice implementation amongst the department's programs providing mental health, child welfare, and juvenile justice services to children. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

Sec. 1212. 2012 2nd sp.s. c 7 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund--State Appropriation (FY 2012)	\$62,140,000
General Fund--State Appropriation (FY 2013)	(\$46,303,000)
	\$49,584,000
General Fund--Federal Appropriation	(\$53,049,000)
	\$53,409,000
TOTAL APPROPRIATION	(\$161,492,000)
	\$165,133,000

The appropriations in this section are subject to the following conditions and limitations: \$469,000 of the general fund--state appropriation for fiscal year 2011 and \$270,000 of the general fund--state appropriation for fiscal year 2012 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5921 (social services programs). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

Sec. 1213. 2012 2nd sp.s. c 7 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

General Fund--State Appropriation (FY 2012)	\$2,034,296,000
General Fund--State Appropriation (FY 2013)	(\$2,031,185,000)
	\$2,115,832,000
General Fund--Federal Appropriation	(\$5,307,323,000)
	\$5,338,735,000
General Fund--Private/Local Appropriation	(\$62,597,000)
	\$60,582,000
Emergency Medical Services and Trauma Care Systems	
Trust Account--State Appropriation	(\$15,077,000)
	\$14,032,000
Hospital Safety Net Assessment Fund--State	
Appropriation	(\$434,087,000)
	\$442,930,000
State Health Care Authority Administration Account--	
State Appropriation	\$34,040,000
Basic Health Plan Stabilization Account--	
State Appropriation	\$44,000,000
Medical Aid Account--State Appropriation	\$529,000
Medicaid Fraud Penalty Account--State Appropriation	\$9,200,000
TOTAL APPROPRIATION	(\$9,972,334,000)
	\$10,094,176,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations to the authority in this act shall be expended for the purposes and in the amounts specified in this act. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecasts and utilization assumptions, the authority, after May 1, ~~(2012)~~ 2013, may transfer general fund--state appropriations for fiscal year ~~(2012)~~ 2013 that are provided solely for a specified purpose. The authority shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(2) Within amounts appropriated in this section and sections 205 and 206 of this act, the health care authority shall continue to provide an enhanced basic health plan subsidy for foster parents licensed under chapter 74.15 RCW and workers in state-funded home care programs. Under this enhanced subsidy option, foster parents eligible to participate in the basic health plan as subsidized enrollees and home care workers with family incomes below 200 percent of the federal poverty level shall be allowed to enroll in the basic health plan at the minimum premium amount charged to enrollees with incomes below sixty-five percent of the federal poverty level.

(3) The health care authority shall require organizations and individuals that are paid to deliver basic health plan services and that choose to sponsor enrollment in the subsidized basic health plan to pay 133 percent of the premium amount which would otherwise be due from the sponsored enrollees.

(4)(a) \$1,200,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to plan the implementation of a system of consolidated public school employee health benefits purchasing.

It is the intent of the legislature to improve the administration, transparency, and equity in delivering a K-12 employees' health benefits system. In addition, the legislature intends that any cost savings that result from changes to K-12 health benefits be dedicated to public schools.

To further this legislative intent, the state health care authority shall develop a plan to implement a consolidated health benefits' system for K-12 employees for the 2013-14 school year. The health care authority shall deliver a report to the legislature by December 15, 2011, that sets forth the implementation plan to the ways and means committees of the house of representatives and the senate.

(b) The report prepared by the health care authority shall compare and contrast the costs and benefits, both long and short term, of:

- (i) The current K-12 health benefits system;
- (ii) A new K-12 employee benefits pool; and
- (iii) Enrolling K-12 employees into the health benefits pool for state employees.

(c) In addition to the implementation plan, the report shall include the following information:

- (i) The costs and benefits of the current K-12 health benefits system;
- (ii) The costs and benefits of providing a new statewide K-12 employees' health benefits pool to school districts and school employees;
- (iii) The costs and benefits of enrolling K-12 employees into the existing health benefits pool for state employees;
- (iv) Recommendations of ways to limit administrative duplication and costs, improve transparency to employees, the legislature, and the public and assure equity among beneficiaries of publicly provided employee health benefits;
- (v) Recommendations for standardizing benefit packages and purchasing efforts in a manner that seeks to maximize funding and equity for all school employees;
- (vi) Recommendations regarding the use of incentives, including how changes to state health benefit allocations could provide employees with benefits that would encourage participation;
- (vii) Recommendations regarding the implementation of a new K-12 employee benefit plan, with separate options for voluntary participation and mandatory statewide participation;
- (viii) Recommendations regarding methods to reduce inequities between individual and family coverage;
- (ix) Consolidation of the purchasing and budget accountability for school employee benefits to maximize administrative efficiency and leverage existing skills and resources; and
- (x) Other details the health care authority deems necessary, including but not limited to recommendations on the following:
 - (A) Approaches for implementing the transition to a statewide pool, including administrative and statutory changes necessary to ensure a successful transition, and whether the pool should be separate from, or combined with, the public employees' benefits pool;
 - (B) The structure of a permanent governing group to provide ongoing oversight to the consolidated pool, in a manner similar to the public employees benefits board functions for employee health benefits, including statutory duties and authorities of the board; and
 - (C) Options for including potential changes to: Eligibility standardization, the public employees benefits risk pools, the movement of school employee retirees into the new K-12 pool or pools, and the movement of educational service district employees into the new K-12 pool or pools.
 - (d) In determining its costs and benefits of a new statewide K-12 employees' health benefits pool for school districts and school employees, the health care authority shall assume the following:
 - (i) School district enrollees must constitute an entire bargaining unit, or an entire group of nonrepresented employees;
 - (ii) Staffing and administration for benefits purchasing shall be provided by the health care authority; and
 - (iii) The new K-12 pool would operate on a schedule that coordinates with the financing and enrollment schedule used for school districts.
 - (e) The office of the superintendent of public instruction and the office of the insurance commissioner shall provide information and technical assistance to the health care authority as requested by the health care authority. The health care authority shall not implement the new school employee benefits pool until authorized to do so by the legislature.
- (5) The administrator shall take at least the following actions to assure that persons participating in the basic health plan are eligible for the level of assistance they receive: (a) Require submission of (i) income tax returns, and recent pay history, from all applicants, or (ii) other verifiable evidence of earned and unearned income from those persons not required to file income tax returns; (b) check employment security payroll records at least once every twelve months on all enrollees; (c) require enrollees whose income as indicated by payroll records exceeds that upon which their subsidy is based to document their current income as a condition of continued eligibility; (d) require enrollees for whom employment security payroll records cannot be obtained to document their current income at least once every six months; (e) not reduce gross family income for self-employed persons by noncash-flow expenses such as, but not limited to, depreciation, amortization, and home office deductions, as defined by the United States internal revenue service; and (f) pursue repayment and civil penalties from persons who have received excessive subsidies, as provided in RCW 70.47.060(9).
- (6) Enrollment in the subsidized basic health plan shall be limited to only include persons who qualify as subsidized enrollees as defined in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid demonstration project number 11-W-00254/10; or (b) are foster parents licensed under chapter 74.15 RCW.
- (7) \$23,700,000 of the general fund--federal appropriation is provided solely for planning and implementation of a health benefit exchange under the federal patient protection and affordable care act. Within the amounts provided in this subsection, funds used by the authority for information technology projects are conditioned on the authority satisfying the requirements of Engrossed Second Substitute Senate Bill No. 5931 (central service agencies).
- (8) Based on quarterly expenditure reports and caseload forecasts, if the health care authority estimates that expenditures for the medical assistance program will exceed the appropriations, the health care authority shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.
- (9) In determining financial eligibility for medicaid-funded services, the health care authority is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.
- (10) The legislature affirms that it is in the state's interest for Harborview medical center to remain an economically viable component of the state's health care system.
- (11) When a person is ineligible for medicaid solely by reason of residence in an institution for mental diseases, the health care authority shall provide the person with the same benefits as he or she would receive if eligible for medicaid, using state-only funds to the extent necessary.
- (12) \$4,261,000 of the general fund--state appropriation for fiscal year 2012, \$4,261,000 of the general fund--state appropriation for fiscal year 2013, and \$8,522,000 of the general fund--federal appropriation are provided solely for low-income disproportionate share hospital payments (~~under RCW 74.09.730(1)(a))~~).
- (13) \$6,000,000 of the general fund--federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that

exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(14) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2011-2013 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2011, and by November 1, 2012, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2012 and fiscal year 2013, hospitals in the program shall be paid and shall retain one hundred percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and one hundred percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2011-13 biennial operating appropriations act and in effect on July 1, 2011, (b) one half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2011-13 biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within eleven months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. \$8,102,000 of the general fund--state appropriation for fiscal year 2012, of which \$6,570,000 is appropriated in section 204(1) of this act, and ~~(\$3,162,000)~~ \$10,722,000 of the general fund--state appropriation for fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1) of this act, are provided solely for state grants for the participating hospitals. CPE hospitals will receive the inpatient and outpatient reimbursement rate restorations in RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the hospital safety net assessment fund rather than through the baseline mechanism specified in this subsection.

(15) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide on-going support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(16) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(17) ~~((For children with family incomes above 200 percent of the federal poverty level in the state-funded children's health program for children who are not eligible for coverage under the federally funded children's health insurance program, premiums shall be set every two years in an amount equal to the average state-only share of the per capita cost of coverage in the state-funded children's health program for children in families with incomes at or less than two hundred percent of the federal poverty level.~~

(18))) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

~~((+9))~~ (18) \$859,000 of the general fund--state appropriation for fiscal year 2012, \$979,000 of the general fund--state appropriation for fiscal year 2013, and \$1,841,000 of the general fund--federal appropriation are provided solely to increase prior authorization activities for advanced imaging procedures.

~~((20))~~ (19) \$196,000 of the general fund--state appropriation for fiscal year 2012, \$246,000 of the general fund--state appropriation for fiscal year 2013, and \$442,000 of the general fund--federal appropriation are provided solely to increase prior authorization activities for surgical procedures, which may include orthopedic procedures, spinal procedures and interventions, and nerve procedures.

~~((21))~~ (20) \$300,000 of the general fund--private/local appropriation and \$300,000 of the general fund--federal appropriation are provided solely for a prescriptive practices improvement collaborative focusing upon atypical antipsychotics and other medications commonly used in the treatment of severe and persistent mental illnesses among adults. The project shall promote collaboration among community mental health centers, other major prescribers of atypical antipsychotic medications to adults enrolled in state medical assistance programs, and psychiatrists, pharmacists, and other specialists at the University of Washington department of psychiatry and/or other research universities. The collaboration shall include patient-specific prescriber consultations by psychiatrists and pharmacists specializing in treatment of severe and persistent mental illnesses among adults; production of profiles to assist prescribers and clinics in tracking their prescriptive practices and their patients' medication use and adherence relative to evidence-based practices guidelines, other prescribers, and patients at other clinics; and in-service seminars at which participants can share and increase their knowledge of evidence-based and other effective prescriptive practices. The health care authority shall enter into an interagency agreement with the office of the attorney general for expenditure of \$300,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

~~((22))~~ (21) \$570,000 of the general fund--private/local appropriation is provided solely for continued operation of the partnership access line for child mental health consultations. The health care authority shall enter into an interagency agreement with the office of the attorney general for expenditure of \$570,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for this purpose.

~~((23))~~ (22) \$80,000 of the general fund--state appropriation for fiscal year 2012, \$80,000 of the general fund--state appropriation for fiscal year 2013, and \$160,000 of the general fund--federal appropriation are provided solely to fund the Tacoma-Pierce county health department for access and outreach activities to reduce infant mortality.

~~((24))~~ (23) \$75,000 of the general fund--state appropriation for fiscal year 2012, \$75,000 of the general fund--state appropriation for fiscal year 2013, and \$150,000 of the general fund--federal appropriation are provided solely to assist with development and implementation of evidence-based strategies regarding the appropriate, safe, and effective role of C-section surgeries and early induced labor in births and neonatal care. The strategies shall be identified and implemented in consultation with clinical research specialists, physicians, hospitals, advanced registered nurse practitioners, and organizations concerned with maternal and child health.

~~((25))~~ (24) Within the amounts appropriated in this section, the health care authority shall continue to provide school-based medical services by means of an intergovernmental transfer arrangement. Under the arrangement, the state shall provide forty percent and school districts sixty percent of the nonfederal matching funds required for receipt of federal medicaid funding for the service.

~~((26))~~ (25) \$263,000 of the general fund--state appropriation for fiscal year 2012, \$88,000 of the general fund--state appropriation for fiscal year 2013, and \$351,000 of the general fund--federal appropriation are provided solely for development and submission to the federal government by October 1, 2011, of a demonstration project proposal as provided in Substitute Senate Bill No. 5596 (medicaid demonstration waiver).

~~((27))~~ (26) Within the amounts appropriated in this section, the health care authority shall provide spoken-language interpreter services. The authority shall develop and implement a new model for delivery of such services no later than July 1, 2012. The model shall include:

(a) Development by the authority in consultation with subject-area experts of guidelines to assist medical practitioners identify the circumstances under which it is appropriate to use telephonic or video-remote interpreting;

(b) The requirement that the state contract with delivery organizations, including foreign language agencies, who employ or subcontract only with language access providers or interpreters working in the state who are certified or authorized by the state. When a state-certified or state-authorized in-state language access provider or interpreter is not available, the delivery organization, including foreign language agencies, may use a provider with other certifications or qualifications deemed to meet state standards, including interpreters in other states; and

(c) Provision of a secure, web-based tool that medical practitioners will use to schedule appointments for interpreter services and to identify the most appropriate, cost-effective method of service delivery in accordance with the state guidelines.

Nothing in this subsection affects the ability of health care providers to provide interpretive services through employed staff or through telephone and video remote technologies when not reimbursed directly by the department. The amounts in this subsection do not include federal administrative funds provided to match nonstate expenditures by local health jurisdictions and governmental hospitals.

~~((28))~~ (27) In its procurement of contractors for delivery of medical managed care services for nondisabled, nonelderly persons, the medical assistance program shall (a) place substantial emphasis upon price competition in the selection of successful bidders; and (b) not require delivery of any services that would increase the actuarial cost of service beyond the levels included in current healthy options contracts.

~~((29))~~ (28) \$1,430,000 of the general fund--state appropriation for fiscal year 2012, \$1,430,000 of the general fund--state appropriation for fiscal year 2013, and \$2,860,000 of the general fund--federal appropriation are provided solely to pay federally-designated rural health clinics their standard encounter rate for prenatal and well-child visits, whether delivered under a managed care contract or fee-for-service. In reconciling managed care enhancement payments for calendar years 2009 and 2010, the department shall treat well-child and prenatal care visits as encounters subject to the clinic's encounter rate.

~~((30))~~ (29) \$280,000 of the general fund--state appropriation for fiscal year 2012 and \$282,000 of the general fund--federal appropriation are provided solely to increase utilization management of drugs and drug classes for which there is evidence of over-utilization, off-label use, excessive dosing, duplicative therapy, or opportunities to shift utilization to less expensive, equally effective formulations.

~~((31))~~ (30) \$70,000 of the general fund--state appropriation for fiscal year 2012, \$70,000 of the general fund--state appropriation for fiscal year 2013, and \$140,000 of the general fund--federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

~~((32))~~ (31) \$400,000 of the general fund--state appropriation for fiscal year 2012 and \$400,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the local outreach, case management, and coordination with dental providers needed to execute the access to baby and child dentistry program, which provides dental care to Medicaid eligible children up to age six.

~~((33))~~ (32) Within the amounts appropriated in this section, the health care authority shall continue to provide dental services to pregnant women. Services shall include preventive, routine, and emergent dental care.

~~((34))~~ (33) \$395,000 of the general fund--state appropriation for fiscal year 2012, \$395,000 of the general fund--state appropriation for fiscal year 2013, and \$790,000 of the general fund--federal appropriation are provided solely for continued operation of the dental education in care of persons with disabilities (DECOD) program at the University of Washington.

~~((35))~~ (34) \$159,000 of the general fund--state appropriation for fiscal year 2012, \$302,000 of the general fund--private/local appropriation, and \$146,072,000 of the general fund--federal appropriation are provided solely for the provider incentive program and other initiatives related to the health information technology Medicaid plan. The general fund--private/local appropriation in this subsection shall be funded with proceeds from settlements in the case of *State of Washington vs. GlaxoSmithKline*. The authority and the office of the attorney general shall enter an interagency agreement regarding use of these funds.

~~((36))~~ (35) \$2,926,000 of the general fund--local appropriation and \$2,928,000 of the general fund--federal appropriation are provided solely to support medical airlift services.

~~((37))~~ (36) The authority shall collect data on enrollment and utilization to study whether the expansion of family planning coverage under Substitute Senate Bill No. 5912 is reducing state medical expenditures by reducing unwanted pregnancies. The authority shall report its findings to the legislature by December 1, 2012.

~~((38))~~ (37) \$480,000 of the general fund--state appropriation for fiscal year 2012, \$480,000 of the general fund--state appropriation for fiscal year 2013, and \$824,000 of the general fund--federal appropriation are provided solely for customer services staff. The authority will attempt to improve the phone answer rate to 40 percent and reduce the response times to written questions to ten days for clients and 25 days for providers. The authority will report to the legislature on its progress toward achieving these goals by January 1, 2012. If the authority has not achieved these goals by July 1, 2012, then the authority shall reduce expenditures on management staff in order to increase expenditures on customer service staff until the goals are achieved.

~~((39))~~ (38) The department shall purchase a brand name drug when it determines that the cost of the brand name drug after rebates is less than the cost of generic alternatives and that purchase of the brand rather than generic version can save at least \$250,000. The department may purchase generic alternatives when changes in market prices make the price of the brand name drug after rebates more expensive than the generic alternatives.

~~((41))~~ (39) \$150,000 of the general fund--state appropriation for fiscal year 2012 and \$1,964,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement Engrossed Second Substitute House Bill No. 2319 (affordable care act). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

~~((42))~~ (40) \$1,109,000 of the general fund--state appropriation for fiscal year 2012, \$1,471,000 of the general fund--state appropriation for fiscal year 2013, and \$21,890,000 of the general fund--federal appropriation are provided solely to implement phase two of the project to create a single provider payment system that consolidates medicaid medical and social services payments and replaces the social service payment system.

~~((43))~~ (41) In order to achieve the twelve percent reduction in emergency room expenditures in the fiscal year 2013 appropriations provided in this section, the authority, in consultation with the Washington state hospital association, the Washington state medical association, and the Washington chapter of the American college of emergency physicians shall designate best practices and performance measures to reduce medically unnecessary emergency room visits of medicaid clients. The Washington state hospital association, the Washington state medical association, and the Washington chapter of the American college of emergency physicians will work with the authority to promote these best practices. The best practices and performance measures shall consist of the following items:

(a) Adoption of a system to exchange patient information among emergency room departments on a regional or statewide basis;

(b) Active dissemination of patient educational materials produced by the Washington state hospital association, Washington state medical association, and the Washington chapter of the American college of emergency physicians that instruct patients on appropriate facilities for nonemergent health care needs;

(c) Designation of hospital personnel and emergency room physician personnel to receive and appropriately disseminate information on clients participating in the medicaid patient review and coordination program and to review monthly utilization reports on those clients provided by the authority;

(d) A process to assist the authority's patient review and coordination program clients with their care plans. The process must include substantial efforts by hospitals to schedule an appointment with the client's assigned primary care provider within seventy-two hours of the client's medically unnecessary emergency room visit when appropriate under the client's care plan;

(e) Implementation of narcotic guidelines that incorporate the Washington chapter of the American college of emergency physician guidelines;

(f) Physician enrollment in the state's prescription monitoring program, as long as the program is funded; and

(g) Designation of a hospital emergency department physician responsible for reviewing the state's medicaid utilization management feedback reports, which will include defined performance measures. The emergency department physician and hospital will have a process to take appropriate action in response to the information in the feedback reports if performance measures are not met. The authority must develop feedback reports that include timely emergency room utilization data such as visit rates, medically unnecessary visit rates (by hospital and by client), emergency department imaging utilization rates, and other measures as needed. The authority may utilize the Robert Bree collaborative for assistance related to this best practice.

The requirements for best practices for a critical access hospital should not include adoption of a system to exchange patient information if doing so would pose a financial burden, and should not include requirements related to the authority's patient review and coordination program if the volume of those patients seen at the critical access hospital are small.

Hospitals participating in this medicaid best practices program shall submit to the authority a declaration from executive level leadership indicating hospital adoption of and compliance with the best practices enumerated above. In the declaration, hospitals will affirm that they have in place written policies, procedures, or guidelines to implement these best practices and are willing to share them upon request. The declaration must also give consent for the authority to disclose feedback reports and performance measures on its web site. The authority shall submit a list of declaring hospitals to the relevant policy and fiscal committees of the legislature by July 15, 2012.

If the authority does not receive by July 1, 2012, declarations from hospitals representing at least seventy-five percent of emergency room visits by medicaid clients in fiscal year 2010, the authority may implement a policy of nonpayment of medically unnecessary emergency room visits, with appropriate client and clinical safeguards such as exemptions and expedited prior authorization. The authority shall by January 15, 2013, perform a preliminary fiscal analysis of trends in implementing the best practices in this subsection, focusing on outlier hospitals with high rates of unnecessary visits by medicaid clients, high emergency room visit rates for patient review and coordination clients, low rates of completion of treatment plans for patient review and coordination clients assigned to the hospital, and high rates of prescribed long-acting opiates. In cooperation with the leadership of the hospital, medical, and emergency physician associations, additional efforts shall be focused on assisting those outlier hospitals and providers to achieve more substantial savings. The authority by January 15, 2013, will report to the legislature about whether assumed savings based on preliminary trend and forecasted data are on target and if additional best practices or other actions need to be implemented.

If necessary, pursuant to RCW 34.05.350(1)(c), the authority may employ emergency rulemaking to achieve the reductions assumed in the appropriations under this section.

Nothing in this subsection shall in any way impact the authority's ability to adopt and implement policies pertaining to the patient review and coordination program.

~~((46))~~ (42) The ~~((department))~~ authority shall seek a medicaid state plan amendment to create a ~~((graduate medical education))~~ professional services supplemental payment managed care program for professional services delivered to managed care recipients by University of Washington medicine and other public professional providers. This program shall be effective as soon as administratively possible and shall operate concurrently with the existing professional services supplemental payment program. ~~((Providers that participate in the graduate medical education supplemental payment program are not eligible to participate in the professional services supplemental payment program.))~~ The ~~((department))~~ authority shall apply federal rules for identifying the difference between ~~((current physician encounter))~~ average commercial rates and fee-for-service medicaid payments ~~((to participating providers and the applicable federal upper payment limit)).~~ This difference will be multiplied by the number of managed care encounters and incorporated into the managed care plan capitation rates by a certified actuary. The managed care plans will pay the providers the difference attributable to the increased capitation rate. Participating providers shall be solely

responsible for providing the local funds required to obtain federal matching funds. Any incremental costs incurred by the ~~((department))~~ authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating providers. Participating providers shall retain the full amount of supplemental payments provided under this program, net of any costs related to the program that are disallowed due to audits or litigation against the state.

~~((47))~~ (43) The authority shall exclude antiretroviral drugs used to treat HIV/AIDS, anticancer medication that is used to kill or slow the growth of cancerous cells, antihemophilic drugs, insulin and other drugs to lower blood glucose, and immunosuppressive drugs from any formulary limitations implemented to operate within the appropriations provided in this section.

~~((48))~~ (44) If Engrossed Substitute Senate Bill No. 5978 (medicaid fraud) is not enacted by June 30, 2012, the amounts appropriated in this section from the medicaid fraud penalty account--state appropriation shall lapse and an additional \$3,608,000 shall be appropriated from the general fund--state for fiscal year 2013 for medicaid services, fraud detection and prevention activities, recovery of improper payments, and for other medicaid fraud enforcement activities.

~~((50))~~ (45) Within the amounts appropriated in this section, the health care authority and the department of social and health services shall implement the state option to provide health homes for enrollees with chronic conditions under section 2703 of the federal affordable care act. The total state match for enrollees who are dually-eligible for both medicare and medicaid and not enrolled in managed care shall be no more than the net savings to the state from the enhanced match rate for its medicaid-only managed care enrollees under section 2703.

~~((51))~~ (46) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

~~((52))~~ (47) \$66,000 of the general fund--state appropriation for fiscal year 2013 and \$66,000 of the general fund--federal appropriation are provided solely to implement Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The department of social and health services' programs responsible for administration of mental health, child welfare, and juvenile justice programs will coordinate with the health care authority on the development of contract terms which facilitate efforts to meet requirements of the bill. If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

~~((53))~~ (48) The health care authority shall participate in the work group established by the department of corrections in section 220(2) of this act to review release options for elderly and infirm offenders.

(49) \$208,000 of the general fund--state appropriation for fiscal year 2013 and \$728,000 of the general fund--federal appropriation are provided solely for the rebasing of outpatient and inpatient payment methods.

Sec. 1214. 2012 2nd sp.s. c 7 s 216 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION	
General Fund--State Appropriation (FY 2012)	\$14,589,000
General Fund--State Appropriation (FY 2013)	((14,147,000))
	\$14,549,000
General Fund--Federal Appropriation	\$456,000
General Fund--Private/Local Appropriation	((4,048,000))
	\$3,895,000
Death Investigations Account--State Appropriation	\$148,000
Municipal Criminal Justice Assistance Account--	
State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation	\$8,597,000
TOTAL APPROPRIATION	((42,445,000))
	\$42,694,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the general fund--state appropriation for fiscal year 2012 and \$5,000,000 of the general fund--state appropriation for fiscal year 2013, are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) \$321,000 of the general fund--local appropriation is provided solely to purchase ammunition for the basic law enforcement academy. Jurisdictions shall reimburse to the criminal justice training commission the costs of ammunition, based on the average cost of ammunition per cadet, for cadets that they enroll in the basic law enforcement academy.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$100,000 of the general fund--state appropriation for fiscal year 2012 and \$100,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a school safety program. The commission, in collaboration with the school safety center advisory committee, shall provide the school safety training for all school administrators and school safety personnel hired after the effective date of this section.

(5) \$96,000 of the general fund--state appropriation for fiscal year 2012 and \$96,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the school safety center within the commission. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, and review and approve manuals and curricula used for school safety models and training. Through an interagency agreement, the commission shall provide funding for the office of the superintendent of public instruction to continue to develop and maintain a school safety information web site. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety, for all

school safety personnel. The commission shall provide research-related programs in school safety and security issues beneficial to both law enforcement and schools.

(6) \$1,000,000 of the general fund--state appropriation for fiscal year 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for grants to counties enforcing illegal drug laws and which have been underserved by federally funded state narcotics task forces. The Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, and the Washington association of county officials shall jointly develop funding allocations for the offices of the county sheriff, county prosecutor, and county clerk in qualifying counties. The commission shall not impose an administrative cost on this program.

Sec. 1215. 2012 2nd sp.s. c 7 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

(1) HEADQUARTERS

General Fund--State Appropriation (FY 2012)	\$1,829,000
General Fund--State Appropriation (FY 2013)	\$1,801,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State Appropriation	\$10,000
TOTAL APPROPRIATION	\$3,640,000

(2) FIELD SERVICES

General Fund--State Appropriation (FY 2012)	\$5,002,000
General Fund--State Appropriation (FY 2013)	\$4,964,000
General Fund--Federal Appropriation	\$3,348,000
General Fund--Private/Local Appropriation((\$4,722,000))	\$5,172,000
Veterans Innovations Program Account--State Appropriation	\$810,000
Veteran Estate Management Account--Private/Local Appropriation	\$1,079,000
TOTAL APPROPRIATION	((\$19,925,000))
	\$20,375,000

The appropriations in this subsection are subject to the following conditions and limitations: \$821,000 of the veterans innovations program account--state appropriation is provided solely for the department to continue support for returning combat veterans through the veterans innovation program, including emergency financial assistance through the defenders' fund and long-term financial assistance through the competitive grant program.

(3) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012)	\$1,743,000
General Fund--Federal Appropriation	((\$61,437,000))
\$60,019,000	
General Fund--Private/Local Appropriation((\$29,506,000))	
\$30,569,000	
TOTAL APPROPRIATION	((\$92,686,000))
	\$92,331,000

Sec. 1216. 2012 2nd sp.s. c 7 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund--State Appropriation (FY 2012)	\$79,404,000
General Fund--State Appropriation (FY 2013)	((\$78,114,000))
\$77,589,000	
General Fund--Federal Appropriation	((\$553,078,000))
\$573,078,000	
General Fund--Private/Local Appropriation((\$148,055,000))	
\$144,055,000	
Hospital Data Collection Account--State Appropriation	\$214,000
Health Professions Account--State Appropriation	\$99,085,000
Aquatic Lands Enhancement Account--State Appropriation	\$604,000
Emergency Medical Services and Trauma Care Systems Trust Account--State Appropriation	((\$12,300,000))
\$10,523,000	
Safe Drinking Water Account--State Appropriation	\$4,464,000
Drinking Water Assistance Account--Federal Appropriation	\$21,965,000
Waterworks Operator Certification--State Appropriation	\$1,528,000
Drinking Water Assistance Administrative Account-- State Appropriation	\$326,000
Site Closure Account--State Appropriation	\$79,000

Biotoxin Account--State Appropriation (~~(\$1,167,000)~~)
 \$1,231,000
 State Toxics Control Account--State Appropriation \$3,628,000
 Medical Test Site Licensure Account--State
 Appropriation \$2,311,000
 Youth Tobacco Prevention Account--State
 Appropriation (~~(\$1,512,000)~~)
 \$1,348,000
 Community and Economic Development Fee Account--State
 Appropriation \$298,000
 Public Health Supplemental Account--Private/Local
 Appropriation \$3,598,000
 Accident Account--State Appropriation \$295,000
 Medical Aid Account--State Appropriation \$50,000
 Tobacco Prevention and Control Account--State
 Appropriation \$1,729,000
 TOTAL APPROPRIATION (~~(\$1,013,804,000)~~)
 \$1,027,402,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) In accordance with RCW 43.70.250 and 43.135.055, the department is authorized to establish and raise fees in fiscal year 2012 as necessary to meet the actual costs of conducting business and the appropriation levels in this section. This authorization applies to fees required for: The review of health care facility construction; review of health facility requests for certificate of need; the regulation and inspection of farm worker housing, hospital licensing, in-home health service agencies, and producers of radioactive waste; the regulation and inspection of shellfish sanitary control, surgical facility licensing, and; fees associated with the following professions: Dietitians and nutritionists, occupational therapists, pharmacy, veterinarian, orthotics and prosthetics, surgical technicians, nursing home administrators, health care assistants, hearing and speech, psychology, hypnotherapy, chiropractic, social workers, physicians, and physician assistants.

(3) Pursuant to RCW 18.130.250, the department is authorized to establish a lower cost fee category for retired licensed practical nurses and registered nurses.

(4) In accordance with RCW 43.135.055, the department is authorized to adopt fees set forth in and previously authorized in chapter 92, Laws of 2010.

(5) \$1,969,000 of the health professions account--state appropriation is provided solely to implement online licensing for health care providers. The department must submit a detailed investment plan for this project to the office of financial management. The office of financial management must review and approve this plan before funding may be expended. The department of health must successfully implement online application and renewal for at least one profession as a pilot project before pursuing additional professions. The department must report to the office of financial management on the outcome of the pilot project.

(6) \$16,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1181 (board of naturopathy). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) \$21,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1304 (health care assistants). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(8) \$54,000 of the health professions account--state appropriation is provided solely for the implementation of House Bill No. 1353 (pharmacy technicians). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(9) \$142,000 of the health professions account--state appropriation is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5020 (social workers). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(10) \$336,000 of the health professions account--state appropriation is provided solely for the implementation of Senate Bill No. 5480 (physicians and physician assistants). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$46,000 of the health professions account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5071 (online access for midwives and marriage and family therapists). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) \$137,000 of the health professions account--state appropriation is provided solely for implementation of Substitute House Bill No. 1133 (massage practitioner license). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(13) \$85,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the developmental disabilities council to contract for a family-to-family mentor program to provide information and support to families and guardians of persons who are transitioning out of residential habilitation centers. To the maximum extent allowable under federal law, these funds shall be matched under medicaid through the department of social and health services and federal funds shall be transferred to the department for the purposes stated in this subsection. If

Second Substitute Senate Bill No. 5459 (people with developmental disabilities) is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(14) \$57,000 of the general fund--state appropriation for fiscal year 2012 and \$58,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the midwifery licensure and regulatory program to offset a reduction in revenue from fees. There shall be no change to the current annual fees for new or renewed licenses for the midwifery program, except from online access to HEAL-WA. The department shall convene the midwifery advisory committee on a quarterly basis to address issues related to licensed midwifery.

(15) \$118,000 of the general fund--state appropriation for fiscal year 2012 and \$118,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for prevention of youth suicides.

(16) \$87,000 of the general fund--state appropriation for fiscal year 2012 and \$87,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the senior falls prevention program.

(17) \$19,000 of the health professions account--state appropriation is provided solely for implementation of Senate Bill No. 6290 (military spouses and partners). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(18) \$102,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6237 (career pathway/medical assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(19) \$21,000 of the health professions account--state appropriation is provided solely for implementation of Substitute Senate Bill No. 6328 (mental health professionals). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(20) \$61,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6103 (reflexologists). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(21) \$28,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5620 (dental anesthesia assistants). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(22) Appropriations for fiscal year 2013 include funding for consolidation of the department of ecology's low-level radioactive waste site use permit program in the department of health.

(23) During the remainder of the 2011-2013 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to twenty-five dollars annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(24) \$15,000 of the health professions account--state appropriation is provided solely to implement Substitute House Bill No. 2056 (assisted living facilities). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(25) \$11,000 of the health professions account--state appropriation is provided solely to implement Engrossed House Bill No. 2186 (licensed midwives). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(26) \$11,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Substitute House Bill No. 2229 (hospital employees). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(27) \$48,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2314 (long-term care workers). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(28) \$280,000 of the health professions account--state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2366 (suicide assessment and training). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(29) \$11,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Engrossed Substitute House Bill No. 2582 (health care services billing). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(30) \$22,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement Substitute Senate Bill No. 6105 (prescription monitoring program). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(31) \$30,000 of the health professions account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2473 (medication assistant endorsement). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(32) General fund--state appropriations for fiscal year 2013 includes funding to subsidize operating license and inspection fees in the temporary worker housing program. In implementing this subsidy, the department shall evaluate program regulations including but not limited to the use of occupancy levels to determine the fee structure and the frequency of inspections.

Sec. 1217. 2012 2nd sp.s. c 7 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this section. However, after May 1, ~~((2012))~~ 2013, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund--state appropriations for fiscal year ~~((2012))~~ 2013 between programs. The department shall not transfer funds, and the director of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the senate and house of representatives in writing seven days prior to approving any deviations from appropriation levels. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund--State Appropriation (FY 2012)	\$52,025,000
General Fund--State Appropriation (FY 2013)	((52,981,000))
\$52,706,000	
TOTAL APPROPRIATION	((105,006,000))
\$104,731,000	

The appropriations in this subsection are subject to the following conditions and limitations: \$35,000 of the general fund--state appropriation for fiscal year 2012 and \$35,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the support of a statewide council on mentally ill offenders that includes as its members representatives of community-based mental health treatment programs, current or former judicial officers, and directors and commanders of city and county jails and state prison facilities. The council will investigate and

promote cost-effective approaches to meeting the long-term needs of adults and juveniles with mental disorders who have a history of offending or who are at-risk of offending, including their mental health, physiological, housing, employment, and job training needs.

(2) CORRECTIONAL OPERATIONS

General Fund--State Appropriation (FY 2012)	\$598,237,000
General Fund--State Appropriation (FY 2013)	(\$575,457,000)
	\$581,723,000
General Fund--Federal Appropriation	\$3,324,000
Washington Auto Theft Prevention Authority Account--	
State Appropriation	(\$14,079,000)
	\$13,177,000
Enhanced 911 Account--State Appropriation	\$2,000,000
TOTAL APPROPRIATION	(\$1,193,097,000)
	\$1,198,461,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) During the 2011-13 biennium, when contracts are established or renewed for offender pay phone and other telephone services provided to inmates, the department shall select the contractor or contractors primarily based on the following factors: (i) The lowest rate charged to both the inmate and the person paying for the telephone call; and (ii) the lowest commission rates paid to the department, while providing reasonable compensation to cover the costs of the department to provide the telephone services to inmates and provide sufficient revenues for the activities funded from the institutional welfare betterment account.

(b) The Harborview medical center and the University of Washington medical center shall provide inpatient and outpatient hospital services to offenders confined in department of corrections facilities at a rate no greater than the average rate that the department has negotiated with other community hospitals in Washington state.

(c) \$102,000 of the general fund--state appropriation for fiscal year 2012 and \$102,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement House Bill No. 1290 (health care employee overtime). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(d) \$32,000 of the general fund--state appropriation for fiscal year 2012 and \$33,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to implement Substitute House Bill No. 1718 (offenders with developmental disabilities). If the bill is not enacted by June 30, 2011, the amounts provided in this subsection shall lapse.

(e) The department of corrections shall contract with local and tribal governments for the provision of jail capacity to house offenders. A contract shall not have a cost of incarceration in excess of \$85 per day per offender. A contract shall not have a year-to-year increase in excess of three percent per year. The contracts may include rates for the medical care of offenders which exceed the daily cost of incarceration and the limitation on year-to-year increase, provided that medical payments conform to the department's offender health plan, pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff.

(f) \$311,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2346 (correctional officer uniforms). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(g) \$41,000 of the general fund--state appropriation for fiscal year 2012 and \$165,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. The department may not house incarcerated offenders at the maple lane site until specifically directed by the legislature. By November 1, 2012, the department shall report to the appropriate fiscal committees of the house of representatives and the senate with a plan for the future use of the facility.

(h) By December 1, 2012, the department shall provide to the legislative fiscal committees a report that evaluates health care expenditures in Washington state correctional institutions and makes recommendations for controlling health care costs. The report shall evaluate the source of health care costs, including offender health issues, use of pharmaceuticals, offsite and specialist medical care, chronic disease costs, and mental health issues. The department may include information from other states on cost control in offender health care, trends in offender health care that indicate potential cost increases, and management of high-cost diagnoses.

(i) The department shall convene a work group to develop health care cost containment strategies at local jail facilities. The work group shall identify cost containment strategies in place at the department and at local jail facilities, identify the costs and benefits of implementing strategies in jail health-care facilities, and make recommendations on implementing beneficial strategies. The work group shall submit a report on its findings and recommendations to the fiscal committees of the legislature by October 1, 2013. The work group shall include jail administrators, representatives from health care facilities at the local jail level and the state prisons level, and other representatives as deemed necessary.

(j) The department of corrections, with participation of the health care authority and the department of social and health services, aging and adult services administration, shall establish a work group to analyze and review release options for elderly and infirm offenders and submit recommendations to the appropriate policy and fiscal committees of the legislature with release options for these populations no later than December 1, 2012. In making its recommendations, the work group shall identify:

(i) The most expensive medical conditions for which the department has had to treat its offenders and the offenders receiving the most costly ongoing medical treatments;

(ii) For identified populations, the age, level of disability, cost of care while incarcerated, safety issues related to release, ease of placement, and time served in relation to the offender's sentence;

(iii) Potential cost savings to the state that may be generated by the early release of elderly and infirm offenders;

(iv) Housing options to expedite the release of aging and infirm offenders while maintaining the safety of housing providers, other housing residents, and the general public; and

(v) Optimal procedures for reviewing offenders on a case-by-case basis to ensure that the interests of justice and public safety are considered in any early release decision.

(3) COMMUNITY SUPERVISION

General Fund--State Appropriation (FY 2012)	\$127,121,000
General Fund--State Appropriation (FY 2013)	(\$128,494,000)
	\$126,033,000
Federal Narcotics Forfeiture Account--Federal	
Appropriation	\$372,000
Controlled Substances Account--State	
Appropriation	\$32,000
TOTAL APPROPRIATION	(\$256,019,000)
	\$253,558,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$875,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to implement Engrossed Substitute House Bill No. 5891 (criminal justice cost savings). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(b) ~~(\$6,362,000)~~ \$3,753,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to implement an evidence-based risk-needs-responsivity model for community supervision of offenders.

(4) CORRECTIONAL INDUSTRIES

General Fund--State Appropriation (FY 2012)	\$2,513,000
General Fund--State Appropriation (FY 2013)	\$2,431,000
TOTAL APPROPRIATION	\$4,944,000

The appropriations in this subsection are subject to the following conditions and limitations: \$66,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for transfer to the jail industries board. The board shall use the amounts provided only for administrative expenses, equipment purchases, and technical assistance associated with advising cities and counties in developing, promoting, and implementing consistent, safe, and efficient offender work programs.

(5) INTERAGENCY PAYMENTS

General Fund--State Appropriation (FY 2012)	\$35,821,000
General Fund--State Appropriation (FY 2013)	(\$27,264,000)
	\$27,539,000
TOTAL APPROPRIATION	(\$63,085,000)
	\$63,360,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state prison institutions may use funds appropriated in this subsection to rent uniforms from correctional industries in accordance with existing legislative mandates.

(b) The state prison medical facilities may use funds appropriated in this subsection to purchase goods and supplies through hospital or other group purchasing organizations when it is cost effective to do so.

(c) The department shall reduce payments to the department of information services or its successor by \$213,000 in fiscal year 2012 and by \$1,150,000 in fiscal year 2013. The reduction in payment shall be related to the elimination of the offender base tracking system, including moving remaining portions of the offender base tracking system into the offender management network information system.

Sec. 1218. 2012 2nd sp.s. c 7 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund--State Appropriation (FY 2012)	\$2,159,000
General Fund--State Appropriation (FY 2013)	\$2,131,000
General Fund--Federal Appropriation	(\$19,239,000)
	\$19,739,000
General Fund--Private/Local Appropriation	(\$30,000)
	\$105,000
TOTAL APPROPRIATION	(\$23,559,000)
	\$24,134,000

(End of part)

PART XIII
NATURAL RESOURCES

Sec. 1301. 2012 2nd sp.s. c 7 s 303 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund--State Appropriation (FY 2012)	\$8,955,000
General Fund--State Appropriation (FY 2013)	\$8,379,000

General Fund--Federal Appropriation	\$5,905,000
Winter Recreation Program Account--State	
Appropriation	(\$1,759,000)
	\$2,034,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$224,000
Snowmobile Account--State Appropriation	\$4,844,000
Aquatic Lands Enhancement Account--State	
Appropriation	\$4,363,000
Parks Renewal and Stewardship Account--State	
Appropriation	\$106,505,000
Parks Renewal and Stewardship Account--Private/Local	
Appropriation	\$300,000
TOTAL APPROPRIATION	(\$141,234,000)
	\$141,509,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$8,876,000 of the general fund--state appropriation for fiscal year 2012, \$8,300,000 of the general fund--state appropriation for fiscal year 2013, and \$4,000,000 of the aquatic lands enhancement account--state appropriation are provided solely to operate and maintain state parks as the commission implements a new fee structure. The goal of this structure is to make the parks system self-supporting. By August 1, 2012, state parks must submit a report to the office of financial management detailing its progress toward this goal and outlining any additional statutory changes needed for successful implementation.

(2) \$79,000 of the general fund--state appropriation for fiscal year 2012 and \$79,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a grant for the operation of the Northwest avalanche center.

(3) \$44,528,000 of the parks renewal and stewardship account--state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5622 (state land recreation access). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(4) Prior to closing any state park, the commission must notify all affected local governments and relevant nonprofit organizations of the intended closure and provide an opportunity for the notified local governments and nonprofit organizations to elect to acquire, or enter into, a maintenance and operating contract with the commission that would allow the park to remain open.

(5) The state parks and recreation commission, in cooperation with the Fort Worden lifelong learning center public development authority authorized under RCW 35.21.730 shall provide a report to the governor and appropriate committees of the legislature no later than October 15, 2012, to create a lifelong learning center at Fort Worden state park. This plan shall support and be based upon the Fort Worden state park long-range plan adopted by the state parks and recreation commission in September 2008. The report shall include a business and governance plan and supporting materials that provide options and recommendations on the long-term governance of Fort Worden state park, including building maintenance and restoration. While the commission may transfer full or partial operations to the public development authority the state shall retain title to the property. The state parks and recreation commission and the public development authority will agree on the scope and content of the report including the business and governance plan. In preparing this report the state parks and recreation commission and the public development authority shall provide ample opportunity for the public and stakeholders to participate in the development of the business and governance plan. The state parks and recreation commission shall review the report and if it is consistent with the 2008 Fort Worden state park long-range plan shall take action on a long-term governance and business plan no later than December 31, 2012.

(6) Within the appropriations contained in this section, the commission shall review the removal of trees from Brooks memorial state park that have been killed or damaged by fire in order to determine the recovery value from the sale of any timber that is surplus to the needs of the park. The commission shall remove such trees, if the commission determines that the recovery value from the sale of any timber is at least cost neutral and the removal is in a manner consistent with RCW 79A.05.035.

Sec. 1302. 2012 2nd sp.s. c 7 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund--State Appropriation (FY 2012)	\$34,098,000
General Fund--State Appropriation (FY 2013)	(\$23,618,000)
	\$26,417,000
General Fund--Federal Appropriation	(\$105,481,000)
	\$105,725,000
General Fund--Private/Local Appropriation	(\$56,923,000)
	\$57,107,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$391,000
Aquatic Lands Enhancement Account--State	
Appropriation	(\$12,113,000)
	\$12,125,000
Recreational Fisheries Enhancement--State	
Appropriation	(\$2,794,000)
	\$2,809,000
Warm Water Game Fish Account--State Appropriation	(\$2,841,000)
	\$2,842,000
Eastern Washington Pheasant Enhancement Account--State	
Appropriation	\$849,000
Aquatic Invasive Species Enforcement Account--State	
Appropriation	\$204,000

Aquatic Invasive Species Prevention Account--State	
Appropriation	\$848,000
State Wildlife Account--State Appropriation	(\$100,742,000))
	\$95,241,000
Special Wildlife Account--State Appropriation	\$2,382,000
Special Wildlife Account--Federal Appropriation	\$500,000
Special Wildlife Account--Private/Local Appropriation	\$3,415,000
Wildlife Rehabilitation Account--State Appropriation	\$259,000
Regional Fisheries Enhancement Salmonid Recovery	
Account--Federal Appropriation	\$5,001,000
Oil Spill Prevention Account--State Appropriation	\$883,000
Oyster Reserve Land Account--State Appropriation	\$919,000
Recreation Resources Account--State Appropriation	\$3,300,000
Hydraulic Project Approval Account--State Appropriation	\$337,000
TOTAL APPROPRIATION	(\$357,900,000))
	\$355,652,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$294,000 of the aquatic lands enhancement account--state appropriation is provided solely for the implementation of hatchery reform recommendations defined by the hatchery scientific review group.

(2) \$355,000 of the general fund--state appropriation for fiscal year 2012 and \$355,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the department to continue a pilot project with the Confederated Tribes of the Colville Reservation to develop expanded recreational fishing opportunities on Lake Rufus Woods and its northern shoreline and to conduct joint enforcement of lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to state and tribal intergovernmental agreements developed under the Columbia River water supply program. For the purposes of the pilot project:

(a) A fishing permit issued to a nontribal member by the Colville Tribes shall satisfy the license requirement of RCW 77.32.010 on the waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

(b) The Colville Tribes have agreed to provide to holders of its nontribal member fishing permits a means to demonstrate that fish in their possession were lawfully taken in Lake Rufus Woods;

(c) A Colville tribal member identification card shall satisfy the license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods;

(d) The department and the Colville Tribes shall jointly designate fishing areas on the north shore of Lake Rufus Woods for the purposes of enhancing access to the recreational fisheries on the lake; and

(e) The Colville Tribes have agreed to recognize a fishing license issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal member fishing permit requirements of Colville tribal law on the reservation portion of the waters of Lake Rufus Woods and at designated fishing areas on the north shore of Lake Rufus Woods;

(3) Prior to submitting its 2013-2015 biennial operating and capital budget request related to state fish hatcheries to the office of financial management, the department shall contract with the hatchery scientific review group (HSRG) to review this request. This review shall: (a) Determine if the proposed requests are consistent with HSRG recommendations; (b) prioritize the components of the requests based on their contributions to protecting wild salmonid stocks and meeting the recommendations of the HSRG; and (c) evaluate whether the proposed requests are being made in the most cost effective manner. The department shall provide a copy of the HSRG review to the office of financial management with their agency budget proposal.

(4) \$400,000 of the general fund--state appropriation for fiscal year 2012 and \$400,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the U.S. army corps of engineers.

(5) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for removal of derelict gear in Washington waters.

(6) \$100,000 of the eastern Washington pheasant enhancement account--state appropriation is provided solely for the department to support efforts to enhance permanent and temporary pheasant habitat on public and private lands in Grant, Franklin, and Adams counties. The department may support efforts by entities including conservation districts, nonprofit organizations, and landowners, and must require such entities to provide significant nonstate matching resources, which may be in the form of funds, material, or labor.

(7) Within the amounts appropriated in this section, the department shall identify additional opportunities for partnerships in order to keep fish hatcheries operational. Such partnerships shall aim to maintain fish production and salmon recovery with less reliance on state operating funds.

(8) By September 1, 2011, the department shall update its interagency agreement dated September 30, 2010, with the department of natural resources concerning land management services on the department of fish and wildlife's wildlife conservation and recreation lands. The update shall include rates and terms for services.

(9) Prior to opening game management unit 490 to public hunting, the department shall complete an environmental impact statement that includes an assessment of how public hunting activities will impact the ongoing protection of the public water supply.

(10) \$18,514,000 of the state wildlife account--state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5385 (state wildlife account). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(11) \$9,418,000 of the state wildlife account--state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5622 (state land recreation access). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(12) \$50,000 of the state wildlife account--state appropriation is provided solely for mitigation, claims, and assessment costs for injury or loss of livestock caused by wolves, black bears, and cougars.

(13) \$552,000 of the aquatic lands enhancement account--state appropriation is provided solely for increased law enforcement capacity to reduce the occurrence of geoduck poaching and illegal harvest activities. With these additional funds, the department shall deploy two new fish and wildlife officers and one detective within Puget Sound to address on-the-water and marketplace geoduck harvest compliance.

(14) \$337,000 of the hydraulic project approval--state appropriation is provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

Sec. 1303. 2012 2nd sp.s. c 7 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund--State Appropriation (FY 2012)	\$30,907,000
General Fund--State Appropriation (FY 2013)	(\$35,791,000)
	\$67,782,000
General Fund--Federal Appropriation	\$27,873,000
General Fund--Private/Local Appropriation	\$2,372,000
Forest Development Account--State Appropriation	(\$46,254,000)
	\$44,116,000
ORV and Nonhighway Vehicle Account--State Appropriation	\$4,373,000
Surveys and Maps Account--State Appropriation	\$2,118,000
Aquatic Lands Enhancement Account--State Appropriation	\$69,000
Resources Management Cost Account--State Appropriation	\$90,131,000
Surface Mining Reclamation Account--State Appropriation	\$3,467,000
Disaster Response Account--State Appropriation	\$5,000,000
Forest and Fish Support Account--State Appropriation	\$9,784,000
Aquatic Land Dredged Material Disposal Site Account--State Appropriation	\$838,000
Natural Resources Conservation Areas Stewardship Account--State Appropriation	\$34,000
State Toxics Control Account--State Appropriation	\$80,000
Air Pollution Control Account--State Appropriation	\$540,000
NOVA Program Account--State Appropriation	\$635,000
Derelict Vessel Removal Account--State Appropriation	\$1,761,000
Agricultural College Trust Management Account--State Appropriation	\$1,848,000
Forest Practices Application Account--State Appropriation	\$780,000
Marine Resources Stewardship Trust Account--State Appropriation	\$2,100,000
TOTAL APPROPRIATION	(\$262,782,000)
	\$296,608,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$710,000 of the general fund--state appropriation for fiscal year 2012 and \$915,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University's agricultural college trust lands.

(2) \$8,030,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$10,037,000)~~ \$42,028,000 of the general fund--state appropriation for fiscal year 2013, and \$5,000,000 of the disaster response account--state appropriation are provided solely for emergency fire suppression. None of the general fund and disaster response account amounts provided in this subsection may be used to fund agency indirect and administrative expenses. Agency indirect and administrative costs shall be allocated among the agency's remaining accounts and appropriations. The department of natural resources shall submit a quarterly report to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from the disaster response account. This work shall be done in coordination with the military department.

(3) \$4,500,000 of the forest and fish support account--state appropriation is provided solely for outcome-based, performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded in fiscal year 2013 may only contain indirect costs set at or below the rate in the contracting tribe's indirect cost agreement with the federal government. If federal funding for this purpose is reinstated, the amount provided in this subsection shall lapse.

(4) \$518,000 of the forest and fish support account--state appropriation is provided solely for outcome-based performance contracts with nongovernmental organizations to participate in the implementation of the forest practices program. Contracts awarded in fiscal year 2013 may only contain indirect cost set at or below a rate of eighteen percent.

(5) During the 2011-2013 fiscal biennium, \$717,000 of the forest and fish support account--state appropriation is provided solely to fund interagency agreements with the department of ecology and the department of fish and wildlife as part of the adaptive management process.

(6) \$1,000,000 of the general fund--federal appropriation and \$1,000,000 of the forest and fish support account--state appropriation are provided solely for continuing scientific studies already underway as part of the adaptive management process. Funds may not be used to initiate new studies unless the department secures new federal funding for the adaptive management process.

(7) The department is authorized to increase the silviculture burning permit fee in the 2011-2013 biennium by up to eighty dollars plus fifty cents per ton for each ton of material burned in excess of one hundred tons.

(8) \$440,000 of the state general fund--state appropriation for fiscal year 2012 and \$440,000 of the state general fund--state appropriation for fiscal year 2013 are provided solely for forest work crews that support correctional camps and are contingent upon continuing operations of Naselle youth camp.

(9) By September 1, 2011, the department shall update its interagency agreement dated September 30, 2010, with the department of fish and wildlife concerning land management services on the department of fish and wildlife's wildlife conservation and recreation lands. The update shall include rates and terms for services.

(10) In partnership with the department of ecology, the departments shall deliver a report to the governor, the appropriate committees of the legislature, and the forest practices board by September 1, 2012, documenting forest practices adaptive management program reforms implemented, or recommended, that streamline existing processes to increase program efficiencies and effectiveness. The departments shall collaborate with interested adaptive management program participants in the development of the report.

(11)(a) \$2,100,000 of the marine resources stewardship account--state appropriation is provided solely for the implementation of chapter 252, Laws of 2012 (marine management planning) and 43.372 RCW. The department will work with the marine interagency team, tribes, and the Washington state marine resource committee to develop a spending plan consistent with the priorities in chapter 252, Laws of 2012, for conducting ecosystem assessments and mapping activities related to marine resources use and potential economic development, developing marine management plans for the state's coastal waters, and otherwise aiding in the implementation of marine planning in the state. As appropriate, the team shall develop a competitive process for projects to be funded by the department in fiscal year 2013.

(b) The department, in consultation with the marine interagency team, shall submit to the office of financial management and the appropriate legislative committees by September 1, 2012, a prioritized list of projects and activities for funding consideration through the marine resources stewardship account in the 2013-2015 fiscal biennium.

~~((13))~~ (12) \$780,000 of the forest practices application account--state appropriation, \$18,000 of the forest development account--state appropriation, \$23,000 of the resources management cost account--state appropriation, and \$2,000 of the surface mining reclamation account--state appropriation are provided solely for the implementation of Second Engrossed Substitute Senate Bill No. 6406 (state natural resources). If the bill is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

(End of part)

PART XIV

TRANSPORTATION

Sec. 1401. 2012 2nd sp.s. c 7 s 402 (uncodified) is amended to read as follows:

FOR THE STATE PATROL

General Fund--State Appropriation (FY 2012)	\$35,395,000
General Fund--State Appropriation (FY 2013)	((32,323,000))
	\$42,175,000
General Fund--Federal Appropriation	\$16,081,000
General Fund--Private/Local Appropriation	\$3,021,000
Death Investigations Account--State Appropriation	\$5,537,000
County Criminal Justice Assistance Account--State Appropriation	\$3,207,000
Municipal Criminal Justice Assistance Account--State Appropriation	\$1,286,000
Fire Service Trust Account--State Appropriation	\$131,000
Disaster Response Account--State Appropriation	\$8,002,000
Fire Service Training Account--State Appropriation	\$9,386,000
Aquatic Invasive Species Enforcement Account--State Appropriation	\$54,000
State Toxics Control Account--State Appropriation	\$505,000
Fingerprint Identification Account--State Appropriation	\$10,067,000
Vehicle License Fraud Account--State Appropriation	\$437,000
TOTAL APPROPRIATION	((125,432,000))
	\$135,284,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the fire service training account--state appropriation is provided solely for two FTEs in the office of the state director of fire protection to exclusively review K-12 construction documents for fire and life safety in accordance with the state building code. It is the intent of this appropriation to provide these services only to those districts that are located in counties without qualified review capabilities.

(2) \$8,000,000 of the disaster response account--state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 and 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(3) \$400,000 of the fire service training account--state appropriation is provided solely for the firefighter apprenticeship training program.

(4) In accordance with RCW 43.43.742 the state patrol is authorized to increase the following fees in fiscal year 2012 as necessary to meet the actual costs of conducting business and the appropriation levels in this section: Notary service fee.

(5) \$59,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1776 (child care center licensing). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(6) \$6,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1494 (vulnerable adult referrals). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(7) \$1,000 of the fingerprint identification account--state appropriation is provided solely for implementation of Engrossed Senate Bill No. 6296 (background checks). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(End of part)

PART XV

EDUCATION

Sec. 1501. 2012 2nd sp.s. c 7 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	\$25,322,000
General Fund--State Appropriation (FY 2013)	(\$27,133,000)
	\$27,793,000
General Fund--Federal Appropriation	(\$77,011,000)
	\$82,011,000
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	(\$133,466,000)
	\$139,126,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$16,056,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$14,875,000)~~ \$15,276,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$9,692,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$8,169,000)~~ \$8,160,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection (1)(a), the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By January 1, 2012, the office of the superintendent of public instruction shall issue a report to the legislature with a timeline and an estimate of costs for implementation of the common core standards. The report must incorporate feedback from an open public forum for recommendations to enhance the standards, particularly in math.

(iii) Within the amounts provided, and in consultation with the public school employees of Washington and the Washington school counselors' association, the office of the superintendent of public instruction shall develop a model policy that further defines the recommended roles and responsibilities of graduation coaches and identifies best practices for how graduation coaches work in coordination with school counselors and in the context of a comprehensive school guidance and counseling program.

(iv) The office of the superintendent of public instruction shall, no later than August 1, 2011, establish a standard statewide definition of unexcused absence. The definition shall be reported to the ways and means committees of the senate and house of representatives for legislative review in the 2012 legislative session. Beginning no later than January 1, 2012, districts shall report to the office of the superintendent of public instruction, daily student unexcused absence data by school.

(b) \$1,964,000 of the general fund--state appropriation for fiscal year 2012 and \$1,017,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for activities associated with the implementation of new school finance systems required by chapter 236, Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009 (state's education system), including technical staff, systems reprogramming, and workgroup deliberations, including the quality education council and the data governance working group.

(c)(i) \$851,000 of the general fund--state appropriation for fiscal year 2012 and \$851,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities.

(ii) \$171,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to the state board of education for implementation of Initiative Measure No. 1240 (charter schools).

(d) \$1,744,000 of the general fund--state appropriation for fiscal year 2012 and \$1,387,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to the professional educator standards board for the following:

(i) \$1,050,000 in fiscal year 2012 and \$1,050,000 in fiscal year 2013 are for the operation and expenses of the Washington professional educator standards board; and

(ii) \$694,000 of the general fund--state appropriation for fiscal year 2012 and \$312,000 of the general fund--state appropriation for fiscal year 2013 are for conditional scholarship loans and mentor stipends provided through the alternative routes to certification program administered by the professional educator standards board, including the pipeline for paraeducators program and the retooling to teach conditional loan programs. Funding within this subsection (1)(d)(ii) is also provided for the recruiting Washington teachers program. Funding reductions in this subsection (1)(d)(ii) in the 2011-2013 fiscal biennium are intended to be one-time; and

(iii) \$25,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the professional educator standards board to develop educator interpreter standards and identify interpreter assessments that are available to school districts. Interpreter assessments should meet the following criteria: (A) Include both written assessment and performance assessment; (B) be offered by a national organization of professional sign language interpreters and transliterators; and (C) be designed to assess performance in more than one sign system or sign language. The board shall establish a performance standard, defining what constitutes a minimum assessment result, for each educational interpreter assessment identified. The board shall publicize the standards and assessments for school district use.

(e) \$133,000 of the general fund--state appropriation for fiscal year 2012 and \$133,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(f) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(g) \$45,000 of the general fund--state appropriation for fiscal year 2012 and \$45,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(h) \$159,000 of the general fund--state appropriation for fiscal year 2012 and \$93,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 185, Laws of 2011 (bullying prevention), which requires the office of the superintendent of public instruction to convene an ongoing workgroup on school bullying and harassment prevention. Within the amounts provided, \$140,000 is for youth suicide prevention activities.

(i) \$1,227,000 of the general fund--state appropriation for fiscal year 2012 and \$1,227,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(j) \$25,000 of the general fund--state appropriation for fiscal year 2012 and \$25,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for project citizen, a program sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle school students.

(k) \$166,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for the implementation of chapter 192, Laws of 2011 (school district insolvency). Funding is provided to develop a clear legal framework and process for dissolution of a school district.

(l) \$1,500,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2799 (collaborative schools). If such legislation is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(m) \$128,000 of the general fund--state appropriation for fiscal year 2013 is provided solely pursuant to Substitute House Bill No. 2254 (foster care outcomes). The office of the superintendent of public instruction shall report on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth. The first report is due December 1, 2012, and annually thereafter through 2015. If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(n) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of House Bill No. 2337 (open K-12 education resources). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(o) \$239,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of Initiative Measure No. 1240 (charter schools).

(p) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for allocation to the office of the superintendent of public instruction to provide financial assistance to nonhigh school districts that are experiencing budgetary shortfalls due to a significant financial condition, including, but not limited to: Declining total enrollment; increased enrollment of students with special education needs; and debts owed to school districts serving the nonhigh school district's high school aged students. The financial assistance shall be in the form of a loan.

The loan agreement shall:

(i) Include conditions, binding on the school district, designed to improve the district's financial condition;

(ii) Include a repayment schedule of no more than five years in length; and

(iii) Prohibit districts that receive loans under this subsection from using cash basis accounting.

(2) \$9,267,000 of the general fund--state appropriation for fiscal year 2012 and \$12,267,000 of the general fund--state appropriation for fiscal year 2013 are for statewide programs.

(a) HEALTH AND SAFETY

(i) \$2,541,000 of the general fund--state appropriation for fiscal year 2012 and \$2,541,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a corps of nurses located at educational service districts, as determined by the superintendent of public instruction, to be dispatched to the most needy schools to provide direct care to students, health education, and training for school staff.

(ii) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$50,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a nonviolence and leadership training program provided by the institute for community leadership.

(b) TECHNOLOGY

\$1,221,000 of the general fund--state appropriation for fiscal year 2012 and \$1,221,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) GRANTS AND ALLOCATIONS

(i) \$675,000 of the general fund--state appropriation for fiscal year 2012 and \$675,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington state achievers scholarship program. The funds shall be used to support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars.

(ii) \$1,000,000 of the general fund--state appropriation for fiscal year 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007.

(iii) \$2,808,000 of the general fund--state appropriation for fiscal year 2012 and \$2,808,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the dissemination of the navigation 101 curriculum to all districts. The funding shall support electronic student planning tools and software for analyzing the impact of navigation 101 on student performance, as well as grants to a maximum of one hundred school districts each year, based on progress and need for the implementation of the navigation 101 program. The implementation grants shall be awarded to a cross-section of school districts reflecting a balance of geographic and demographic characteristics. Within the amounts provided, the office of the superintendent of public instruction will create a navigation 101 accountability model to analyze the impact of the program.

(iv) \$337,000 of the general fund--state appropriation for fiscal year 2012 and \$337,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation of the building bridges statewide program for comprehensive dropout prevention, intervention, and reengagement strategies.

(v) \$135,000 of the general fund--state appropriation for fiscal year 2012 and \$135,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for dropout prevention programs at the office of the superintendent of public instruction, including the jobs for America's graduates (JAG) program.

(vi) \$500,000 of the general fund--state appropriation for fiscal year 2012 and \$1,400,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 340, Laws of 2011 (assessment of students in state-funded full-day kindergarten classrooms), including the development and implementation of the Washington kindergarten inventory of developing skills (WaKIDS). Of the amounts in this subsection, \$1,000,000 of the fiscal year 2013 appropriation is for the implementation of House Bill No. 2586 (kindergarten inventory). If the bill is not enacted by June 30, 2012, this amount shall lapse.

(vii) \$2,000,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for an urban school turnaround initiative as follows:

(A) The office of the superintendent of public instruction shall select two schools in the largest urban school district in the state. The selected schools shall be among the state's lowest-performing schools; be located within the same community and form a continuum of education for the students in that community; have significant educational achievement gaps; and include a mix of elementary, middle, or high schools.

(B) The office shall allocate the funds under this subsection (vii) to the school district to be used exclusively in the selected schools. The district may not charge an overhead or indirect fee for the allocated funds or supplant other state, federal, or local funds in the selected schools. The school district shall use the funds for intensive supplemental instruction, services, and materials in the selected schools (~~in the 2012-13 school year~~), including but not limited to professional development for school staff; updated curriculum, materials, and technology; extended learning opportunities for students; reduced class size; summer enrichment activities; school-based health clinics; and other research-based initiatives to dramatically turn around the performance and close the achievement gap in the schools. The office shall enter into an expenditure agreement with the school district under which any funds under this subsection (2)(c)(vii) remaining unspent on August 31, 2015, shall be returned to the state. Priorities for the expenditure of the funds shall be determined by the leadership and staff of each school.

(C) The office shall monitor the activities in the selected schools and the expenditure of funds to ensure the intent of this subsection (vii) is met, and submit a report to the legislature by December 1, 2013, including outcomes resulting from the urban school turnaround initiative. The report submitted to the legislature must include a comparison of student learning achievement in the selected schools with schools of comparable demographics that have not participated in the grant program.

(D) Funding provided in this subsection (vii) is intended to be one-time.

(viii) \$100,000 of the general fund--state appropriation for fiscal year 2013 is provided solely to subsidize advanced placement exam fees and international baccalaureate class fees and exam fees for low-income students. To be eligible for the subsidy, a student must be either enrolled or eligible to participate in the federal free or reduced price lunch program, and the student must have maximized the allowable federal contribution. The office of the superintendent of public instruction shall set the subsidy in an amount so that the advanced placement exam fee does not exceed \$15.00 and the combined class and exam fee for the international baccalaureate does not exceed \$14.50.

Sec. 1502. 2012 2nd sp.s. c 7 s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT

General Fund--State Appropriation (FY 2012)	\$5,241,233,000
General Fund--State Appropriation (FY 2013)	(\$5,170,854,000)
	\$5,139,496,000
General Fund--Federal Appropriation	\$22,327,000
TOTAL APPROPRIATION	(\$10,434,414,000)
	\$10,403,056,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2011-12 and 2012-13 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2011 to August 31, 2011, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 504, chapter 564, Laws of 2009, as amended through sections 1402 and 1403 of this act.

(d) The appropriations in this section include federal funds provided through section 101 of P.L. No. 111-226 (education jobs fund), which shall be used to support general apportionment program funding. In distributing general apportionment allocations under this section for the 2011-12 school year, the superintendent shall include the additional amount of \$3,327,000 allocated by the United States department of education on September 16, 2011, provided through 101 of P.L. No. 111-226 (education jobs fund) as part of each district's general apportionment allocation.

(e) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2011-12 and 2012-13 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260
Grades K-3	25.23
Grade 4	27.00
Grades 5-6	27.00
Grades 7-8	28.53
Grades 9-12	28.74

The superintendent shall base allocations for career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

General education class size in high poverty school:

Grades K-3	24.10
Grade 4	27.00
Grades 5-6	27.00
Grades 7-8	28.53
Grades 9-12	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Laboratory science, advanced placement, and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 students:

Career and Technical Education students	2.02 per 1000 student FTE's
Skill Center students	2.36 per 1000 student FTE's

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2011-12 and 2012-13 school years for general education students are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on a district's annual average full-time equivalent student enrollment in each grade.

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that exceed the general education rate in (a) of this subsection by the following percentages:

- Career and Technical Education students 2.5 percent
- Skill Center students 19.75 percent

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2011-12 and 2012-13 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2011-12 and 2012-13 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by 3.69 percent for career and technical education students, and 21.92 percent for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 16.33 percent in the 2011-12 school year and 16.34 percent in the 2012-13 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 18.73 percent in the 2011-12 school year and 18.73 percent in the 2012-13 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2011-12 SCHOOL YEAR	2012-13 SCHOOL YEAR
Technology	\$57.42	\$58.28
Utilities and Insurance	\$156.03	\$158.37
Curriculum and Textbooks	\$61.65	\$62.58
Other Supplies and Library Materials	\$130.89	\$132.85

Instructional Professional Development for Certificated and Classified Staff	\$9.53	\$9.68
Facilities Maintenance	\$77.30	\$78.46
Security and Central Office	\$53.55	\$54.35
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	\$554.57

(b) Students in approved skill center programs generate per student FTE MSOC allocations which equal the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.171.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation that is equal to the rate for general education students calculated in (a) of this subsection, multiplied by a factor of 2.442.

(d) Students in laboratory science courses generate per student FTE MSOC allocations which equal the per student FTE rate for general education students established in (a) of this subsection.

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2011-12 and 2012-13 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section are adjusted to reflect provisions of House Bill No. 2065 (allocation of funding for funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary full day kindergarten programs in qualifying high poverty schools, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary full-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides full-day kindergarten programs for 21 percent of kindergarten enrollment in the 2011-12 school year, and 22 percent in the 2012-13 school year. Funding priority shall be given to schools with the highest poverty levels, as measured by prior year free and reduced price lunch eligibility rates in each school. Funding in this section is sufficient to fund voluntary full day kindergarten programs for July and August of the 2010-11 school year.

(12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under subsection (12) of this section shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

(13) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

(14) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2012 and 2013 as follows:

(a) \$589,000 of the general fund--state appropriation for fiscal year 2012 and \$598,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund--state appropriation for fiscal year 2012 and \$436,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(c) Funding in this section is sufficient to fund adjustments to school districts' allocations resulting from the implementation of the prototypical school funding formula, pursuant to chapter 236, Laws of 2010 (K-12 education funding). The funding in this section is intended to hold school districts harmless in total for funding changes resulting from conversion to the prototypical school formula in the general apportionment program, the learning assistance program, the transitional bilingual program, and the highly capable program, after adjustment for changes in enrollment and other caseload adjustments.

(15) \$208,000 of the general fund--state appropriation for fiscal year 2012 and \$211,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for school district emergencies as certified by the superintendent of public instruction. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

(16) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

(17) Beginning in the 2011-12 school year, students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment. In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the higher education coordinating board, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(18) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (12) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (12) of this section shall be reduced in increments of twenty percent per year.

(19)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed 15 percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

Sec. 1503. 2012 2nd sp.s. c 7 s 503 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.280 and under section 503 of this act:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary shown on LEAP Document 2 by the district's average staff mix factor for certificated instructional staff in that school year, computed using LEAP document 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 15.69 percent for school year 2011-12 and 15.70 percent for school year 2012-13 for certificated instructional and certificated administrative staff and 15.23 percent for school year 2011-12 and 15.23 percent for the 2012-13 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12
 Education Experience

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11				45,883	49,169	51,558	49,295	52,581	54,969
12				47,332	50,777	53,238	50,850	54,188	56,650
13					52,425	54,959	52,460	55,836	58,370
14					54,081	56,745	54,117	57,600	60,157
15					55,488	58,221	55,523	59,098	61,721
16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13
 Education Experience

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11				45,883	49,169	51,558	49,295	52,581	54,969
12				47,332	50,777	53,238	50,850	54,188	56,650
13					52,425	54,959	52,460	55,836	58,370
14					54,081	56,745	54,117	57,600	60,157
15					55,488	58,221	55,523	59,098	61,721
16 or more					56,597	59,385	56,634	60,279	62,955

(b) As used in this subsection, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

(i) Credits earned since receiving the masters degree; and

(ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(5) For the purposes of this section:

(a) "BA" means a baccalaureate degree.

(b) "MA" means a masters degree.

(c) "PHD" means a doctorate degree.

(d) "Years of service" shall be calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(6) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in this part V, or any replacement schedules and documents, unless:

(a) The employee has a masters degree; or

(b) The credits were used in generating state salary allocations before January 1, 1992.

(7) The salary allocation schedules established in this section are for allocation purposes only except as provided in RCW 28A.400.200(2).

Sec. 1504. 2012 2nd sp.s. c 7 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS
General Fund--Federal Appropriation \$2,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act. Allocations for these salary adjustments shall be provided to all districts that are not grandfathered to receive salary allocations above the statewide salary allocation schedule, and to certain grandfathered districts to the extent necessary to ensure that salary allocations for districts that are currently grandfathered do not fall below the statewide salary allocation schedule.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for certificated administrative staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time-equivalent salary allocations for classified staff as listed for each district in LEAP Document 2, defined in section 504(2)(b) of this act.

(d) The appropriations in this subsection (1) include associated incremental fringe benefit allocations at 15.69 percent for the 2011-12 school year and 15.70 percent for the 2012-13 school year for certificated instructional and certificated administrative staff and 15.23 percent for the 2011-12 school year and 15.23 percent for the 2012-13 school year for classified staff.

(e) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 503 and 504 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 503 and 504 of this act.

(f) The appropriations in this section include no salary adjustments for substitute teachers.

(2) The maintenance rate for insurance benefit allocations is \$768.00 per month for the 2011-12 and 2012-13 school years. The appropriations in this section reflect the incremental change in cost of allocating rates of \$768.00 per month for the 2011-12 school year and \$768.00 per month for the 2012-13 school year.

(3) The rates specified in this section are subject to revision each year by the legislature.

Sec. 1505. 2012 2nd sp.s. c 7 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION

General Fund--State Appropriation (FY 2012)	\$322,243,000
General Fund--State Appropriation (FY 2013)	(\$273,642,000)
\$273,893,000	
TOTAL APPROPRIATION	(\$595,885,000)
\$596,136,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school district programs for the transportation of students as provided in RCW 28A.160.192.

(b) From July 1, 2011 to August 31, 2011, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 505, chapter 564, Laws of 2009, as amended through section 1404 of this act.

(3) Any amounts appropriated for maintenance level funding for pupil transportation that exceed actual maintenance level expenditures as calculated under the funding formula that takes effect September 1, 2011, shall be distributed to districts according to RCW 28A.160.192(2)(b).

(4) A maximum of \$892,000 of this fiscal year 2012 appropriation and a maximum of \$892,000 of the fiscal year 2013 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(6) The superintendent of public instruction shall base depreciation payments for school district buses on the pre-sales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(7) Funding levels in this section reflect waivers granted by the state board of education for four-day school weeks as allowed under RCW 28A.305.141.

(8) Starting with the 2012-13 school year, the office of the superintendent of public instruction shall disburse payments for bus depreciation in August.

Sec. 1506. 2011 2nd sp.s. c 9 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund--State Appropriation (FY 2012)	\$7,111,000
General Fund--State Appropriation (FY 2013)	\$7,111,000
General Fund--Federal Appropriation	(\$436,400,000)
\$506,000,000	
TOTAL APPROPRIATION	(\$450,622,000)
\$520,222,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$7,111,000 of the general fund--state appropriation for fiscal year 2012 and \$7,111,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades kindergarten through third grade who are eligible for reduced price lunch;

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in (a), (b), and (c) of this subsection.

Sec. 1507. 2012 2nd sp.s. c 7 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2012)	\$648,369,000
General Fund--State Appropriation (FY 2013)	(\$679,832,000)
\$659,919,000	
General Fund--Federal Appropriation	(\$486,922,000)
\$495,922,000	
Education Legacy Trust Account--State Appropriation	\$756,000
TOTAL APPROPRIATION	(\$1,815,879,000)
\$1,804,966,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(c) Beginning with the 2010-11 school year award cycle, the office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390.

(b) From July 1, 2011 to August 31, 2011, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 564, Laws of 2009, as amended through section 1406 of this act.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund--state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$8,914,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$34,200,000)~~ \$9,469,000 of the general fund--state appropriation for fiscal year 2013, and ~~(\$29,574,000)~~ \$32,574,000 of the general fund--federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2011-12 and 2012-13 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) From July 1, 2011 to August 31, 2011, the superintendent shall operate the safety net oversight committee and shall award safety net funds as provided in section 507, chapter 564, Laws of 2009, as amended through section 1406 of this act.

(8) A maximum of \$678,000 may be expended from the general fund--state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$251,000 of the general fund--state appropriation for fiscal year 2012 and \$251,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2012, \$50,000 of the general fund--state appropriation for fiscal year 2013, and \$100,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

Sec. 1508. 2012 2nd sp.s. c 7 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS

General Fund--State Appropriation (FY 2012)	\$7,894,000
General Fund--State Appropriation (FY 2013)	(\$7,912,000)
\$7,895,000	
TOTAL APPROPRIATION	(\$15,806,000)
\$15,789,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.310.190 (3) and (4).

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and ~~((28A.310.340))~~ 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

Sec. 1509. 2012 2nd sp.s. c 7 s 508 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE

General Fund--State Appropriation (FY 2012)	\$300,768,000
General Fund--State Appropriation (FY 2013)	(\$298,166,000)
\$299,537,000	
General Fund--Federal Appropriation	\$4,400,000
TOTAL APPROPRIATION	(\$603,334,000)
\$604,705,000	

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 3 percent from the 2010-11 school year to the 2011-12 school year and 5 percent from the 2011-12 school year to the 2012-13 school year.

Sec. 1510. 2012 2nd sp.s. c 7 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2012)	\$16,694,000
General Fund--State Appropriation (FY 2013)	(\$15,867,000)
\$14,547,000	
TOTAL APPROPRIATION	(\$32,561,000)
\$31,241,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund--state fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(3) State funding for each institutional education program shall be based on the institution's annual average full-time equivalent student enrollment. Staffing ratios for each category of institution shall remain the same as those funded in the 1995-97 biennium.

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$586,000 of the general fund--state appropriation for fiscal year 2012 and ~~(\$549,000)~~ \$899,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Ten percent of the funds allocated for each institution may be carried over from one year to the next.

Sec. 1511. 2012 2nd sp.s. c 7 s 510 (uncodified) is amended to read as follows:

FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2012)	\$8,745,000
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General Fund--State Appropriation (FY 2013)	(\$8,788,000)
\$9,159,000	
TOTAL APPROPRIATION	(\$17,533,000)
\$17,904,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 564, Laws of 2009, as amended through section 1409 of this act.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2012 and \$85,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the centrum program at Fort Worden state park.

Sec. 1512. 2011 2nd sp.s. c 9 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT

General Fund--Federal Appropriation	\$6,152,000
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Sec. 1513. 2012 2nd sp.s. c 7 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM PROGRAMS

General Fund--State Appropriation (FY 2012)	\$58,078,000
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General Fund--State Appropriation (FY 2013)	(\$103,655,000)
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\$103,455,000	
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General Fund--Federal Appropriation	\$219,147,000
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General Fund--Private/Local Appropriation	\$4,000,000
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Education Legacy Trust Account--State Appropriation	\$1,596,000
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TOTAL APPROPRIATION	(\$386,476,000)
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\$386,276,000	
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$40,822,000 of the general fund--state appropriation for fiscal year 2012, \$41,614,000 of the general fund--state appropriation for fiscal year 2013, \$1,350,000 of the education legacy trust account--state appropriation, and \$15,868,000 of the general fund--federal appropriation are provided solely for development and implementation of the Washington state assessment system, including: (a) Development and implementation of retake assessments for high school students who are not successful in one or more content areas and (b) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student assessment results, on or around June 10th of each year. State funding shall be limited to one collection of evidence payment per student, per content-area assessment.

(2) \$356,000 of the general fund--state appropriation for fiscal year 2012 and \$356,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities coordinated at the Pacific science center, including instructional material purchases, teacher and principal professional development, and school and community engagement events.

(3) \$980,000 of the general fund--state appropriation for fiscal year 2012 and \$980,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for improving technology infrastructure, monitoring and reporting on school district technology development, promoting standards for school district technology, promoting statewide coordination and planning for technology development, and providing regional educational technology support centers, including state support activities, under chapter 28A.650 RCW.

(4) \$3,852,000 of the general fund--state appropriation for fiscal year 2012 and \$2,624,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for continued implementation of chapter 235, Laws of 2010 (education reform) including development of new performance-based evaluation systems for certificated educators.

(5)(a) \$39,296,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$5,090 per teacher in the 2011-12 and 2012-13 school years, adjusted for inflation in each school year in which Initiative 732 cost of living adjustments are provided;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (a)(ii) of this subsection for less than one full school year receive bonuses in a pro-rated manner. Beginning in the 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection will be paid in July of each school year. Bonuses in (a)(i) and (ii) of this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2011-12 and 2012-13 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary schedule and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after three years are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school year.

(6) \$477,000 of the general fund--state appropriation for fiscal year 2012 and \$477,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(7) \$950,000 of the general fund--state appropriation for fiscal year 2012 and \$950,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to low-performing schools and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(8) \$810,000 of the general fund--state appropriation for fiscal year 2012 and \$810,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to design, field test, and implement a state-of-the-art education leadership academy that will be accessible throughout the state. Initial development of the content of the academy activities shall be supported by private funds. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(9) \$3,234,000 of the general fund--state appropriation for fiscal year 2012 and \$3,234,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for grants to school districts to provide a continuum of care for children and families to help children become ready to learn. Grant proposals from school districts shall contain local plans designed collaboratively with community service providers. If a continuum of care program exists in the area in which the school district is located, the local plan shall provide for coordination with existing programs to the greatest extent possible.

(10) \$1,500,000 of the general fund--state appropriation for fiscal year 2012 and \$1,500,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the implementation of chapter 288, Laws of 2011 (actual student success program), including allocations to the opportunity internship program, the jobs for America's graduates program, the building bridges program, services provided by a college scholarship organization. Funding shall not be used in the 2011-2013 fiscal biennium to provide awards for schools and school districts.

(11) \$859,000 of the general fund--state appropriation for fiscal year 2012, \$808,000 of the general fund--state appropriation for fiscal year 2013, and \$248,000 of the education legacy trust account--state appropriation are for administrative support of education reform programs.

(12) \$2,000,000 of the general fund--state appropriation for fiscal year 2012 and \$2,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a statewide information technology (IT) academy program. This public-private partnership will provide educational software, as well as IT certification and software training opportunities for students and staff in public schools.

(13) \$977,000 of the general fund--state appropriation for fiscal year 2012 and \$1,077,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008. If equally matched by private donations, \$300,000 of the 2012 appropriation and \$300,000 of the 2013 appropriation shall be used to support FIRST robotics programs. Of the amounts in this subsection, \$100,000 of the fiscal year 2013 appropriation is provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(14) \$125,000 of the general fund--state appropriation for fiscal year 2012 and \$125,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for (a) staff at the office of the superintendent of public instruction to coordinate and promote efforts to develop integrated math, science, technology, and engineering programs in schools and districts across the state; and (b) grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their schools.

(15) \$135,000 of the general fund--state appropriation for fiscal year 2012 and \$135,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(16) \$1,000,000 of the general fund--state appropriation for fiscal year 2012 and \$1,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a beginning educator support program. School districts and/or regional consortia may apply for grant funding. The superintendent shall implement this program in 5 to 15 school districts and/or regional consortia. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. \$250,000 may be used to provide statewide professional development opportunities for mentors and beginning educators.

(17) \$5,767,000 of the general fund--state appropriation for fiscal year 2013 is provided solely pursuant to Engrossed Substitute Senate Bill No. 5895 (certificated employee evaluations). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

~~((19))~~ (18) \$250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding, a high school must have offered a foundational project lead the way course during the 2011-12 school year. The funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2012-13 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

~~((20))~~ (19) \$150,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for aerospace and manufacturing technical programs housed at two skill centers. The one-time funding is provided for start-up equipment and curriculum purchases. To be eligible for funding, the skill center must agree to provide regional high schools with access to a technology laboratory, expand manufacturing

certificate and course offerings at the skill center, and provide a laboratory space for local high school teachers to engage in professional development in the instruction of courses leading to student employment certification in the aerospace and manufacturing industries. The office of the superintendent of public instruction shall administer the grants in consultation with the center for excellence for aerospace and advanced materials manufacturing.

~~((21))~~ (20) \$300,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for start-up grants to twelve high schools to implement the aerospace assembler program. Participating high schools must agree to offer the aerospace assembler training program to students by spring semester of school year 2012-13. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data.

Sec. 1514. 2012 2nd sp.s. c 7 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund--State Appropriation (FY 2012)	\$79,575,000
General Fund--State Appropriation (FY 2013)	((80,666,000))
	\$83,896,000
General Fund--Federal Appropriation	\$71,001,000
TOTAL APPROPRIATION	((231,242,000))
	\$234,472,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs as provided in RCW 28A.150.260(10)(b). In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student; (ii) fifteen transitional bilingual program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 564, Laws of 2009, as amended through section 1411 of this act.

(c) The allocations in this section reflect the implementation of a new funding formula for the transitional bilingual instructional program, effective September 1, 2011, as specified in RCW 28A.150.260(10)(b).

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 2.79 percent for school year 2011-12 and 2.11 percent for school year 2012-13.

(4) The general fund--federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) In preparing its 2013-15 biennial budget request, the office of the superintendent of public instruction shall prepare for implementation of a funding model for the transitional bilingual program, beginning in school year 2013-14, that is scaled to provide more support to students requiring most intensive intervention, (students with beginning levels of English language proficiency) and less support to students requiring less intervention. The funding model shall also provide up to two years of bonus funding upon successful exit from the bilingual program to facilitate successful transition to a standard program of education.

\$35,000 of the general fund--state appropriation for fiscal year 2012 and \$35,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to track current and former transitional bilingual program students.

Sec. 1515. 2012 2nd sp.s. c 7 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2012)	\$102,619,000
General Fund--State Appropriation (FY 2013)	((128,779,000))
	\$127,422,000
General Fund--Federal Appropriation	((492,207,000))
	\$496,207,000
Education Legacy Trust Account--State Appropriation	\$23,990,000
TOTAL APPROPRIATION	((747,595,000))
	\$750,238,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund--state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2011-12 and 2012-13 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 1.51560 hours per week per funded learning assistance program student; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2011, to August 31, 2011, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 564, Laws of 2009, as amended through section 1412 of this act.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund--federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund-state or education legacy trust funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

(5) The office of the superintendent of public instruction shall research and recommend options for an adjustment factor for middle school and high school free and reduced price lunch eligibility reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report to the fiscal committees of the legislature by June 1, 2012. For the 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

Sec. 1516. 2012 2nd sp.s. c 7 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocations purposes only and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education.

(2) To the maximum extent practicable, when adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall attempt to seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in subsection (4) of this section.

(4) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2012, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2012 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable; and learning assistance programs.

(5) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

(End of part)

PART XVI

HIGHER EDUCATION

Sec. 1601. 2012 2nd sp.s. c 7 s 602 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund--State Appropriation (FY 2012)	\$201,226,000
General Fund--State Appropriation (FY 2013)	\$201,612,000
Education Legacy Trust Account--State Appropriation	\$18,579,000
Economic Development Strategic Reserve Account-- State Appropriation	\$1,500,000
Biotoxin Account--State Appropriation	(\$450,000)
\$350,000	
Accident Account--State Appropriation	\$6,681,000
Medical Aid Account--State Appropriation	\$6,488,000
TOTAL APPROPRIATION	(\$436,536,000)
\$436,436,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) In implementing the appropriations in this section, the president and regents shall seek to minimize impacts on student services and instructional programs by maximizing reductions in administration and other noninstructional activities.

(2) \$150,000 of the general fund--state appropriation for fiscal year 2012 and \$150,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the development of integrated medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho (WWAMI) medical education program in Spokane and eastern Washington. Funding is contingent on appropriations being provided to Washington State University for WWAMI program expansion in Spokane and eastern Washington.

(3) \$52,000 of the general fund--state appropriation for fiscal year 2012 and \$52,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the center for international trade in forest products in the college of forest resources.

(4) \$88,000 of the general fund--state appropriation for fiscal year 2012 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5485 (state's natural resources). If the bill is not enacted by June 30, 2011, the amount provided in this subsection shall lapse.

(5) \$143,000 of the general fund--state appropriation for fiscal year 2012 and \$144,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the ongoing management of the Washington park arboretum.

(6) \$3,800,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for an expansion in engineering enrollments, including enrollments in the field of computer science. Amounts provided in this subsection may be used only to cover direct costs of instruction associated with this enrollment expansion. By June 30, 2012, the university shall provide a report to the legislature that provides specific detail on how these amounts will be spent. Each September 1st thereafter, the university shall provide an updated report that provides specific detail on how these amounts were spent in the preceding twelve months.

(7) Amounts appropriated in this section are sufficient for the university to conduct a comprehensive review of its tuition waiver policies. The resulting report shall include an overview of tuition waiver uses and costs (forgone revenue) and outcomes and any recommendations for changes to tuition waiver policy and shall be provided to the legislature no later than December 1, 2012.

(8) \$610,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to expand health sciences capacity at the University of Washington for Washington, Wyoming, Alaska, Montana, Idaho (WWAMI) and \$190,000 of the general fund--state appropriation for fiscal year 2012 is provided solely to expand health sciences capacity at the University of Washington for Regional Initiatives in Dental Education (RIDE) for the WWAMI-RIDE program expansion to achieve full ramp-up of first-year medical students and dental students each year of the four-year programs.

(9) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(10) Amounts appropriated in this section are sufficient to cover the costs associated with the implementation of Engrossed Substitute Senate Bill No. 6486 (collective bargaining for post-doctoral researchers).

Sec. 1602. 2012 2nd sp.s. c 7 s 613 (uncodified) is amended to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT FINANCIAL ASSISTANCE

General Fund--State Appropriation (FY 2013) \$247,034,000

General Fund--Federal Appropriation \$5,812,000

Washington Opportunity Pathways Account--State

Appropriation \$73,500,000

Aerospace	Training	Student	Loan	Account--State
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Appropriation \$12,000

TOTAL APPROPRIATION ((~~\$326,346,000~~))

\$326,358,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$237,018,000 of the general fund--state appropriation for fiscal year 2013, and \$73,500,000 of the opportunity pathways account--state appropriation are provided solely for student financial aid payments under the state need grant and the state work study programs including up to a four percent administrative allowance for the state work study program.

(2) Within the funds appropriated in this section, eligibility for the state need grant shall include students with family incomes at or below 70 percent of the state median family income (MFI), adjusted for family size, and shall include students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits. The higher education coordinating board shall report to the legislature by December 1, 2013, regarding the number of students enrolled in three to five credit-bearing quarter credits, or the equivalent semester credits, and their academic progress including degree completion. Awards for all students shall be adjusted by the estimated amount by which Pell grant increases exceed projected increases in the noninstructional costs of attendance. Awards for students with incomes between 51 and 70 percent of the state median shall be prorated at the following percentages of the award amount granted to those with incomes below 51 percent of the MFI: 70 percent for students with family incomes between 51 and 55 percent MFI; 65 percent for students with family incomes between 56 and 60 percent MFI; 60 percent for students with family incomes between 61 and 65 percent MFI; and 50 percent for students with family incomes between 66 and 70 percent MFI.

(3) \$1,250,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for implementation of the aerospace training scholarship and student loan program as specified in Engrossed Substitute House Bill No. 1846 (aerospace student loans). If the bill is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(4) For fiscal year 2013, the board shall defer loan or conditional scholarship repayments to the future teachers conditional scholarship and loan repayment program for up to one year for each participant if the participant has shown evidence of efforts to find a teaching job but has been unable to secure a teaching job per the requirements of the program.

(5) \$1,000,000 of the education legacy trust account--state appropriation is provided solely for the gaining early awareness and readiness for undergraduate programs project.

(6) \$1,500,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the leadership 1000 program.

(7) \$2,436,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the passport to college program. The maximum scholarship award shall be \$5,000. The board shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal year 2013 for this purpose.

(8) In addition to the entities listed in RCW 28B.122.010, the aerospace student loan program may provide loans to students attending an aerospace training program at Renton technical college.

(9) The office of student financial assistance and the department of health shall prioritize a portion of any nonfederal balances in the health professional loan repayment and scholarship fund for conditional loan repayment contracts with psychiatrists and with advanced registered nurse practitioners for work at one of the state-operated psychiatric hospitals. The office and department shall designate the state hospitals as health professional shortage areas if necessary for this purpose. The office of student financial assistance shall coordinate with the department of social

and health services to effectively incorporate these conditional loan repayments into the department's advanced psychiatric professional recruitment and retention strategies.

(10) \$50,000 of the amount provided in this section shall be used to convene the higher education loan program work group. The work group shall develop methods for funding the loan program in the future, as well as recommendations regarding the best loan program structure for providing financial aid to underserved populations. The work group shall seek out technical advice from the housing finance commission. At a minimum, the recommendations regarding the proposed loan program must take into account the following: Whether students could benefit from the creation of a new student loan program; the relationship between the student loan program and the state need grant program and the state need grant qualified student population; mechanisms to achieve interest rates that are below those offered in federally guaranteed and private bank student loans; sources of initial and on-going funding for loans and program operation; and default risks, reserve requirements, and other conditions required for the student loan program. The work group shall provide a report to the legislature no later than December 1, 2012.

Sec. 1603. 2012 2nd sp.s. c 7 s 615 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF EARLY LEARNING

General Fund--State Appropriation (FY 2012)	\$25,497,000
General Fund--State Appropriation (FY 2013)	(\$27,190,000)
	\$27,379,000
General Fund--Federal Appropriation	\$280,619,000
Children's Trust Account--State Appropriation	\$142,000
Opportunity Pathways Account--State Appropriation	\$78,000,000
Home Visiting Services Account--Federal Appropriation	\$300,000
TOTAL APPROPRIATION	(\$411,606,000)
	\$411,937,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,028,000 of the general fund--state appropriation for fiscal year 2012, \$18,028,000 of the general fund--state appropriation of fiscal year 2013, \$78,000,000 of the opportunity pathways account appropriation, and \$2,256,000 of the general fund--federal appropriation are provided solely for the early childhood education assistance program services. Of these amounts, \$10,284,000 is a portion of the biennial amount of state maintenance of effort dollars required to receive federal child care and development fund grant dollars.

(2) In accordance to RCW 43.215.255(2) and 43.135.055, the department is authorized to increase child care center and child care family home licensure fees in fiscal years 2012 and 2013 for costs to the department for the licensure activity, including costs of necessary inspection. These increases are necessary to support expenditures authorized in this section.

(3) \$64,000 of the general fund--state appropriation for fiscal year 2012, \$638,000 of the general fund--state appropriation for fiscal year 2013, and \$574,000 of the general fund--federal appropriation are provided solely for child care resource and referral network services.

(4) \$200,000 of the general fund--state appropriation for fiscal year 2012 and \$200,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to develop and provide culturally relevant supports for parents, family, and other caregivers.

(5) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies. The department shall transfer a portion of this grant to the department of social and health services to fund the child care subsidies paid by the department of social and health services on behalf of the department of early learning.

(6) The appropriations in this section reflect reductions in the appropriations for the department's administrative expenses. It is the intent of the legislature that these reductions shall be achieved, to the greatest extent possible, by reducing those administrative costs that do not affect direct client services or direct service delivery or program.

(7) \$934,000 of the general fund--state appropriation for fiscal year 2012, \$934,000 of the general fund--state appropriation for fiscal year 2013, and \$2,400,000 of the general fund--federal appropriation are provided solely for expenditure into the home visiting services account. This funding is intended to meet federal maintenance of effort requirements and to secure private matching funds.

(a) All federal funds received by the department for home visiting activities must be deposited into the home visiting services account.

(b) The department must consult with stakeholders during the development of the Washington home visiting plan and any future proposals for federal funding.

(c) No more than \$300,000 of the home visiting services account--federal appropriation may be expended for program administration for fiscal year 2013 pursuant to RCW 43.215.130. No other funds may be expended for that purpose.

(8)(a) \$153,558,000 of the general fund--federal appropriation is provided solely for the working connections child care program under RCW 43.215.135.

(b) In addition to groups that were given prioritized access to the working connections child care program effective March 1, 2011, the department shall also give prioritized access into the program to families in which a parent of a child in care is a minor who is not living with a parent or guardian and who is a full-time student in a high school that has a school-sponsored on-site child care center.

(9)(a) \$50,000 of the general fund--state appropriation for fiscal year 2012 and \$1,050,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for implementation and administration of an electronic benefit transfer system. The system shall include electronic time keeping, integrated with an eligibility information technology system, and an electronic payment system. The department shall coordinate implementation of this system with the department of social and health services.

(b) \$100,000 of the general fund--state appropriation in this subsection is provided solely for the department to contract for an independent consultant to evaluate and recommend the optimum system for the eligibility determination process. The evaluation must include an analysis of lean management processes that, if adopted, could improve the cost effectiveness and delivery of eligibility determination. The department shall coordinate with the department of social and health services for this evaluation. The department must report to the office of financial management and the appropriate fiscal and policy committees of the legislature by December 1, 2012.

(10) Within available amounts, the department in consultation with the office of financial management and the department of social and health services shall report quarterly enrollments and active caseload for the working connections child care program to the legislative fiscal

committees and the legislative-executive WorkFirst oversight task force. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care.

(11) \$1,025,000 of the general fund--state appropriation for fiscal year 2013 and \$6,712,000 of the general fund--federal appropriation are provided solely for the seasonal child care program in fiscal year 2013.

(12) \$2,522,000 of the general fund--state appropriation for fiscal year 2012, \$2,522,000 of the general fund--state appropriation for fiscal year 2013, and \$4,304,000 of the general fund--federal appropriation are provided solely for the medicaid treatment child care (MTCC) program. The department shall contract for MTCC services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. Priority for services shall be given to children referred from the department of social and health services children's administration. In addition to referrals made by children's administration, the department shall authorize services for children referred to the MTCC program, as long as the children meet the eligibility requirements as outlined in the Washington state plan for the MTCC program. Of the amounts appropriated in this subsection, \$60,000 per fiscal year may be used by the department for administering the MTCC program, if needed.

(13)(a) The department shall establish a birth-to-three subcommittee of the early learning advisory council. The subcommittee will be cochaired by the department and nongovernmental private-public partnership created in RCW 43.215.070. The subcommittee shall include at least one representative from each of the following:

- (i) The early learning advisory council;
- (ii) The office of the superintendent of public instruction;
- (iii) The department of social and health services;
- (iv) The department of early learning;
- (v) The nongovernmental private-public partnership created in RCW 43.215.070;
- (vi) The early learning action alliance; and
- (vii) Additional stakeholders with expertise in birth-to-three policy and programs and quality child care, as designated by the early learning advisory council.

(b) The subcommittee may convene advisory subgroups on specific topics as necessary to assure participation and input from a broad array of diverse stakeholders.

(c) The subcommittee shall be monitored and overseen by the early learning advisory council created in RCW 43.215.090.

(d) The subcommittee shall develop a birth-to-three implementation proposal, which shall include further development of the Washington state birth-to-three plan.

(e) The subcommittee must include recommendations on the following in its birth-to-three proposal:

- (i) Eligibility criteria for providers and programs;
- (ii) The level of funding necessary to implement birth-to-three programs, including an option which makes available funding equivalent to thirty percent of the funding provided for the program of early learning established in RCW 43.215.141;
- (iii) Options for funding sources for birth-to-three programs;
- (iv) Governance responsibilities for the department of early learning; and
- (v) A timeline for implementation that is concurrent with the expansion to the early learning program outlined in RCW 43.215.142.

The subcommittee must present its recommendations to the early learning advisory council and the appropriate committees of the legislature by December 1, 2012.

(14) \$300,000 of the general fund--federal appropriation is provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

Sec. 1604. 2012 2nd sp.s. c 7 s 616 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund--State Appropriation (FY 2012)	\$5,776,000
General Fund--State Appropriation (FY 2013)	(\$5,671,000)
\$5,691,000	

TOTAL APPROPRIATION	(\$11,447,000)
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\$11,467,000

Sec. 1605. 2012 2nd sp.s. c 7 s 617 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS

General Fund--State Appropriation (FY 2012)	\$8,439,000
General Fund--State Appropriation (FY 2013)	(\$8,335,000)
\$8,431,000	

TOTAL APPROPRIATION	(\$16,774,000)
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\$16,870,000

(End of part)

PART XVII

SPECIAL APPROPRIATIONS

Sec. 1701. 2012 2nd sp.s. c 7 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2012)	\$911,643,000
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General Fund--State Appropriation (FY 2013)	((949,349,000))
\$936,965,000	
State Building Construction Account--State	
Appropriation	((3,866,000))
\$5,016,000	
Columbia River Basin Water Supply Development	
Account--State Appropriation	((121,000))
\$220,000	
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	((4,000))
\$5,000	
State Taxable Building Construction Account--State	
Appropriation	((90,000))
\$71,000	
Gardner-Evans Higher Education Construction	
Account--State Appropriation	((13,000))
\$23,000	
Debt-Limit Reimbursable Bond Retire Account--State	
Appropriation	((2,300,000))
\$2,299,000	
TOTAL APPROPRIATION	((1,867,386,000))
\$1,856,242,000	

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 1702. 2012 2nd sp.s. c 7 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2012)	\$27,400,000
General Fund--State Appropriation (FY 2013)	\$30,572,000

Nondebt-Limit Reimbursable Bond Retirement	
Account--State Appropriation	((140,128,000))
\$137,290,000	
TOTAL APPROPRIATION	((198,100,000))
\$195,262,000	

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

Sec. 1703. 2011 2nd sp.s. c 9 s 703 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund--State Appropriation (FY 2012)	\$1,357,000
General Fund--State Appropriation (FY 2013)	((1,357,000))

\$616,000	
State Building Construction Account--State	
Appropriation	((356,000))
\$697,000	
Columbia River Basin Water Supply Development	
Account--State Appropriation	\$21,000
Hood Canal Aquatic Rehabilitation Bond Account--State	
Appropriation	\$1,000
State Taxable Building Construction Account--State	
Appropriation	((25,000))
\$31,000	
Gardner-Evans Higher Education Construction	
Account--State Appropriation	((2,000))
\$3,000	
TOTAL APPROPRIATION	((3,119,000))
\$2,726,000	

NEW SECTION. Sec. 1704. A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE COSTS

General Fund--State Appropriation (FY 2013)	\$566,000
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The appropriation in this section is subject to the following conditions and limitations: The director of financial management shall distribute \$566,000 to Grant county for extraordinary criminal justice costs.

Sec. 1705. 2012 2nd sp.s. c 7 s 707 (uncodified) is amended to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2012, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(1) Clint L. Powell, Jr., claim number 99970048	\$58,155.10
(2) Chance L. Hawkins, claim number 99970049	\$28,838.95
(3) Edgar L. Hawkins, claim number 99970050	\$25,507.00
(4) James Abbott, claim number 99970051	\$9,880.00
(5) Richard Frisk, claim number 99970052	\$32,788.50
(6) Brian Barnd-Spjut, claim number 99970053	\$122,821.79
(7) Dwijen Buckendorf, claim number 99970059	\$2,100.00
(8) Todd Chism, claim number 99970061	\$56,183.26
(9) James Glasco, claim number 99970062	\$18,800.00
(10) David Holtzclaw, claim number 99970057	\$15,154.52
(11) Gary Richey, claim number 99970063	\$9,020.00
(12) Shelly Porter, claim number 99970054	\$12,525.72
(13) Yakov Topik, claim number 99970047	\$28,500.00
(14) Luther Wallace, claim number 99970060	\$76,256.93
(15) Mark Fenton, claim number 99970064	\$27,637.50
(16) Reid Woods, claim number 99970065	\$7,296.38
(17) James Daniel Emmett, claim number 99970067	\$9,000.00
	(End of part)

PART XVIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1801. 2012 2nd sp.s. c 7 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance

premium distributions (~~(\$8,289,000)~~)
\$7,773,000

General Fund Appropriation for public utility

district excise tax distributions (~~(\$44,078,000)~~)
\$49,883,000

General Fund Appropriation for prosecuting

attorney distributions (~~(\$6,281,000)~~)
\$5,804,000

General Fund Appropriation for boating safety

and education distributions \$4,000,000

General Fund Appropriation for other tax distributions (~~(\$58,000)~~)

\$63,000

General Fund Appropriation for habitat conservation

program distributions \$3,000,000

Death Investigations Account Appropriation for

distribution to counties for publicly funded
autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for

harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for

distribution to "timber" counties (~~(\$58,229,000)~~)
\$61,983,000

County Criminal Justice Assistance Appropriation (~~(\$69,566,000)~~)

\$69,532,000

Municipal Criminal Justice Assistance

Appropriation (~~(\$26,843,000)~~)
\$26,833,000

City-County Assistance Account Appropriation for local

government financial assistance distribution (~~(\$12,159,000)~~)
 \$14,922,000
 Liquor Excise Tax Account Appropriation for liquor
 excise tax distribution (~~(\$25,617,000)~~)
 \$25,889,000
 Streamlined Sales and Use Tax Mitigation Account
 Appropriation for distribution to local taxing
 jurisdictions to mitigate the unintended revenue
 redistribution effect of the sourcing law
 changes \$49,309,000
 Columbia River Water Delivery Account Appropriation for
 the Confederated Tribes of the Colville
 Reservation (~~(\$7,478,000)~~)
 \$7,481,000
 Columbia River Water Delivery Account Appropriation for
 the Spokane Tribe of Indians(~~(\$4,794,000)~~)
 \$4,795,000
 Liquor Revolving Account Appropriation for liquor
 profits distribution(~~(\$85,132,000)~~)
 \$96,456,000
 TOTAL APPROPRIATION (~~(\$407,953,000)~~)
 \$426,843,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 1802. 2012 2nd sp.s. c 7 s 802 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT
 Impaired Driver Safety Account Appropriation (~~(\$2,439,000)~~)
 \$2,422,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2011-2013 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 1803. 2012 2nd sp.s. c 7 s 803 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT
 Impaired Driver Safety Account Appropriation (~~(\$1,626,000)~~)
 \$1,615,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2011-2013 biennium to all cities ratably based on population as last determined by the office of financial management. The distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 1804. 2011 1st sp.s. c 50 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--FEDERAL REVENUES FOR DISTRIBUTION
 General Fund Appropriation for federal flood control
 funds distribution (~~(\$74,000)~~)
 \$52,000
 General Fund Appropriation for federal grazing fees
 distribution (~~(\$2,430,000)~~)
 \$1,747,000
 Forest Reserve Fund Appropriation for federal forest
 reserve fund distribution (~~(\$29,175,000)~~)
 \$39,776,000
 TOTAL APPROPRIATION(~~(\$31,679,000)~~)
 \$41,575,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 1805. 2012 2nd sp.s. c 7 s 804 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

State Treasurer's Service Account: For transfer to

the state general fund, \$16,300,000

for fiscal year 2012 and

~~(\$24,800,000))~~ \$26,600,000 for fiscal

year 2013 ~~(((\$41,100,000))~~

\$42,900,000

Waste Reduction, Recycling, and Litter Control

Account: For transfer to the state general

fund, \$4,847,000 for fiscal year

2012 and \$4,847,000 for fiscal year

2013 \$9,694,000

Aquatics Lands Enhancement Account: For transfer to

the state general fund, \$3,500,000 for fiscal

year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000

Savings Incentive Account: For transfer to the state

general fund, \$44,618,000 for fiscal year 2012 \$44,618,000

Distinguished Professorship Trust Fund: For transfer to

the state general fund for fiscal year 2012, an amount

not to exceed the actual cash balance of the fund \$3,024,000

Washington Graduate Fellowship Trust Fund: For transfer

to the state general fund for fiscal year 2012, an

amount not to exceed the actual cash balance of

the fund \$1,028,000

College Faculty Awards Trust Fund: For transfer

to the state general fund for fiscal year 2012, an amount

not to exceed the actual cash balance of the fund \$1,996,000

Data Processing Revolving Account: For transfer

to the state general fund, \$5,960,000 for fiscal

year 2012 \$5,960,000

Drinking Water Assistance Account: For transfer to

the drinking water assistance repayment account \$38,000,000

Economic Development Strategic Reserve Account: For

transfer to the state general fund, \$2,100,000

for fiscal year 2012 and \$2,100,000 for fiscal

year 2013 \$4,200,000

General Fund: For transfer to the streamlined sales

and use tax account, \$24,520,000

for fiscal year 2012 and \$24,789,000 for fiscal

year 2013 \$49,309,000

Public Works Assistance Account: For transfer to the

water pollution control revolving account,

\$7,750,000 for fiscal year 2012 and \$7,750,000 for

fiscal year 2013 \$15,500,000

The Charitable, Educational, Penal, and Reformatory

Institutions Account: For transfer to the state

general fund, \$4,500,000 for fiscal year 2012 and

\$4,500,000 for fiscal year 2013 \$9,000,000

Thurston County Capital Facilities Account: For

transfer to the state general fund, \$4,000,000

for fiscal year 2012 and \$4,000,000 for fiscal

year 2013 \$8,000,000

Public Works Assistance Account: For transfer to the

drinking water assistance account, \$10,000,000 for

fiscal year 2012 and \$5,000,000 for fiscal year

2013 \$15,000,000

Liquor Control Board Construction and Maintenance

Account: For transfer to the state general fund,

\$500,000 for fiscal year 2012 \$500,000

Education Savings Account: For transfer to the state

general fund, \$54,431,000 for fiscal

year 2012 \$54,431,000

Department of Retirement Systems Expense Account:

For transfer to the state general fund,
 \$2,330,000 for fiscal year 2012 and
 \$4,330,000 for fiscal year 2013 \$6,660,000

Education Construction Account: For transfer to the
 state general fund, \$102,000,000 for fiscal year
 2012 and \$102,000,000 for fiscal year 2013 \$204,000,000

Public Works Assistance Account: For transfer to the
 state general fund, \$40,000,000
 for fiscal year 2012 and \$40,000,000
 for fiscal year 2013 \$80,000,000

Foster Care Endowed Scholarship Trust Fund: For transfer
 to the state general fund, \$200,000 for fiscal year
 2012 and \$200,000 for fiscal year 2013 \$400,000

Affordable Housing For All Account: For transfer to
 the home security fund, \$1,000,000 for fiscal year
 2012 and \$1,000,000 for fiscal year 2013 \$2,000,000

Tobacco Settlement Account: For transfer to the state
 general fund, in an amount not to exceed the actual
 amount of the annual base payment to the tobacco
 settlement account \$158,205,000

Tobacco Settlement Account: For transfer to the basic
 health plan stabilization account from the amounts
 deposited in the account that are attributable to the
 annual strategic contribution payment received in
 fiscal year 2012 \$22,000,000

Tobacco Settlement Account: For transfer to the basic
 health plan stabilization account from the amounts
 deposited in the account that are attributable to the
 annual strategic contribution payment received in
 fiscal year 2013 \$22,000,000

Tobacco Settlement Account: For transfer to the life
 sciences discovery fund, in an amount not to exceed
 the actual remaining amount of the annual strategic
 contribution payment to the tobacco settlement account
 for fiscal year 2012 \$6,000,000

Tobacco Settlement Account: For transfer to the life
 sciences discovery fund, in an amount not to exceed
 the actual remaining amount of the annual strategic
 contribution payment to the tobacco settlement account
 for fiscal year 2013 \$6,000,000

The transfer to the life sciences discovery fund is subject to the following conditions: All new grants awarded during the 2011-2013 fiscal biennium shall support and accelerate the commercialization of an identifiable product.

Financial Services Regulation Fund: For transfer to
 the state general fund, \$4,000,000 for fiscal
 year 2012 \$4,000,000

State Nursery Revolving Account: For transfer to the
 state general fund, \$250,000 for fiscal year 2012 and
 \$250,000 for fiscal year 2013 \$500,000

Washington State Heritage Center Account: For transfer
 to the state general fund, \$2,000,000 for fiscal
 year 2013 \$2,000,000

Local Toxics Control Account: For transfer to the state
 toxics control account, \$15,000,000 for fiscal
 year 2012 and \$16,000,000 for fiscal year 2013 \$31,000,000

Coastal Protection Account: For transfer to the state
 general fund, \$500,000 for fiscal year 2012 and
 \$500,000 for fiscal year 2013 \$1,000,000

Multimodal Transportation Account--State: For transfer
 to the Public Transportation Grant Program Account
 for the purposes of distributions of \$3,000,000 on
 each of the last working days of December, March,
 and June in fiscal year 2013 \$9,000,000

Aquatic Lands Enhancement Account: For transfer to
 the marine resources stewardship trust account,
 \$2,100,000 for fiscal year 2013 \$2,100,000

(End of part)

**PART XIX
MISCELLANEOUS**

Sec. 1901. 2011 1st sp.s. c 41 s 3 (uncodified) is amended to read as follows:

Upon implementation of the expansion directed in RCW 74.09.659, the office of financial management shall reduce general fund--state allotments for the medical assistance program by one million five hundred thousand dollars for fiscal year 2012 (~~and by two million three hundred fifty thousand dollars for fiscal year 2013~~). The amounts reduced from allotments shall be placed in reserve status and remain unexpended.

NEW SECTION. Sec. 1902. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1903. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of Bill)

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Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

SECOND READING

ENGROSSED SENATE BILL NO. 5236, by Senators Kline and Padden

Creating the uniform correction or clarification of defamation act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 2, 2013).

Representative Shea moved the adoption of amendment (378) to the committee amendment.

On page 2, line 25 of the striking amendment, after "CLARIFICATION." insert the following:

"(1)"

On page 2, after line 30 of the striking amendment, insert the following:

"(2) Any corrections or clarifications issued by the defendant may not be considered or construed by a fact finder as evidence or proof that the alleged defamatory statement was published without any knowledge of falsity and without reckless disregard for the truth."

Representative Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Pedersen spoke against the adoption of the amendment to the committee amendment.

MOTIONS

On motion of Representative Harris, Representative DeBolt was excused. On motion of Representative Van De Wege, Representatives Clibborn, Fey and Liias was excused.

Amendment (378) to the committee amendment was not adopted.

Representative Goodman moved the adoption of amendment (385) to the committee amendment:

On page 2, line 30 of the striking amendment, after "correction" strike "of defamation" and insert "or clarification"

Representatives Goodman and Shea spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (385) to the committee amendment was adopted.

Representative Shea moved the adoption of amendment (379) to the committee amendment.

On page 5, after line 22 of the striking amendment, insert the following:

"NEW SECTION. Sec. 10. REBUTTABLE PRESUMPTION OF ACTUAL MALICE.

(1) If a defendant in an action governed by this chapter has issued five or more corrections or clarifications with respect to the person allegedly defamed, the defendant is presumed to have acted with actual malice. The presumption of actual malice may only be rebutted upon a showing by clear and convincing evidence that the alleged defamatory statement was published without any knowledge of falsity and without reckless disregard for the truth. Corrections or clarifications issued by the defendant may not be used by the defendant for purposes of rebutting the presumption.

(2) If the presumption of actual malice applies, and the defendant fails to rebut it, the person may recover damages for injury to reputation and all other damages permitted by law, regardless of provisions in sections 3(2), 4(2), 5, and 6(3) of this act that might otherwise operate to limit or preclude such damages."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representative Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Pedersen spoke against the adoption of the amendment to the committee amendment.

Amendment (379) to the committee amendment was not adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representative Goodman spoke in favor of the passage of the bill.

Representatives Rodne and Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5236, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5236, as amended by the House, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos,

Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Clibborn, DeBolt and Fey.

ENGROSSED SENATE BILL NO. 5236, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5797, by Senators Hobbs and Padden

Encouraging the establishment of effective specialty courts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 3, 2013).

Representative Shea moved the adoption of amendment (381) to the committee amendment:

On page 2, line 30 of the striking amendment, after "(4)" insert "No therapeutic or specialty court may be established specifically for the purpose of applying foreign law, including foreign criminal, civil, or religious law, that is otherwise not required by treaty.

(5)"

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (381) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5797, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5797, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz,

Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representatives Clibborn, DeBolt and Fey.

SENATE BILL NO. 5797, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton and Smith)

Concerning exchange facilitator requirements.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Business & Financial Services was adopted. (For Committee amendment, see Journal, Day 61, March 15, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5082, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5082, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt and Fey.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110, by Senate Committee on Governmental Operations (originally sponsored by Senators Tom, Murray, Hill and McAuliffe)

Regarding local government purchasing. Revised for 1st Substitute: Concerning local government purchasing of supplies, materials, or equipment.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representatives Taylor and Orcutt spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Uptegrove was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5110.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5110, and the bill passed the House by the following vote: Yeas, 57; Nays, 37; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5302, by Senators Benton and Hobbs

Addressing credit unions' corporate governance and investments.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ryu and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5302.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5302, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Uptegrove.

SENATE BILL NO. 5302, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5316, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker and Carrell)

Adopting a model policy to require a third person to be present during interviews.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Freeman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5316.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5316, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5316, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5324, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Honeyford, Fraser and Ericksen)

Concerning mosquito abatement in storm water control retention ponds.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 79, April 2, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5324, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5324, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5324, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5332, by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Nelson, Rolfes, Conway, Fain and Delvin)

Modifying the percentage of votes required to approve benefit charges for fire protection districts. Revised for 1st Substitute: Modifying the percentage of votes required to continue benefit charges for fire protection districts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representatives Nealey and Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5332.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5332, and the bill passed the House by the following vote: Yeas, 54; Nays, 40; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dahlquist, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5332, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5568, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Kohl-Welles, Billig, Frockt, Chase, Harper, Hasegawa, Keiser, Shin, Kline and Nelson)

Concerning the disclosure of certain information when screening tenants.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and O'Ban spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5568, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5568, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5615, by Senate Committee on Higher Education (originally sponsored by Senators Frockt, Becker, Cleveland, Keiser, Kohl-Welles, Schlicher, Kline, Conway and Chase)

Concerning the health professional loan repayment and scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pollet, Fagan and Riccelli spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5615, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5615, as amended by the House, and the bill passed the House by the following vote: Yeas, 73; Nays, 21; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen,

Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Harris, Holy, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Pike, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representatives Clibborn, DeBolt, Fey and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5615, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5615.

Representative Angel, 26th District

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5624, by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Litzow, Shin, Kohl-Welles, Hasegawa, Rolfes, Hobbs, Becker, Frockt, Chase, Eide and Conway)

Aligning high-demand secondary STEM or career and technical education programs with applied baccalaureate programs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Seaquist and Seaquist (again) spoke in favor of the passage of the bill.

Representative Zeiger spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5624.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5624, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Hargrove, Harris,

Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Wilcox and Zeiger.

Excused: Representatives Clibborn, DeBolt and Upthegrove.

SECOND SUBSTITUTE SENATE BILL NO. 5624, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5692, by Senators King, Harper, Conway, Eide and Tom

Concerning standby guardians and limited guardians.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5692, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5692, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Clibborn, DeBolt and Upthegrove.

SENATE BILL NO. 5692, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5723, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Conway, Brown and Kline)

Authorizing enhanced raffles conducted by bona fide charitable or nonprofit organizations serving individuals with intellectual disabilities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Accountability & Oversight was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 72, March 26, 2013).

Representative Hurst moved the adoption of amendment (362) to the committee amendment:

On page 4, line 17 of the striking amendment, after "December" strike "2017" and insert "2016"

On page 4, line 24 of the striking amendment, after "June 30," strike "2016" and insert "2017"

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (362) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5723, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5723, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Harris and Sawyer.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5723, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5767, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield and Hobbs)

Concerning inspection of dairy cattle.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5767.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5767, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5767, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5849, by Senate Committee on Transportation (originally sponsored by Senators Tom, Frockt, Keiser, Hatfield and Kline)

Concerning electric vehicle charging stations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5849.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5849, and the bill passed the House by the following vote: Yeas, 84; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes,

Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Crouse, Fagan, Holy, Kretz, Overstreet, Scott, Shea, Short, Taylor and Vick.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5849, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8401, by Senate Committee on Health Care (originally sponsored by Senators Keiser, Becker, Frockt, Dammeier and Schlicher)

Creating a joint select committee on health care oversight.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Concurrent Resolution No. 8401, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Concurrent Resolution No. 8401, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 11; Absent, 1; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Holy, Overstreet, Parker, Scott, Shea, Taylor and Vick.

Absent: Representative Wilcox.

Excused: Representatives DeBolt and Upthegrove.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8401, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House reverted to the third order of business.

MESSAGES FROM THE SENATE

April 11, 2013

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1109
HOUSE BILL NO. 1113
HOUSE BILL NO. 1182
HOUSE BILL NO. 1209
HOUSE BILL NO. 1213
SUBSTITUTE HOUSE BILL NO. 1343
SUBSTITUTE HOUSE BILL NO. 1376
ENGROSSED HOUSE BILL NO. 1396
HOUSE BILL NO. 1469
HOUSE BILL NO. 1565
SUBSTITUTE HOUSE BILL NO. 1686
HOUSE BILL NO. 1770
HOUSE BILL NO. 1790
SUBSTITUTE HOUSE BILL NO. 1889
HOUSE BILL NO. 1937

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5025
SENATE BILL NO. 5142
SUBSTITUTE SENATE BILL NO. 5165
SENATE BILL NO. 5212
SENATE BILL NO. 5235
SUBSTITUTE SENATE BILL NO. 5274

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5021
SENATE BILL NO. 5046
SUBSTITUTE SENATE BILL NO. 5077
SENATE BILL NO. 5114
SENATE BILL NO. 5186
SENATE BILL NO. 5207
SUBSTITUTE SENATE BILL NO. 5210
SUBSTITUTE SENATE BILL NO. 5352
SUBSTITUTE SENATE BILL NO. 5400
SENATE BILL NO. 5446
ENGROSSED SUBSTITUTE SENATE BILL NO. 5458
SENATE BILL NO. 5466
SUBSTITUTE SENATE BILL NO. 5517
SENATE BILL NO. 5541
SENATE BILL NO. 5627
SENATE BILL NO. 5712
SENATE BILL NO. 5751
SUBSTITUTE SENATE BILL NO. 5774

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 11, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1074
SUBSTITUTE HOUSE BILL NO. 1352
HOUSE BILL NO. 1442
HOUSE BILL NO. 1609

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

Making 2013-2015 operating appropriations. Revised for 1st Substitute: Making omnibus operating appropriations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment.

With the consent of the house, amendments (377), (374), (397), (398), (371), (392), (384), (394) and (399) to the committee amendment were withdrawn.

Representative Taylor moved the adoption of amendment (387) to the committee amendment:

On page 9, after line 3, insert the following:

"(5) The office of the governor shall comply with the requirements of section 968 of this act."

On page 15, after line 22, insert:

"(12) The attorney general shall comply with the requirements of section 968 of this act."

On page 25 after line 34, insert:

"(3) The department shall comply with the requirements of section 968 of this act."

On page 26, line 35, after "limitations:" insert "(1)"

On page 27, after line 4, insert:

"(2) The insurance commissioner shall comply with the requirements of section 968 of this act."

On page 28, after line 2, insert:

"(3) The liquor control board shall comply with the requirements of section 968 of this act."

On page 28, line 13, after "limitations:" insert "(1)"

On page 28, after line 19, insert:

"(2) The utilities and transportation commission shall comply with the requirements of section 968 of this act."

On page 29, after line 29, insert:

"(5) The military department shall comply with the requirements of section 968 of this act."

On page 33, after line 14, insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 36, after line 23, insert:

"(7) The department shall comply with the requirements of section 968 of this act."

On page 83, after line 7, insert:

"(9) The department shall comply with the requirements of section 968 of this act."

On page 90, after line 20, insert:

"(24) The department shall comply with the requirements of section 968 of this act."

On page 90, line 27, after "limitations" insert "(a)"

On page 91, after line 2, insert:

"(b) The department shall comply with the requirements of section 968 of this act."

On page 95, after line 31, insert:

"(6) The department shall comply with the requirements of section 968 of this act."

On page 96, after line 8, insert:

"The appropriations in this section are subject to the following conditions and limitations: The commission shall comply with the requirements of section 968 of this act."

On page 99, after line 18, insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 100, after line 14, insert:

"(4) The commission shall comply with the requirements of section 968 of this act."

On page 100, after line 26, insert:

"The appropriations in this section are subject to the following conditions and limitations: The board shall comply with the requirements of section 968 of this act."

On page 102, after line 4, insert:

"(5) The commission shall comply with the requirements of section 968 of this act."

On page 104, after line 19, insert:

"(12) The department shall comply with the requirements of section 968 of this act."

On page 106, after line 37 insert:

"(11) The department shall comply with the requirements of section 968 of this act."

On page 107, after line 34 insert:

"(5) The department shall comply with the requirements of section 968 of this act."

On page 108, after line 19, insert:

"(3) The Puget Sound partnership shall comply with the requirements of section 968 of this act."

On page 110, after line 7, insert:

"(4) The department shall comply with the requirements of section 968 of this act."

On page 111, after line 33, insert:

"(6) The State patrol shall comply with the requirements of section 968 of this act."

On page 241, after line 18, insert:

"NEW SECTION. Sec. 968. Unmanned Aircraft Standards. (1)

For the purposes of this section,

(a) "Public unmanned aircraft system" means an unmanned aircraft and associated elements, including communications links, sensing devices, and the components that control the unmanned aircraft, operated by a state agency, except the Washington national guard in Title 32 U.S.C. status.

(b) "State agency" means an agency in which this section 968 is specifically referenced in the section authorizing their appropriations for the 2013-15 biennium.

(b) "Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from within or on the aircraft.

(2) Except as specifically authorized in this section, state agencies shall not operate a public unmanned aircraft system or disclose personal information about any person acquired through the operation of a public unmanned aircraft system.

(3) No state agency shall procure a public unmanned aircraft system without the explicit approval of the legislature, given for that specific public unmanned aircraft system to be used for a specific purpose.

(4) All operations of a public unmanned aircraft system or disclosure of personal information about any person acquired through the operation of a public unmanned aircraft system shall be conducted in such a way as to minimize the collection and disclosure of personal information not authorized under this section.

(5) A public unmanned aircraft system may be operated and personal information from such operation disclosed in order to collect personal information:

(a) Pursuant to a criminal search warrant issued by a court of competent jurisdiction;

(b) If a law enforcement officer or public official reasonably determines that an emergency situation exists that presents immediate danger of death or serious physical injury to any person; the situation requires operation of a public unmanned aircraft system; and, if criminal activity is involved, there are grounds upon which such a warrant could be entered to authorize such operation and an application for a warrant providing such operation is made within forty-eight hours after the operation has occurred or begins to occur;

(c) If a law enforcement officer or public official reasonably determines that the operation does not intend to collect personal information and is unlikely to accidentally collect personal information, and such operation is not for purposes of regulatory enforcement;

(d) If the operation is part of a training exercise conducted on a military base and the public unmanned aircraft system does not collect personal information on persons located outside the military base; or

(e) If the operations is for training or testing purposes by an agency and does not collect personal information.

(6) Whenever any personal information from a public unmanned aircraft system has been acquired, no part of such personal information and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state or a political subdivision thereof if the collection or disclosure of that personal information would be in violation of this section.

(7) Personal information collected during the operation of a public unmanned aircraft system authorized by and consistent with this chapter may not be used, copied, or disclosed for any purpose after conclusion of the operation, unless there is probable cause that the personal information is evidence of criminal activity. Personal information shall be deleted as soon as possible after there is no longer probable cause that the personal information is evidence of criminal activity; this must be within thirty days if the personal information was collected on the target of a warrant authorizing the operation of the public unmanned aircraft system, and within ten days for other personal information collected incidentally to the operation of a public unmanned aircraft system otherwise authorized by and consistent with this chapter. There shall be a presumption that personal information is not evidence of criminal activity if that personal information is not used in a criminal prosecution within one year of collection.

(8) (a) By July 1 of each year, any state agency which has utilized a public unmanned aircraft system in the preceding calendar year must report to the chief of the Washington state patrol or his or her

designee each use of a public unmanned aircraft system, including the date, time, location of use, target of data collection, type of data collected, the justification for the use, the operator of the public unmanned aircraft system, and the person who authorized the use.

(b) By December 1 of each year, the chief of the Washington State Patrol or his or her designee shall transmit to the legislature a full and complete report containing a summary and analysis of all the data described in subsection (9)(a) of this section.

(9) A person who has been damaged by a violation of this section may seek any remedy provided by law, including commencing any legal action.

(10) Nothing in this section shall be construed to limit the state's ability to establish and operated a test range for the integration of unmanned aviation vehicles into the national airspace."

Representatives Taylor and Shea spoke in favor of the adoption of the amendment to the committee amendment.

Representative Morris spoke against the adoption of the amendment to the committee amendment.

Amendment (387) to the committee amendment was adopted.

Representative Chandler moved the adoption of amendment (410) to the committee amendment.

On page 15, line 35, increase the general fund--state appropriation for fiscal year 2014 by \$750,000

On page 15, line 36, increase the general fund--state appropriation for fiscal year 2015 by \$750,000

On page 16, line 27, correct the total.

On page 22, after line 13, insert the following:

"(26) \$750,000 of the general fund--state appropriation for fiscal year 2014 and \$750,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the department to establish a grant program for agricultural labor skills and safety, and to select one community-based organization as a grant recipient.

(a) The grant recipient must:

(i) develop a plan for a recruitment process to increase the number of skilled agricultural workers;

(ii) develop and provide training in agricultural skills, health and safety;

(iii) conduct evaluations for workers and employers; and

(iv) partner with an agricultural employee and agricultural employer organization that has focused on agricultural labor and employment issues and services for at least ten years.

(b) The department of commerce administrative costs are limited to three and one-half percent."

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representative Chandler spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (410) to the committee amendment was not adopted.

Representative Cody moved the adoption of amendment (404) to the committee amendment.

On page 46, line 13, after "funding" insert "on services that would be reimbursable for federal medicaid matching funds if provided to medicaid enrollees"

Representatives Cody and Schmick spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (404) to the committee amendment was adopted.

Representative Springer moved the adoption of amendment (372) to the committee amendment.

On page 62, line 16, after "(9)" strike "\$4,729,000" and insert "\$5,729,000"

On page 62, line 17, after "2014 and" strike "\$4,729,000" and insert "\$5,729,000"

Representative Springer spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (372) to the committee amendment was adopted.

Representative Green moved the adoption of amendment (375) to the committee amendment.

On page 90, after line 20, insert the following:

"(25) Within the general fund--state amounts appropriated in this section, the department of health will develop and administer the certified home care aide examination translated into at least seven languages in addition to the languages in which the examination is available on the effective date of this act. The purpose of offering the examination in additional languages is to encourage an adequate supply of certified home care aides to meet diverse long-term care client needs. "

Representative Green spoke in favor of the adoption of the amendment to the committee amendment.

Representative Alexander spoke against the adoption of the amendment to the committee amendment.

Amendment (375) to the committee amendment was adopted.

Representative Sullivan moved the adoption of amendment (400) to the committee amendment.

On page 102, line 5, increase general fund--state appropriation for fiscal year 2014 by \$200,000

On page 102, line 6, increase general fund--state appropriation for fiscal year 2015 by \$200,000

On page 102, line 20, decrease the state wildlife account--state appropriation by \$100,000

On page 102, line 31, correct the total

On page 103, beginning on line 33, after "(7)" strike all material through "hatchery." on line 38, and insert the following:

"\$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the transfer of trout from the Clark's Creek hatchery to the Lakewood hatchery.

(8) \$200,000 of the general fund--state appropriation for fiscal year 2014 and \$200,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to the department for the production of Steelhead, Coho and Chinook at the Clark's Creek hatchery. "

Re-number the remaining subsections accordingly and correct any internal references accordingly

On page 104, line 1, after "(8)" strike "300,000" and insert "200,000"

On page 104, line 1, after "appropriation" strike "is" and insert ", \$50,000 of the general fund--state appropriation for fiscal year 2014, and \$50,000 of the general fund--state appropriation for fiscal year 2015 are"

Representative Sullivan spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (400) to the committee amendment was adopted.

Representative Manweller moved the adoption of amendment (405) to the committee amendment.

On page 104, after line 19, insert the following:

"(12) The department must not use any appropriated resources, including staff, to create any new road closures or blockages of access roads under its jurisdiction within Kittitas, Grant, or Yakima counties. Exceptions would include fire and human safety closures, fishing access site closures, and compliance with legislatively required Road Management and Abandonment Plans."

Representatives Manweller and Blake spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (405) to the committee amendment was adopted.

Representative Orcutt moved the adoption of amendment (406) to the committee amendment.

On page 105, after line 8, insert the following:

"Natural Resources Real Property Replacement Account--State Appropriation \$150,000"

On page 105, line 9, correct the total

On page 106, after line 37, insert the following:

"(11) \$150,000 of the natural resources real property replacement account--state appropriation is provided solely for the department to purchase aquatic lands for exchange purposes that are owned by the city of Castle Rock and which are now part of the natural watercourse of the Cowlitz river as a result of avulsion. The exchange must be made with purchased lands that are of equal value to, and can be exchanged for, certain bedlands and shorelands of the Cowlitz River that are now no longer part of its natural watercourse but are owned by the state."

Representative Orcutt spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (406) to the committee amendment was not adopted.

Representative Kagi moved the adoption of amendment (390) to the committee amendment.

On page 112, line 5, increase the general fund--state appropriation for fiscal year 2014 by \$785,000

On page 112, line 6, increase the general fund--state appropriation for fiscal year 2015 by \$756,000

On page 112, line 9, correct the total

On page 117, line 34, after "(2)" strike "\$10,294,000" and insert "\$11,079,000"

On page 117, line 35, after "and" strike "\$10,294,000" and insert "\$11,050,000"

On page 119, line 6, after "(v)" strike "\$1,400,000" and insert "\$2,185,000"

On page 119, line 7, after "and" strike "\$1,400,000" and insert "\$2,156,000"

Representative Kagi spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (390) to the committee amendment was adopted.

Representative Parker moved the adoption of amendment (402) to the committee amendment.

On page 143, line 5, increase the general fund--state appropriation for fiscal year 2014 by \$100,000

On page 143, line 6, increase the general fund--state appropriation for fiscal year 2015 by \$100,000

On page 143, line 10, correct the total

On page 150, after line 6, insert the following:

"(23) \$100,000 of the general fund--state appropriation for fiscal year 2014 and \$100,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities."

Representative Parker spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (402) to the committee amendment was not adopted.

Representative Haler moved the adoption of amendment (391) to the committee amendment.

On page 169, line 27, after "(2)" strike all material through "percent." on line 34 and insert the following:

"Grant awards for students at private nonprofit baccalaureate degree-granting institutions participating in the state need grant program must be set at the same level as the student would receive if attending one of the public research universities.

(3) Grant awards for students at private for profit career institutions participating in the state need grand program must be set at the same level as the student would receive if attending one of the public community or technical colleges."

ReNUMBER the remaining subsections consecutively.

Representative Haler spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Seaquist and Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (391) to the committee amendment was not adopted.

Representative Alexander moved the adoption of amendment (403) to the committee amendment.

On page 186, after line 13, insert the following:

"NEW SECTION. Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT-- ALLOCATIONS FOR K-12 SCHOOL EMPLOYEE HEALTH INSURANCE

General Fund--State Appropriation
(FY 2014) (\$45,100,000)

General Fund--State Appropriation
(FY 2015) (\$41,900,000)

TOTAL APPROPRIATION (\$87,000,000)

The appropriations in this section are subject to the following conditions and limitations: The office of financial management, consistent with the provisions of section 504 of this act, shall reduce allocations to K-12 school districts and education service districts for insurance benefits for part-time employees consistent with the appropriations in this section. By aligning part-time employee eligibility more closely with the federal affordable care act employer shared responsibility standards, more part-time school employees will be eligible for premium tax credits and subsidies available for health insurance purchased through the Washington health benefits exchange."

Representative Alexander spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (403) to the committee amendment was not adopted.

Representative Haigh moved the adoption of amendment (382) to the committee amendment.

On page 214, beginning on line 11, strike all of section 948

Renumber the remaining sections consecutively and correct internal references.

Representatives Haigh and Hunter spoke in favor of the adoption of the amendment to the committee amendment.

Representative Alexander spoke against the adoption of the amendment to the committee amendment.

Amendment (382) to the committee amendment was adopted.

Representative Taylor moved the adoption of amendment (388) to the committee amendment.

On page 241, after line 18, insert the following:

"**NEW SECTION, Sec. 968.** (1) The legislature finds that Washington families, workers, and employers continue to struggle to make ends meet. As families and employers have streamlined their budgets and services, so should state government. Government continues to increase the burden on citizens and employers through perpetual alteration and expansion of rules. During 2012, an estimated 1,129 new sections to the Washington Administrative Code were permanently adopted, 2,211 sections were permanently amended, 393 emergency rule filings were made, and 961 sections were permanently repealed. A total of 5,511 pages of permanent rule changes were made and 2,398 pages of emergency rules were adopted. The constant changing of rules provides uncertainty to citizens and employers and adds additional costs to taxpayers as agencies hold public meetings and telephone conferences, and employees spend untold hours working on drafts for rules. Furthermore, continual proposal of new rules distracts employers from being productive in their respective enterprises due to a need to comment against these proposed rules. Most agencies do not track the number of hours employees spend on rule making nor do they track the cost to the agency to do this task. One way to reduce millions of dollars in employee and administrative costs is to impose

a moratorium on formal and informal rule making by state agencies except in certain specified instances. This moratorium is to last for three years or until the state is no longer facing financial deficits.

(2) For state agencies provided appropriation authority under this act, no appropriations under this act shall be used for agency rule making during the 2013-15 biennium, except in the following cases:

(a) A rule is needed to implement a federal law and the rule is not more stringent than federal law;

(b) A rule is needed to implement the terms of a governor-declared state of emergency;

(c) A rule is needed by the department of health to respond to a public health emergency;

(d) A rule is needed to set the times for the taking of wildlife, fish, or shellfish pursuant to RCW 77.12.047(1) or 77.04.055(2); or

(e) Legislation enacted after January 1, 2013, specifically directs that rulemaking be undertaken. Rules adopted under this subsection (2)(e) during the 2013-15 biennium must be approved by the legislature in the ensuing legislative session before the rule may take effect.

(3) This section does not prohibit an agency from repealing rules.

NEW SECTION, Sec. 969. RCW 34.05.328 and 2011 c 298 s 21 and 2011 c 149 s 1 are each reenacted and amended to read as follows:

(1) Before adopting a rule described in subsection ((5)) (6) of this section, an agency must:

(a) Clearly state in detail the general goals and specific objectives of the statute that the rule implements;

(b) Determine that the rule is needed to achieve the general goals and specific objectives stated under (a) of this subsection, and analyze alternatives to rule making and the consequences of not adopting the rule;

(c) Provide notification in the notice of proposed rule making under RCW 34.05.320 that a preliminary cost-benefit analysis is available. The preliminary cost-benefit analysis must fulfill the requirements of the cost-benefit analysis under (d) of this subsection. If the agency files a supplemental notice under RCW 34.05.340, the supplemental notice must include notification that a revised preliminary cost-benefit analysis is available. A final cost-benefit analysis must be available when the rule is adopted under RCW 34.05.360;

(d) Determine that the probable benefits of the rule are greater than its probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented;

(e) Determine, after considering alternative versions of the rule and the analysis required under (b), (c), and (d) of this subsection, that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives stated under (a) of this subsection;

(f) Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law;

(g) Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law;

(h) Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by the following:

(i) A state statute that explicitly allows the agency to differ from federal standards; or

(ii) Substantial evidence that the difference is necessary to achieve the general goals and specific objectives stated under (a) of this subsection; ~~((and))~~

(i) Coordinate the rule, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter; and

(j) For the 2013-15 biennium, receive the governor's signature on the final rule.

(2) In making its determinations pursuant to subsection (1)(a) through (h) of this section, the agency must place in the rule-making file documentation of sufficient quantity and quality so as to persuade a reasonable person that the determinations are justified.

~~((5))~~ (6) Before adopting rules described in subsection (6) of this section, an agency must place in the rule-making file a rule implementation plan for rules filed under each adopting order. The plan must describe how the agency intends to:

(a) Implement and enforce the rule, including a description of the resources the agency intends to use;

(b) Inform and educate affected persons about the rule;

(c) Promote and assist voluntary compliance; and

(d) Evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes.

(4) For the 2013-15 biennium, the adoption of rules described in subsection (5) of this section must be made before December 1st of any year, and the rules may not take effect before the end of the regular legislative session in the next year.

(5) After adopting a rule described in subsection ~~((5))~~ (6) of this section regulating the same activity or subject matter as another provision of federal or state law, an agency must do all of the following:

(a) Coordinate implementation and enforcement of the rule with the other federal and state entities regulating the same activity or subject matter by making every effort to do one or more of the following:

(i) Deferring to the other entity;

(ii) Designating a lead agency; or

(iii) Entering into an agreement with the other

entities specifying how the agency and entities will coordinate implementation and enforcement.

If the agency is unable to comply with this subsection ~~((4))~~ (5)(a), the agency must report to the legislature pursuant to (b) of this subsection;

(b) Report to the joint administrative rules review committee:

(i) The existence of any overlap or duplication of other federal or state laws, any differences from federal law, and any known overlap, duplication, or conflict with local laws; and

(ii) Make recommendations for any legislation that may be necessary to eliminate or mitigate any adverse effects of such overlap, duplication, or difference.

~~((5))~~ (6)(a) Except as provided in (b) of this subsection, this section applies to:

(i) Significant legislative rules of the departments of ecology, labor and industries, health, revenue, social and health services, and natural resources, the employment security department, the forest practices board, the office of the insurance commissioner, and to the legislative rules of the department of fish and wildlife implementing chapter 77.55 RCW; and

(ii) Any rule of any agency, if this section is voluntarily made applicable to the rule by the agency, or is made applicable to the rule by a majority vote of the joint administrative

rules review committee within forty-five days of receiving the notice of proposed rule making under RCW 34.05.320.

(b) This section does not apply to:

(i) Emergency rules adopted under RCW 34.05.350;

(ii) Rules relating only to internal governmental operations that are not subject to violation by a nongovernment party;

(iii) Rules adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;

(iv) Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect;

(v) Rules the content of which is explicitly and specifically dictated by statute;

(vi) Rules that set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045;

(vii) Rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents; or

(viii) Rules of the department of revenue that adopt a uniform expiration date for reseller permits as authorized in RCW 82.32.780 and 82.32.783.

(c) For purposes of this subsection:

(i) A "procedural rule" is a rule that adopts, amends, or repeals (A) any procedure, practice, or requirement relating to any agency hearings; (B) any filing or related process requirement for making application to an agency for a license or permit; or (C) any policy statement pertaining to the consistent internal operations of an agency.

(ii) An "interpretive rule" is a rule, the violation of which does not subject a person to a penalty or sanction, that sets forth the agency's interpretation of statutory provisions it administers.

(iii) A "significant legislative rule" is a rule other than a procedural or interpretive rule that (A) adopts substantive provisions of law pursuant to delegated legislative authority, the violation of which subjects a violator of such rule to a penalty or sanction; (B) establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or (C) adopts a new, or makes significant amendments to, a policy or regulatory program.

(d) In the notice of proposed rule making under RCW 34.05.320, an agency must state whether this section applies to the proposed rule pursuant to (a)(i) of this subsection, or if the agency will apply this section voluntarily.

~~((6))~~ (7) By January 31, 1996, and by January 31st of each even-numbered year thereafter, the office of regulatory assistance, after consulting with state agencies, counties, and cities, and business, labor, and environmental organizations, must report to the governor and the legislature regarding the effects of this section on the regulatory system in this state. The report must document:

(a) The rules proposed to which this section applied and to the extent possible, how compliance with this section affected the substance of the rule, if any, that the agency ultimately adopted;

(b) The costs incurred by state agencies in complying with this section;

(c) Any legal action maintained based upon the alleged failure of any agency to comply with this section, the costs to the state of such action, and the result;

(d) The extent to which this section has adversely affected the capacity of agencies to fulfill their legislatively prescribed mission;

(e) The extent to which this section has improved the acceptability of state rules to those regulated; and

(f) Any other information considered by the office of financial management to be useful in evaluating the effect of this section.

NEW SECTION. Sec. 970. (1) The legislature finds that there have been instances where regulatory agencies discovered actions by a regulated entity that are in error after reports have been accepted and approved or inspections have been conducted and approved. Retroactively applying fines after governmental approval creates an unfriendly business environment and can place unexpected financial burdens on businesses. Businesses should be able to rely on government approval and acceptance of reports and inspections and not risk penalties when mistakes are made by government personnel or contractors. It is the intent of the legislature that regulated parties who have received acceptance and approval by the regulating government authority should not be subsequently fined or penalized, but should be encouraged to correct action that is deemed in error or violates reporting or inspection requirements during the next reporting period. The regulating authority should notify the regulated party of the violation to prevent future violations.

(2) For state agencies provided appropriation authority under this act, an agency may not issue a fine or impose a penalty on a person during the 2013-15 biennium if:

(a) An inspection is approved by an official of the agency requiring the inspection and a subsequent reevaluation of the approved inspection by the regulating agency identifies a violation by the regulated party; or

(b) Documentation required under an agency's reporting requirements is submitted to the agency by a regulated party and is accepted and approved by the regulating agency and a subsequent reevaluation of the approved documentation identifies a violation based on failure to provide required documentation or information.

(3) During the 2013-15 biennium, a rule may not authorize the imposition of a civil fine on a person based on the following circumstances if:

(a) An inspection is approved by an official of the agency requiring the inspection and a subsequent reevaluation of the approved inspection by the regulating agency identifies a violation by the regulated party; or

(b) Documentation required under an agency's reporting requirements is submitted to the agency by a regulated party and is accepted and approved by the regulating agency and a subsequent reevaluation of the approved documentation identifies a violation based on failure to provide required documentation or information.

(4) For the 2013-15 biennium, violations identified after an inspection or documentation has been approved may be remedied through technical assistance provided to the regulated party allowing correction of the circumstances of the violation for future reporting periods or inspections.

NEW SECTION. Sec. 971. After August 1, 2013 and until June 30, 2015, rules adopted by agencies must be based upon a specific grant of legislative authority for each rule as explicitly set forth in statute. Such rules must include the citation of the specific statutory sections from which the authority is derived, and may not be based solely upon the statute's intent or the general enabling statutes authorizing the activities of the agency.

NEW SECTION. Sec. 972. During the 2013-15 biennium, the State Parks and Recreation Commission, the Washington Department of Fish and Wildlife Commission, and the Department of Natural Resources are required to coordinate their

respective agency land use plans with all applicable local government officials. The coordination of plans must occur in the plan development stage, along with the plan revision and implementation stages. At a minimum, all three agencies are required to keep apprised of all relevant local and tribal land use ordinances and plans, strive to ensure state policies and actions are consistent with local land use plans, assist in resolving inconsistencies between state and local land use policies, and provide meaningful public involvement, access to the agency director, and early notice of agency actions to local government officials. The agencies are required to report to the Legislature any instances that arise causing the agency to be incapable of compliance with local plans and ordinances because of conflicting statutory limitations or responsibilities.

NEW SECTION. Sec. 973. (1) During the 2013-15 biennium, agencies must provide to any business licensed to do business in the state of Washington a period of at least five business days to correct any violation of state law or agency rule before the agency may impose any fines, civil penalties, or administrative sanctions. If no correction is possible, this subsection does not apply.

(2) Exceptions to requirements of subsection (1) of this section may be made for any of the following reasons:

(a) The agency head determines that the effect of the violation or waiver presents a direct danger to the public health, poses a potentially significant threat to human health or safety, or causes serious harm to the public interest;

(b) The order is one to cease and desist an activity that violates a statute or rule protecting public health or safety, the environment, or would cause serious harm to the public interest;

(c) The violation involves a knowing or willful violation;

(d) The violation is of a requirement concerning the assessment, collection, or administration of any tax, tax program, debt, revenue, receipt, a regulated entity's financial filings, or insurance rate or form filing;

(e) The requirements in this section are in conflict with federal law or program requirements, federal requirements that are a prescribed condition to the allocation of federal funds to the state, or the requirements for eligibility of employers in this state for federal unemployment tax credits, as determined by the agency head;

(f) The business committing the violation previously violated the exact or substantially similar requirement; or

(g) The owner or operator of the business committing the violation owns or operates, or owned or operated a different business that previously violated a substantially similar requirement.

(3) This section does not prohibit an agency from waiving fines, civil penalties, or administrative sanctions incurred by a business for a violation.

(4) This section may be construed to diminish the responsibility for any citizen or business to apply for and obtain a permit, license, or authorizing document that is required to engage in a regulated activity, or otherwise comply with state or federal law.

(5) This section may not be construed to apply to businesses required to provide accurate and complete information and documentation in relation to any claim for payment of state or federal funds or who are licensed or certified to provide care and services to vulnerable adults or children.

(6) This section does not affect the attorney general's authority to impose fines, civil penalties, or administrative sanctions as otherwise authorized by law; nor does this section affect the attorney general's authority to enforce the consumer protection act, chapter 19.86 RCW."

Representatives Taylor, Orcutt and Smith spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (388) to the committee amendment was not adopted.

Representative Pike moved the adoption of amendment (395) to the committee amendment.

On page 241, after line 18, insert the following:

NEW SECTION. Sec. 968. A new section is added to chapter 70.94 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period under subsection (1) of this section, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 969. RCW 70.94.181 and 1991 c 199 s 306 are each amended to read as follows:

(1) Any person who owns or is in control of any plant, building, structure, establishment, process or equipment may apply to the department ((of ecology)) or appropriate local authority board for a variance from rules or regulations governing the quality, nature, duration or extent of discharges of air contaminants. The application shall be accompanied by such information and data as the department ((of ecology)) or board may require. The department ((of ecology)) or board may grant such variance, provided that variances to state rules shall require the department's approval prior to being issued by a local authority board. The total time period for a variance and renewal of such variance shall not exceed one year. Variances may be issued by either the department or a local board but only after public hearing or due notice, if the department or board finds that:

- (a) The emissions occurring or proposed to occur do not endanger public health or safety or the environment; and
- (b) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(2) No variance shall be granted pursuant to this section until the department ((of ecology)) or board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(3) Any variance or renewal thereof shall be granted within the requirements of subsection (1) of this section and under conditions consistent with the reasons therefor, and within the following limitations:

(a) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement, or control of the pollution involved, it shall be only until the necessary means for prevention, abatement, or control become known and available, and subject to the taking of any substitute or alternate measures that the department ((of ecology)) or board may prescribe.

(b) If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will require the taking of measures

which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the department ((of ecology)) or board is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

(c) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in (a) and (b) of this subsection, it shall be for not more than one year.

(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the department ((of ecology)) or board on account of the variance, no renewal thereof shall be granted unless following a public hearing on the complaint on due notice the department or board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the department ((of ecology)) or board shall give public notice of such application in accordance with rules of the department ((of ecology)) or board.

(5) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the department ((of ecology)) or board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for a variance or renewal of a variance by the department ((of ecology)) or board may obtain judicial review thereof under the provisions of chapter 34.05 RCW as now or hereafter amended.

(6) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW 70.94.710 through 70.94.730 to any person or his or her property.

(7) An application for a variance, or for the renewal thereof, submitted to the department ((of ecology)) or board pursuant to this section shall be approved or disapproved by the department or board within sixty-five days of receipt unless the applicant and the department ((of ecology)) or board agree to a continuance.

(8) Variances approved under this section shall not be included in orders or permits provided for in RCW 70.94.161 or 70.94.152 until such time as the variance has been accepted by the United States environmental protection agency as part of an approved state implementation plan.

(9)(a) For the 2013-15 biennium, all decisions on variances under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 970. RCW 76.09.060 and 2012 1st sp.s. c 1 s 206 are each amended to read as follows:

(1) The department shall prescribe the form and contents of the notification and application. The forest practices rules shall specify by whom and under what conditions the

notification and application shall be signed or otherwise certified as acceptable. Activities conducted by the department or a contractor under the direction of the department under the provisions of RCW 76.04.660, shall be exempt from the landowner signature requirement on any forest practices application required to be filed. The application or notification shall be delivered in person to the department, sent by first-class mail to the department or electronically filed in a form defined by the department. The form for electronic filing shall be readily convertible to a paper copy, which shall be available to the public pursuant to chapter 42.56 RCW. The information required may include, but is not limited to:

- (a) Name and address of the forest landowner, timber owner, and operator;
 - (b) Description of the proposed forest practice or practices to be conducted;
 - (c) Legal description and tax parcel identification numbers of the land on which the forest practices are to be conducted;
 - (d) Planimetric and topographic maps showing location and size of all lakes and streams and other public waters in and immediately adjacent to the operating area and showing all existing and proposed roads and major tractor roads;
 - (e) Description of the silvicultural, harvesting, or other forest practice methods to be used, including the type of equipment to be used and materials to be applied;
 - (f) For an application or notification submitted on or after July 10, 2012, that includes a forest practices hydraulic project, plans and specifications for the forest practices hydraulic project to ensure the proper protection of fish life;
 - (g) Proposed plan for reforestation and for any revegetation necessary to reduce erosion potential from roadsides and yarding roads, as required by the forest practices rules;
 - (h) Soil, geological, and hydrological data with respect to forest practices;
 - (i) The expected dates of commencement and completion of all forest practices specified in the application;
 - (j) Provisions for continuing maintenance of roads and other construction or other measures necessary to afford protection to public resources;
 - (k) An affirmation that the statements contained in the notification or application are true; and
 - (l) All necessary application or notification fees.
- (2) Long range plans may be submitted to the department for review and consultation.
- (3) The application for a forest practice or the notification of a forest practice is subject to the reforestation requirement of RCW 76.09.070.
- (a) If the application states that any land will be or is intended to be converted:
 - (i) The reforestation requirements of this chapter and of the forest practices rules shall not apply if the land is in fact converted unless applicable alternatives or limitations are provided in forest practices rules issued under RCW 76.09.070;
 - (ii) Completion of such forest practice operations shall be deemed conversion of the lands to another use for purposes of chapters 84.33 and 84.34 RCW unless the conversion is to a use permitted under a current use tax agreement permitted under chapter 84.34 RCW;
 - (iii) The forest practices described in the application are subject to applicable county, city, town, and regional governmental authority permitted under RCW 76.09.240 as well as the forest practices rules.
 - (b) Except as provided elsewhere in this section, if the landowner harvests without an approved application or notification or the landowner does not state that any land covered

by the application or notification will be or is intended to be converted, and the department or the county, city, town, or regional governmental entity becomes aware of conversion activities to a use other than commercial timber operations, as that term is defined in RCW 76.09.020, then the department shall send to the department of ecology and the appropriate county, city, town, and regional governmental entities the following documents:

- (i) A notice of a conversion to nonforestry use;
 - (ii) A copy of the applicable forest practices application or notification, if any; and
 - (iii) Copies of any applicable outstanding final orders or decisions issued by the department related to the forest practices application or notification.
- (c) Failure to comply with the reforestation requirements contained in any final order or decision shall constitute a removal of designation under the provisions of RCW 84.33.140, and a change of use under the provisions of RCW 84.34.080, and, if applicable, shall subject such lands to the payments and/or penalties resulting from such removals or changes.
- (d) Conversion to a use other than commercial forest product operations within six years after approval of the forest practices application or notification without the consent of the county, city, or town shall constitute a violation of each of the county, municipal city, town, and regional authorities to which the forest practice operations would have been subject if the application had stated an intent to convert.
- (e) Land that is the subject of a notice of conversion to a nonforestry use produced by the department and sent to the department of ecology and a local government under this subsection is subject to the development prohibition and conditions provided in RCW 76.09.460.
- (f) Landowners who have not stated an intent to convert the land covered by an application or notification and who decide to convert the land to a nonforestry use within six years of receiving an approved application or notification must do so in a manner consistent with RCW 76.09.470.
- (g) The application or notification must include a statement requiring an acknowledgment by the forest landowner of his or her intent with respect to conversion and acknowledging that he or she is familiar with the effects of this subsection.
- (4) Whenever an approved application authorizes a forest practice which, because of soil condition, proximity to a water course or other unusual factor, has a potential for causing material damage to a public resource, as determined by the department, the applicant shall, when requested on the approved application, notify the department two days before the commencement of actual operations.
- (5) Before the operator commences any forest practice in a manner or to an extent significantly different from that described in a previously approved application or notification, there shall be submitted to the department a new application or notification form in the manner set forth in this section.
- (6)(a) Except as provided in RCW 76.09.350(4), the notification to or the approval given by the department to an application to conduct a forest practice shall be effective for a term of three years from the date of approval or notification.
- (b) A notification or application may be renewed for an additional three-year term by the filing and approval of a notification or application, as applicable, prior to the expiration of the original application or notification. A renewal application or notification is subject to the forest practices rules in effect at the time the renewal application or notification is filed. Nothing in this section precludes the applicant from applying for a new application or notification after the renewal period has lapsed.

(c) At the option of the applicant, an application or notification may be submitted to cover a single forest practice or a number of forest practices within reasonable geographic or political boundaries as specified by the department. An application or notification that covers more than one forest practice may have an effective term of more than three years.

(d) The board shall adopt rules that establish standards and procedures for approving an application or notification that has an effective term of more than three years. Such rules shall include extended time periods for application or notification approval or disapproval. The department may require the applicant to provide advance notice before commencing operations on an approved application or notification.

(7) Notwithstanding any other provision of this section, no prior application or notification shall be required for any emergency forest practice necessitated by fire, flood, windstorm, earthquake, or other emergency as defined by the board, but the operator shall submit an application or notification, whichever is applicable, to the department within forty-eight hours after commencement of such practice or as required by local regulations.

(8) Forest practices applications or notifications are not required for forest practices conducted to control exotic forest insect or disease outbreaks, when conducted by or under the direction of the department of agriculture in carrying out an order of the governor or director of the department of agriculture to implement pest control measures as authorized under chapter 17.24 RCW, and are not required when conducted by or under the direction of the department in carrying out emergency measures under a forest health emergency declaration by the commissioner of public lands as provided in RCW 76.06.130.

(a) For the purposes of this subsection, exotic forest insect or disease has the same meaning as defined in RCW 76.06.020.

(b) In order to minimize adverse impacts to public resources, control measures must be based on integrated pest management, as defined in RCW 17.15.010, and must follow forest practices rules relating to road construction and maintenance, timber harvest, and forest chemicals, to the extent possible without compromising control objectives.

(c) Agencies conducting or directing control efforts must provide advance notice to the appropriate regulatory staff of the department of the operations that would be subject to exemption from forest practices application or notification requirements.

(d) When the appropriate regulatory staff of the department are notified under (c) of this subsection, they must consult with the landowner, interested agencies, and affected tribes, and assist the notifying agencies in the development of integrated pest management plans that comply with forest practices rules as required under (b) of this subsection.

(e) Nothing under this subsection relieves agencies conducting or directing control efforts from requirements of the federal clean water act as administered by the department of ecology under RCW 90.48.260.

(f) Forest lands where trees have been cut as part of an exotic forest insect or disease control effort under this subsection are subject to reforestation requirements under RCW 76.09.070.

(g) The exemption from obtaining approved forest practices applications or notifications does not apply to forest practices conducted after the governor, the director of the department of agriculture, or the commissioner of public lands have declared that an emergency no longer exists because control objectives have been met, that there is no longer an imminent threat, or that there is no longer a good likelihood of control.

(9)(a) For the 2013-15 biennium, all decisions on applications or notifications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 971. A new section is added to chapter 90.48 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 972. RCW 77.55.021 and 2012 1st sp.s. c 1 s 102 are each amended to read as follows:

(1) Except as provided in RCW 77.55.031, 77.55.051, 77.55.041, and 77.55.361, in the event that any person or government agency desires to undertake a hydraulic project, the person or government agency shall, before commencing work thereon, secure the approval of the department in the form of a permit as to the adequacy of the means proposed for the protection of fish life.

(2) A complete written application for a permit may be submitted in person or by registered mail and must contain the following:

(a) General plans for the overall project;
(b) Complete plans and specifications of the proposed construction or work within the mean higher high water line in saltwater or within the ordinary high water line in freshwater;

(c) Complete plans and specifications for the proper protection of fish life;

(d) Notice of compliance with any applicable requirements of the state environmental policy act, unless otherwise provided for in this chapter; and

(e) Payment of all applicable application fees charged by the department under RCW 77.55.321.

(3) The department may establish direct billing accounts or other funds transfer methods with permit applicants to satisfy the fee payment requirements of RCW 77.55.321.

(4) The department may accept complete, written applications as provided in this section for multiple site permits and may issue these permits. For multiple site permits, each specific location must be identified.

(5) With the exception of emergency permits as provided in subsection ((12)) (13) of this section, applications for permits must be submitted to the department's headquarters office in Olympia. Requests for emergency permits as provided in subsection ((12)) (13) of this section may be made to the permitting biologist assigned to the location in which the

emergency occurs, to the department's regional office in which the emergency occurs, or to the department's headquarters office.

(6) Except as provided for emergency permits in subsection (((12))) (13) of this section, the department may not proceed with permit review until all fees are paid in full as required in RCW 77.55.321.

(7)(a) Protection of fish life is the only ground upon which approval of a permit may be denied or conditioned. Approval of a permit may not be unreasonably withheld or unreasonably conditioned.

(b) Except as provided in this subsection and subsections (((12) through (14) and (16))) (13), (15), and (16) of this section, the department has forty-five calendar days upon receipt of a complete application to grant or deny approval of a permit. The forty-five day requirement is suspended if:

(i) After ten working days of receipt of the application, the applicant remains unavailable or unable to arrange for a timely field evaluation of the proposed project;

(ii) The site is physically inaccessible for inspection;

(iii) The applicant requests a delay; or

(iv) The department is issuing a permit for a storm water discharge and is complying with the requirements of RCW 77.55.161(3)(b).

(c) Immediately upon determination that the forty-five day period is suspended under (b) of this subsection, the department shall notify the applicant in writing of the reasons for the delay.

(d) The period of forty-five calendar days may be extended if the permit is part of a multiagency permit streamlining effort and all participating permitting agencies and the permit applicant agree to an extended timeline longer than forty-five calendar days.

(8) If the department denies approval of a permit, the department shall provide the applicant a written statement of the specific reasons why and how the proposed project would adversely affect fish life.

(a) Except as provided in (b) of this subsection, issuance, denial, conditioning, or modification of a permit shall be appealable to the board within thirty days from the date of receipt of the decision as provided in RCW 43.21B.230.

(b) Issuance, denial, conditioning, or modification of a permit may be informally appealed to the department within thirty days from the date of receipt of the decision. Requests for informal appeals must be filed in the form and manner prescribed by the department by rule. A permit decision that has been informally appealed to the department is appealable to the board within thirty days from the date of receipt of the department's decision on the informal appeal.

(9)(a) Notwithstanding the forty-five day decision timeline required in this section, for the 2013-15 biennium, all decisions on applications under this section must be completed and the decision returned to the applicant no longer than ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(10)(a) The permittee must demonstrate substantial progress on construction of that portion of the project relating to the permit within two years of the date of issuance.

(b) Approval of a permit is valid for up to five years from the date of issuance, except as provided in (c) of this subsection and in RCW 77.55.151.

(c) A permit remains in effect without need for periodic renewal for hydraulic projects that divert water for agricultural irrigation or stock watering purposes and that involve seasonal construction or other work. A permit for streambank stabilization projects to protect farm and agricultural land as defined in RCW 84.34.020 remains in effect without need for periodic renewal if the problem causing the need for the streambank stabilization occurs on an annual or more frequent basis. The permittee must notify the appropriate agency before commencing the construction or other work within the area covered by the permit.

(((10))) (11) The department may, after consultation with the permittee, modify a permit due to changed conditions. A modification under this subsection is not subject to the fees provided under RCW 77.55.321. The modification is appealable as provided in subsection (8) of this section. For a hydraulic project that diverts water for agricultural irrigation or stock watering purposes, when the hydraulic project or other work is associated with streambank stabilization to protect farm and agricultural land as defined in RCW 84.34.020, the burden is on the department to show that changed conditions warrant the modification in order to protect fish life.

(((11))) (12) A permittee may request modification of a permit due to changed conditions. The request must be processed within forty-five calendar days of receipt of the written request and payment of applicable fees under RCW 77.55.321. A decision by the department is appealable as provided in subsection (8) of this section. For a hydraulic project that diverts water for agricultural irrigation or stock watering purposes, when the hydraulic project or other work is associated with streambank stabilization to protect farm and agricultural land as defined in RCW 84.34.020, the burden is on the permittee to show that changed conditions warrant the requested modification and that such a modification will not impair fish life.

(((12))) (13)(a) The department, the county legislative authority, or the governor may declare and continue an emergency. If the county legislative authority declares an emergency under this subsection, it shall immediately notify the department. A declared state of emergency by the governor under RCW 43.06.010 shall constitute a declaration under this subsection.

(b) The department, through its authorized representatives, shall issue immediately, upon request, verbal approval for a stream crossing, or work to remove any obstructions, repair existing structures, restore streambanks, protect fish life, or protect property threatened by the stream or a change in the stream flow without the necessity of obtaining a written permit prior to commencing work. Conditions of the emergency verbal permit must be reduced to writing within thirty days and complied with as provided for in this chapter.

(c) The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

(d) The department may not charge a person requesting an emergency permit any of the fees authorized by RCW 77.55.321 until after the emergency permit is issued and reduced to writing.

(((13))) (14) All state and local agencies with authority under this chapter to issue permits or other authorizations in connection with emergency water withdrawals and facilities authorized under RCW 43.83B.410 shall expedite the processing of such permits or authorizations in keeping with the emergency

nature of such requests and shall provide a decision to the applicant within fifteen calendar days of the date of application.

((14)) (15) The department or the county legislative authority may determine an imminent danger exists. The county legislative authority shall notify the department, in writing, if it determines that an imminent danger exists. In cases of imminent danger, the department shall issue an expedited written permit, upon request, for work to remove any obstructions, repair existing structures, restore banks, protect fish resources, or protect property. Expedited permit requests require a complete written application as provided in subsection (2) of this section and must be issued within fifteen calendar days of the receipt of a complete written application. Approval of an expedited permit is valid for up to sixty days from the date of issuance. The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

((15)) (16)(a) For any property, except for property located on a marine shoreline, that has experienced at least two consecutive years of flooding or erosion that has damaged or has threatened to damage a major structure, water supply system, septic system, or access to any road or highway, the county legislative authority may determine that a chronic danger exists. The county legislative authority shall notify the department, in writing, when it determines that a chronic danger exists. In cases of chronic danger, the department shall issue a permit, upon request, for work necessary to abate the chronic danger by removing any obstructions, repairing existing structures, restoring banks, restoring road or highway access, protecting fish resources, or protecting property. Permit requests must be made and processed in accordance with subsections (2) and (7) of this section.

(b) Any projects proposed to address a chronic danger identified under (a) of this subsection that satisfies the project description identified in RCW 77.55.181(1)(a)(ii) are not subject to the provisions of the state environmental policy act, chapter 43.21C RCW. However, the project is subject to the review process established in RCW 77.55.181(3) as if it were a fish habitat improvement project.

((16)) (17) The department may issue an expedited written permit in those instances where normal permit processing would result in significant hardship for the applicant or unacceptable damage to the environment. Expedited permit requests require a complete written application as provided in subsection (2) of this section and must be issued within fifteen calendar days of the receipt of a complete written application. Approval of an expedited permit is valid for up to sixty days from the date of issuance. The department may not require the provisions of the state environmental policy act, chapter 43.21C RCW, to be met as a condition of issuing a permit under this subsection.

NEW SECTION. Sec. 973. A new section is added to chapter 90.76 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on license applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the license application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 974. RCW 78.44.081 and 1997 c 192 s 1 are each amended to read as follows:

(1) After July 1, 1993, no miner or permit holder may engage in surface mining without having first obtained a reclamation permit from the department. Operating permits issued by the department between January 1, 1971, and June 30, 1993, shall be considered reclamation permits. A separate permit shall be required for each noncontiguous surface mine. The reclamation permit shall consist of the permit forms and any exhibits attached thereto. The permit holder shall comply with the provisions of the reclamation permit unless waived and explained in writing by the department.

(2) Prior to receiving a reclamation permit, an applicant must submit an application on forms provided by the department that shall contain the following information and shall be considered part of the reclamation permit:

((1)) (a) Name and address of the legal landowner, or purchaser of the land under a real estate contract;

((2)) (b) The name of the applicant and, if the applicants are corporations or other business entities, the names and addresses of their principal officers and resident agent for service of process;

((3)) (c) A reasonably accurate description of the minerals to be surface mined;

((4)) (d) Type of surface mining to be performed;

((5)) (e) Estimated starting date, date of completion, and date of completed reclamation of surface mining;

((6)) (f) Size and legal description of the permit area and maximum lateral and vertical extent of the disturbed area;

((7)) (g) Expected area to be disturbed by surface mining during ((a)) (i) the next twelve months, and ((b)) (ii) the following twenty-four months;

((8)) (h) Any applicable SEPA documents; and

((9)) (i) Other pertinent data as required by the

department.

(3) The reclamation permit shall be granted for the period required to deplete essentially all minerals identified in the reclamation permit on the land covered by the reclamation plan. The reclamation permit shall be valid until the reclamation is complete unless the permit is canceled by the department.

(4)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 975. A new section is added to chapter 18.104 RCW to read as follows:

(1) For the 2103-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding,

and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 976. RCW 86.16.025 and 1995 c 8 s 4 are each amended to read as follows:

(1) Subject to RCW 43.21A.068, with respect to such features as may affect flood conditions, the department shall have authority to examine, approve, or reject designs and plans for any structure or works, public or private, to be erected or built or to be reconstructed or modified upon the banks or in or over the channel or over and across the floodway of any stream or body of water in this state.

(2)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 977. RCW 70.95.205 and 1998 c 36 s 18 are each amended to read as follows:

(1) Waste-derived soil amendments that meet the standards and criteria in this section may apply for exemption from solid waste permitting as required under RCW 70.95.170. The application shall be submitted to the department in a format determined by the department or an equivalent format. The application shall include:

(a) Analytical data showing that the waste-derived soil amendments meet standards established under RCW 15.54.800; and

(b) Other information deemed appropriate by the department to protect human health and the environment.

(2) After receipt of an application, the department shall review it to determine whether the application is complete, and forward a copy of the complete application to all interested jurisdictional health departments for review and comment. Within forty-five days, the jurisdictional health departments shall forward their comments and any other information they deem relevant to the department, which shall then give final approval or disapproval of the application. Every complete application shall be approved or disapproved by the department within ninety days after receipt. If the ninety-day deadline is not satisfied, for the 2013-15 biennium the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3) The department, after providing opportunity for comments from the jurisdictional health departments, may at any time revoke an exemption granted under this section if the quality or use of the waste-derived soil amendment changes or the management, storage, or end use of the waste-derived soil amendment constitutes a threat to human health or the environment.

(4) Any aggrieved party may appeal the determination by the department in subsection (2) or (3) of this section to the pollution control hearings board.

Sec. 978. RCW 15.54.820 and 1998 c 36 s 16 are each amended to read as follows:

(1) After receipt from the department of the completed application required by RCW 15.54.325, the department of ecology shall evaluate whether the use of the proposed waste-derived fertilizer or the micronutrient fertilizer as defined in RCW 15.54.270 is consistent with the following:

(a) Chapter 70.95 RCW, the solid waste management act;

(b) Chapter 70.105 RCW, the hazardous waste management act; and

(c) 42 U.S.C. Sec. 6901 et seq., the resource conservation and recovery act.

(2) The department of ecology shall apply the standards adopted in RCW 15.54.800. If more stringent standards apply under chapter 173-303 WAC for the same constituents, the department of ecology must use the more stringent standards.

(3) Within sixty days of receiving the completed application, the department of ecology shall advise the department as to whether the application complies with the requirements of subsections (1) and (2) of this section. In making a determination, the department of ecology shall consult with the department of health and the department of labor and industries.

(4) A party aggrieved by a decision of the department of ecology to issue a written approval under this section or to deny the issuance of such an approval may appeal the decision to the pollution control hearings board within thirty days of the decision. Review of such a decision shall be conducted in accordance with either subsection (5) of this section or with chapter 43.21B RCW((.)), with any subsequent appeal of a decision of the hearings board ((shall be)) obtained in accordance with RCW 43.21B.180.

(5)(a) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 979. RCW 43.21C.033 and 1995 c 347 s 422 are each amended to read as follows:

(1)(a) Except as provided in subsection (2) of this section, the responsible official shall make a threshold determination on a completed application within ninety days after the application and supporting documentation are complete. The applicant may request an additional thirty days for the threshold determination. The governmental entity responsible for making the threshold determination shall by rule, resolution, or ordinance adopt standards, consistent with rules adopted by the department to implement this chapter, for determining when an application and supporting documentation are complete.

(b) For the 2013-15 biennium, if the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the

decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(2) Subsection (1)(a) of this section shall not apply to a city, town, or county that:

(a) By ordinance adopted prior to April 1, 1992, has adopted procedures to integrate permit and land use decisions with the requirements of this chapter; or

(b) Is planning under RCW 36.70A.040 ((and is subject to the requirements of RCW 36.70B.090)).

Sec. 980. RCW 77.115.040 and 2011 c 339 s 37 are each amended to read as follows:

(1) All aquatic farmers, as defined in RCW 15.85.020, shall register with the department. The application fee is one hundred five dollars. The director shall assign each aquatic farm a unique registration number and develop and maintain in an electronic database a registration list of all aquaculture farms. The department shall establish procedures to annually update the aquatic farmer information contained in the registration list. The department shall coordinate with the department of health using shellfish growing area certification data when updating the registration list.

(2)(a) For the 2013-15 biennium, all decisions on registrations under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the registrations. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3) Registered aquaculture farms shall provide the department with the following information:

- (a) The name of the aquatic farmer;
- (b) The address of the aquatic farmer;
- (c) Contact information such as telephone, fax, web site, and e-mail address, if available;

(d) The number and location of acres under cultivation, including a map displaying the location of the cultivated acres;

(e) The name of the landowner of the property being cultivated or otherwise used in the aquatic farming operation;

(f) The private sector cultured aquatic product being propagated, farmed, or cultivated; and

(g) Statistical production data.

((3)) (4) The state veterinarian shall be provided with registration and statistical data by the department.

NEW SECTION. Sec. 981. A new section is added to chapter 69.30 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing

appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 982. A new section is added to chapter 90.64 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 983. A new section is added to chapter 15.58 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 984. A new section is added to chapter 17.21 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 985. RCW 16.65.030 and 2003 c 326 s 65 are each amended to read as follows:

(1) No person shall operate a public livestock market without first having obtained a license from the director. Application for a license shall be in writing on forms prescribed by the director, and shall include the following:

(a) A nonrefundable original license application fee of two thousand dollars.

(b) A legal description of the property upon which the public livestock market shall be located.

(c) A complete description and blueprints or plans of the public livestock market physical plant, yards, pens, and all facilities the applicant proposes to use in the operation of such public livestock market.

(d) A financial statement, audited by a certified or licensed public accountant, to determine whether or not the applicant meets the minimum net worth requirements, established by the director by rule, to construct and/or operate a public livestock market. If the applicant is a subsidiary of a larger

company, corporation, society, or cooperative association, both the parent company and the subsidiary company must submit a financial statement to determine whether or not the applicant meets the minimum net worth requirements. All financial statement information required by this subsection is confidential information and not subject to public disclosure.

(e) The schedule of rates and charges the applicant proposes to impose on the owners of livestock for services rendered in the operation of such livestock market.

(f) The weekly or monthly sales day or days on which the applicant proposes to operate his or her public livestock market sales and the class of livestock that may be sold on these days.

(g) Projected source and quantity of livestock anticipated to be handled.

(h) Projected gross dollar volume of business to be carried on, at, or through the public livestock market during the first year's operation.

(i) Facts upon which is based the conclusion that the trade area and the livestock industry will benefit because of the proposed market.

(j) Other information as the director may require by rule.

(2) If the director determines that the applicant meets all the requirements of subsection (1) of this section, the director shall conduct a public hearing as provided by chapter 34.05 RCW, and shall grant or deny an application for original license for a public livestock market after considering evidence and testimony relating to the requirements of this section and giving reasonable consideration to:

(a) Benefits to the livestock industry to be derived from the establishment and operation of the public livestock market proposed in the application;

(b) The geographical area that will be affected;

(c) The conflict, if any, with sales days already allocated in the area;

(d) The amount and class of livestock available for marketing in the area;

(e) Buyers available to the proposed market; and

(f) Any other conditions affecting the orderly marketing of livestock.

(3) Before a license is issued to operate a public livestock market, the applicant must:

(a) Execute and deliver to the director a surety bond as required under RCW 16.65.200;

(b) Provide evidence of a custodial account, as required under RCW 16.65.140, for the consignor's proceeds;

(c) Pay the appropriate license fee; and

(d) Provide other information required under this chapter and rules adopted under this chapter.

(4)(a) For the 2013-15 biennium, all decisions under this section must be completed and the decision returned to the applicant within ninety days of submitting the registrations. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 986. A new section is added to chapter 70.95J RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on applications under this chapter must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(2) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 987. RCW 70.119A.110 and 2011 c 102 s 1 are each amended to read as follows:

(1) No person may operate a group A public water system unless the person first submits an application to the department and receives an operating permit as provided in this section. A new application must be submitted upon any change in ownership of the system.

(2) The department may require that each application include the information that is reasonable and necessary to determine that the system complies with applicable standards and requirements of the federal safe drinking water act, state law, and rules adopted by the department or by the state board of health.

(3)(a) Following its review of the application, its supporting material, and any information received by the department in its investigation of the application, the department shall issue or deny the operating permit. The department shall act on initial permit applications as expeditiously as possible, and shall in all cases either grant or deny the application within ((one hundred twenty)) ninety days of receipt of the application or of any supplemental information required to complete the application.

(b) The applicant for a permit shall be entitled to two different appeals pathways:

(i) The applicant may file an appeal in accordance with chapter 34.05 RCW if the department denies the initial or subsequent applications or imposes conditions or requirements upon the operator. Any operator of a public water system that requests a hearing may continue to operate the system until a decision is issued after the hearing.

(ii) In the alternative, for the 2103-15 biennium, if the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application. If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(4) At the time of initial permit application or at the time of permit renewal the department may impose such permit conditions, requirements for system improvements, and compliance schedules as it determines are reasonable and necessary to ensure that the system will provide a safe and reliable water supply to its users.

(5) Operating permits shall be issued for a term of one year, and shall be renewed annually, unless the operator fails to apply for a new permit or the department finds good cause to deny the application for renewal.

(6) Each application shall be accompanied by an annual fee.

(7) The department shall adopt rules, in accordance with chapter 34.05 RCW, necessary to implement this section.

(8) The department shall establish by rule categories of annual operating permit fees based on system size, complexity, and number of service connections. Fees charged must be sufficient to cover, but may not exceed, the costs to the department of administering a program for safe and reliable drinking water. The department shall use operating permit fees to monitor and enforce compliance by group A public water systems with state and federal laws that govern planning, water use efficiency, design, construction, operation, maintenance, financing, management, and emergency response.

(9) The annual per-connection fee may not exceed one dollar and fifty cents. The department shall phase-in implementation of any annual fee increase greater than ten percent, and shall establish the schedule for implementation by rule. Rules established by the department prior to 2020 must limit the annual operating permit fee for any public water system to no greater than one hundred thousand dollars.

(10) The department shall notify existing public water systems of the requirements of RCW 70.119A.030, 70.119A.060, and this section at least one hundred twenty days prior to the date that an application for a permit is required pursuant to RCW 70.119A.030, 70.119A.060, and this section.

(11) The department shall issue one operating permit to any approved satellite system management agency. Operating permit fees for approved satellite system management agencies must be established by the department by rule. Rules established by the department must set a single fee based on the total number of connections for all group A public water systems owned by a satellite management agency.

(12) For purposes of this section, "group A public water system" and "system" mean those water systems with fifteen or more service connections, regardless of the number of people; or a system serving an average of twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections.

Sec. 988. RCW 90.03.350 and 1995 c 8 s 6 are each amended to read as follows:

(1) Except as provided in RCW 43.21A.068, any person, corporation or association intending to construct or modify any dam or controlling works for the storage of ten acre feet or more of water, shall before beginning said construction or modification, submit plans and specifications of the same to the department for examination and approval as to its safety. Such plans and specifications shall be submitted in duplicate, one copy of which shall be retained as a public record, by the department, and the other returned with its approval or rejection endorsed thereon. No such dam or controlling works shall be constructed or modified until the same or any modification thereof shall have been approved as to its safety by the department. Any such dam or controlling works constructed or modified in any manner other than in accordance with plans and specifications approved by the department or which shall not be maintained in accordance with the order of the department shall be presumed to be a public nuisance and may be abated in the manner provided by law, and it shall be the duty of the attorney general or prosecuting attorney of the county wherein such dam or controlling works, or the major portion thereof, is situated to institute abatement proceedings against the owner or owners of such dam or controlling works, whenever he or she is requested to do so by the department.

(2) A metals mining and milling operation regulated under chapter 232, Laws of 1994 is subject to additional dam safety inspection requirements due to the special hazards associated with failure of a tailings pond impoundment. The department shall

inspect these impoundments at least quarterly during the project's operation and at least annually thereafter for the postclosure monitoring period in order to ensure the safety of the dam or controlling works. The department shall conduct additional inspections as needed during the construction phase of the mining operation in order to ensure the safe construction of the tailings impoundment.

(3)(a) For the 2013-15 biennium, all decisions on plan applications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 989. RCW 90.03.370 and 2003 c 329 s 1 are each amended to read as follows:

(1)(a) All applications for reservoir permits are subject to the provisions of RCW 90.03.250 through 90.03.320. But the party or parties proposing to apply to a beneficial use the water stored in any such reservoir shall also file an application for a permit, to be known as the secondary permit, which shall be in compliance with the provisions of RCW 90.03.250 through 90.03.320. Such secondary application shall refer to such reservoir as its source of water supply and shall show documentary evidence that an agreement has been entered into with the owners of the reservoir for a permanent and sufficient interest in said reservoir to impound enough water for the purposes set forth in said application. When the beneficial use has been completed and perfected under the secondary permit, the department shall take the proof of the water users under such permit and the final certificate of appropriation shall refer to both the ditch and works described in the secondary permit and the reservoir described in the primary permit. The department may accept for processing a single application form covering both a proposed reservoir and a proposed secondary permit or permits for use of water from that reservoir.

(b) The department shall expedite processing applications for the following types of storage proposals:

(i) Development of storage facilities that will not require a new water right for diversion or withdrawal of the water to be stored;

(ii) Adding or changing one or more purposes of use of stored water;

(iii) Adding to the storage capacity of an existing storage facility; and

(iv) Applications for secondary permits to secure use from existing storage facilities.

(c) A secondary permit for the beneficial use of water shall not be required for use of water stored in a reservoir where the water right for the source of the stored water authorizes the beneficial use.

(2)(a) For the 2013-15 biennium, all decisions on applications under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the application.

(b) If the application is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the

decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

(3)(a) For the purposes of this section, "reservoir" includes, in addition to any surface reservoir, any naturally occurring underground geological formation where water is collected and stored for subsequent use as part of an underground artificial storage and recovery project. To qualify for issuance of a reservoir permit an underground geological formation must meet standards for review and mitigation of adverse impacts identified, for the following issues:

- (i) Aquifer vulnerability and hydraulic continuity;
- (ii) Potential impairment of existing water rights;
- (iii) Geotechnical impacts and aquifer boundaries and characteristics;
- (iv) Chemical compatibility of surface waters and groundwater;
- (v) Recharge and recovery treatment requirements;
- (vi) System operation;
- (vii) Water rights and ownership of water stored for recovery; and

(viii) Environmental impacts.

(b) Standards for review and standards for mitigation of adverse impacts for an underground artificial storage and recovery project shall be established by the department by rule. Notwithstanding the provisions of RCW 90.03.250 through 90.03.320, analysis of each underground artificial storage and recovery project and each underground geological formation for which an applicant seeks the status of a reservoir shall be through applicant-initiated studies reviewed by the department.

((3)) (4) For the purposes of this section, "underground artificial storage and recovery project" means any project in which it is intended to artificially store water in the ground through injection, surface spreading and infiltration, or other department- approved method, and to make subsequent use of the stored water. However, (a) this subsection does not apply to irrigation return flow, or to operational and seepage losses that occur during the irrigation of land, or to water that is artificially stored due to the construction, operation, or maintenance of an irrigation district project, or to projects involving water reclaimed in accordance with chapter 90.46 RCW; and (b) RCW 90.44.130 applies to those instances of claimed artificial recharge occurring due to the construction, operation, or maintenance of an irrigation district project or operational and seepage losses that occur during the irrigation of land, as well as other forms of claimed artificial recharge already existing at the time a groundwater subarea is established.

((4)) (5) Nothing in chapter 98, Laws of 2000 changes the requirements of existing law governing issuance of permits to appropriate or withdraw the waters of the state.

((5)) (6) The department shall report to the legislature by December 31, 2001, on the standards for review and standards for mitigation developed under subsection ((3)) (4) of this section and on the status of any applications that have been filed with the department for underground artificial storage and recovery projects by that date.

((6)) (7) Where needed to ensure that existing storage capacity is effectively and efficiently used to meet multiple purposes, the department may authorize reservoirs to be filled more than once per year or more than once per season of use.

((7)) (8) This section does not apply to facilities to recapture and reuse return flow from irrigation operations serving a single farm under an existing water right as long as the

acreage irrigated is not increased beyond the acreage allowed to be irrigated under the water right.

((8)) (9) In addition to the facilities exempted under subsection ((7)) (8) of this section, this section does not apply to small irrigation impoundments. For purposes of this section, "small irrigation impoundments" means lined surface storage ponds less than ten acre feet in volume used to impound irrigation water under an existing water right where use of the impoundment: (a)(i) Facilitates efficient use of water; or (ii) promotes compliance with an approved recovery plan for endangered or threatened species; and (b) does not expand the number of acres irrigated or the annual consumptive quantity of water used. Such ponds must be lined unless a licensed engineer determines that a liner is not needed to retain water in the pond and to prevent groundwater contamination. Although it may also be composed of other materials, a properly maintained liner may be composed of bentonite. Water remaining in a small irrigation impoundment at the end of an irrigation season may be carried over for use in the next season. However, the limitations of this subsection ((8)) (9) apply. Development and use of a small irrigation impoundment does not constitute a change or amendment for purposes of RCW 90.03.380 or 90.44.055.

Sec. 990. RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision

concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shorelines hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, 2014.

(c) Except as authorized in (b) of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the

filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(d) Except as authorized in (b) of this subsection, if the permit is for a substantial development meeting the requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), or (d) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state.

(12)(a) For the 2013-15 biennium, all decisions on permits under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(b) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

Sec. 991. RCW 70.118B.030 and 2007 c 343 s 4 are each amended to read as follows:

(1) A person may not install or operate a large on-site sewage system without an operating permit as provided in this chapter after July 1, 2009. The owner of the system is responsible for obtaining a permit.

(2) The department shall issue operating permits in accordance with the rules adopted under RCW 70.118B.040.

(3) The department shall ensure the system meets all applicable siting, design, construction, and installation requirements prior to issuing an initial operating permit. Prior to renewing an operating permit, the department may review the performance of the system to determine compliance with rules and any permit conditions.

(4) At the time of initial permit application or at the time of permit renewal the department shall impose those permit conditions, requirements for system improvements, and compliance schedules as it determines are reasonable and necessary to ensure that the system will be operated and maintained properly. Each application must be accompanied by a fee as established in rules adopted by the department.

(5) Operating permits shall be issued for a term of one year, and shall be renewed annually, unless the operator fails to apply for a new permit or the department finds good cause to deny the application for renewal.

(6) Each permit may be issued only for the site and owner named in the application. Permits are not transferable or assignable except with the written approval of the department.

(7) The department may deny an application for a permit or modify, suspend, or revoke a permit in any case in which it finds that the permit was obtained by fraud or there is or has been a failure, refusal, or inability to comply with the requirements of this chapter or the standards or rules adopted under this chapter. RCW 43.70.115 governs notice of denial, revocation, suspension, or modification and provides the right to an adjudicative proceeding to the permit applicant or permittee.

(8) For systems with design flows of more than fourteen thousand five hundred gallons per day, the department shall adopt rules to ensure adequate public notice and opportunity for review and comment on initial large on-site sewage system permit applications and subsequent permit applications to increase the volume of waste disposal or change effluent characteristics. The rules must include provisions for notice of final decisions. Methods for providing notice may include electronic mail, posting on the department's internet site, publication in a local newspaper, press releases, mailings, or other means of notification the department determines appropriate.

(9) A person aggrieved by the issuance of an initial permit, or by the issuance of a subsequent permit to increase the volume of waste disposal or to change effluent characteristics, for systems with design flows of more than fourteen thousand five hundred gallons per day, has the right to an adjudicative proceeding. The application for an adjudicative proceeding must be in writing, state the basis for contesting the action, include a copy of the decision, be served on and received by the department within twenty-eight days of receipt of notice of the final decision, and be served in a manner that shows proof of receipt. An adjudicative proceeding conducted under this subsection is governed by chapter 34.05 RCW.

(10) Any permit issued by the department of ecology for a large on-site sewage system under chapter 90.48 RCW is valid until it first expires after July 22, 2007. The system owner shall apply for an operating permit at least one hundred twenty days prior to expiration of the department of ecology permit.

(11) Systems required to meet operator certification requirements under chapter 70.95B RCW must continue to meet those requirements as a condition of the department operating permit.

(12)(a) For the 2013-15 biennium, all decisions on permits under this section must be completed and the decision returned to the applicant within ninety days of submitting the

application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(b) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies.

NEW SECTION. Sec. 992. A new section is added to chapter 90.66 RCW to read as follows:

(1) For the 2013-15 biennium, all decisions on permits or transfers under this section must be completed and the decision returned to the applicant within ninety days of submitting the application. If the ninety-day deadline is not satisfied, the applicant may file a motion in the appropriate superior court requesting court approval of the permit.

(2) If the permit is denied either within or after the ninety-day decision period, the applicant may file a motion in the appropriate superior court requesting the court to overturn the decision. This subsection applies notwithstanding, and as an alternative to, any other provision of law establishing appeal procedures. Applicants choosing to utilize this appeal authority are deemed to have satisfied all administrative remedies."

Representatives Pike, Orcutt and Kristiansen spoke in favor of the adoption of the amendment to the committee amendment.

Representative Hunter spoke against the adoption of the amendment to the committee amendment.

Amendment (395) to the committee amendment was not adopted.

Representative Hunter moved the adoption of amendment (396) to the committee amendment.

On page 405, line 11, increase the general fund--state appropriation for fiscal year 2013 by \$162,000

On page 405, line 14, after "distribute" strike "\$566,000" and insert "\$545,000"

On page 405, line 14, after "county" insert "and \$183,000 to Yakima county"

Representative Hunter spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (396) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Hunter, Kagi, Santos and Sullivan spoke in favor of the passage of the bill.

Representatives Alexander, Dahlquist, Scott and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5034, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5034, as amended by the House, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- SUBSTITUTE SENATE BILL NO. 5002
- SENATE BILL NO. 5052
- SENATE BILL NO. 5059
- SUBSTITUTE SENATE BILL NO. 5072
- ENGROSSED SENATE BILL NO. 5105
- SENATE BILL NO. 5113
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5118
- SENATE BILL NO. 5136
- SENATE BILL NO. 5258
- SUBSTITUTE SENATE BILL NO. 5264
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329
- SENATE BILL NO. 5344
- SENATE BILL NO. 5359
- SUBSTITUTE SENATE BILL NO. 5362
- SUBSTITUTE SENATE BILL NO. 5399
- SUBSTITUTE SENATE BILL NO. 5444
- SENATE BILL NO. 5472
- SENATE BILL NO. 5476
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5491
- SENATE BILL NO. 5510
- SUBSTITUTE SENATE BILL NO. 5565
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
- SUBSTITUTE SENATE BILL NO. 5559
- ENGROSSED SENATE BILL NO. 5603
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5744
- SENATE BILL NO. 5787

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 15, 2013, the 92nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

HOUSE JOURNAL
OF THE
SIXTY-THIRD LEGISLATURE
OF THE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

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Convened January 14, 2013
Adjourned Sine Die April 28, 2013
2013 First Special Session
Convened May 13, 2013
Adjourned Sine Die June 11, 2013
2013 Second Special Session
Convened June 12, 2013
Adjourned Sine Die June 29, 2013
2013 Third Special Session
Convened November 7, 2013
Adjourned Sine Die November 9, 2013

VOLUME 2



Frank Chopp, Speaker
Jim Moeller, Speaker Pro Tempore
Barbara Baker, Chief Clerk

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NINETY SECOND DAY

House Chamber, Olympia, Monday, April 15, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aidan Teodoro and Madalyn Plumage. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Jason Breda, Christian Life Center, Port Orchard, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 12, 2013

MR. SPEAKER:

The Senate has passed:

- HOUSE BILL NO. 1035
- HOUSE BILL NO. 1056
- HOUSE BILL NO. 1146
- SUBSTITUTE HOUSE BILL NO. 1307
- HOUSE BILL NO. 1311
- SECOND SUBSTITUTE HOUSE BILL NO. 1518
- HOUSE BILL NO. 1533
- SUBSTITUTE HOUSE BILL NO. 1537
- HOUSE BILL NO. 1639
- SUBSTITUTE HOUSE BILL NO. 1806
- SUBSTITUTE HOUSE BILL NO. 1836
- HOUSE BILL NO. 1860
- SUBSTITUTE HOUSE BILL NO. 1886

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 12, 2013

MR. SPEAKER:

The Senate has passed:

- SUBSTITUTE HOUSE BILL NO. 1034
- HOUSE BILL NO. 1112
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1325
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1625
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1647

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2030 by Representative Morrell

AN ACT Relating to driving while under the influence of intoxicating liquor or drugs; amending RCW 46.55.360, 46.61.502, 46.61.504, 2.28.175, 3.66.068, 3.66.067, 3.50.320, 3.50.330, 35.20.255, 9.94A.525, 10.31.100, 43.43.395,

9.94A.533, 46.20.720, 46.20.270, 9.94A.603, 46.25.090, 46.25.120, 46.25.110, 9.94A.535, 3.62.090, 46.61.5249, 46.20.117, and 46.20.161; reenacting and amending RCW 46.61.5055 and 46.20.308; adding a new section to chapter 46.64 RCW; adding new sections to chapter 43.10 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Public Safety.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5607, by Senators Harper, Hewitt, Kohl-Welles and Kline

Concerning beer, wine, and spirits theater licenses.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Oversight and Accountability was not adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

Representative Hurst moved the adoption of amendment (409).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 66.24 RCW to read as follows:

(1) There is a theater license to sell spirits, beer, including strong beer, or wine, or all, at retail, for consumption on theater premises. A spirits, beer, and wine theater license may be issued only to theaters that have no more than one hundred twenty seats per screen and that are maintained in a substantial manner as a place for preparing, cooking, and serving complete meals and providing tabletop accommodations for in-theater dining. Requirements for complete meals are the same as those adopted by the board in rules pursuant to chapter 34.05 RCW for a spirits, beer, and wine restaurant license authorized by RCW 66.24.400. The annual fee for a spirits, beer, and wine theater license is two thousand dollars.

(2) If the theater premises is to be frequented by minors, an alcohol control plan must be submitted to the board at the time of application. The alcohol control plan must be approved by the board and be prominently posted on the premises, prior to minors being allowed.

(3) For the purposes of this section:

(a) "Alcohol control plan" means a written, dated, and signed plan submitted to the board by an applicant or licensee for the entire theater premises, or rooms or areas therein, that shows where and

when alcohol is permitted, where and when minors are permitted, and the control measures used to ensure that minors are not able to obtain alcohol or be exposed to environments where drinking alcohol predominates.

(b) "Theater" means a place of business where motion pictures or other primarily nonparticipatory entertainment are shown.

(4) The board must adopt rules regarding alcohol control plans and necessary control measures to ensure that minors are not able to obtain alcohol or be exposed to areas where drinking alcohol predominates. All alcohol control plans must include a requirement that any person involved in the serving of spirits, beer, and/or wine must have completed a mandatory alcohol server training program.

(5)(a) A licensee that is an entity that is exempt from taxation under Title 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended as of January 1, 2013, may enter into arrangements with a spirits, beer, or wine manufacturer, importer, or distributor for brand advertising at the theater or promotion of events held at the theater. The financial arrangements providing for the brand advertising or promotion of events may not be used as an inducement to purchase the products of the manufacturer, importer, or distributor entering into the arrangement and such arrangements may not result in the exclusion of brands or products of other companies.

(b) The arrangements allowed under this subsection (5) are an exception to arrangements prohibited under RCW 66.28.305. The board must monitor the impacts of these arrangements. The board may conduct audits of a licensee and the affiliated business to determine compliance with this subsection (5). Audits may include, but are not limited to: Product selection at the facility; purchase patterns of the licensee; contracts with the spirits, beer, or wine manufacturer, importer, or distributor; and the amount allocated or used for spirits, beer, or wine advertising by the licensee, affiliated business, manufacturer, importer, or distributor under the arrangements.

(6) The maximum penalties prescribed by the board in WAC 314-29-020 relating to fines and suspensions are double for violations involving minors or the failure to follow the alcohol control plan with respect to theaters licensed under this section.

Sec. 2. RCW 66.20.300 and 2011 c 325 s 5 are each amended to read as follows:

~~(Unless the context clearly requires otherwise,)~~ The definitions in this section apply throughout RCW 66.20.310 through 66.20.350 unless the context clearly requires otherwise.

(1) "Alcohol" has the same meaning as "liquor" in RCW 66.04.010.

(2) "Alcohol server" means any person who as part of his or her employment participates in the sale or service of alcoholic beverages for on-premise consumption at a retail licensed premise as a regular requirement of his or her employment, and includes those persons eighteen years of age or older permitted by the liquor laws of this state to serve alcoholic beverages with meals.

(3) "Board" means the Washington state liquor control board.

(4) "Training entity" means any liquor licensee associations, independent contractors, private persons, and private or public schools, that have been certified by the board.

(5) "Retail licensed premises" means any:

(a) Premises licensed to sell alcohol by the glass or by the drink, or in original containers primarily for consumption on the premises as authorized by this section and RCW 66.20.310, 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.450, 66.24.570, ((and)) 66.24.610, and section 1 of this act;

(b) Distillery licensed pursuant to RCW 66.24.140 that is authorized to serve samples of its own production;

(c) Facility established by a domestic winery for serving and selling wine pursuant to RCW 66.24.170(4); and

(d) Grocery store licensed under RCW 66.24.360, but only with respect to employees whose duties include serving during tasting activities under RCW 66.24.363.

Sec. 3. RCW 66.20.310 and 2011 c 325 s 4 are each amended to read as follows:

(1)(a) There ~~((shall be))~~ is an alcohol server permit, known as a class 12 permit, for a manager or bartender selling or mixing alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(b) There ~~((shall be))~~ is an alcohol server permit, known as a class 13 permit, for a person who only serves alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(c) As provided by rule by the board, a class 13 permit holder may be allowed to act as a bartender without holding a class 12 permit.

(2)(a) Effective January 1, 1997, except as provided in (d) of this subsection, every alcohol server employed, under contract or otherwise, at a retail licensed premise ~~((shall))~~ must be issued a class 12 or class 13 permit.

(b) Every class 12 and class 13 permit issued ~~((shall))~~ must be issued in the name of the applicant and no other person may use the permit of another permit holder. The holder ~~((shall))~~ must present the permit upon request to inspection by a representative of the board or a peace officer. The class 12 or class 13 permit ~~((shall be))~~ is valid for employment at any retail licensed premises described in (a) of this subsection.

(c) Except as provided in (d) of this subsection, no licensee holding a license as authorized by this section and RCW 66.20.300, 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.450, 66.24.570, 66.24.600, ((and)) 66.24.610, and section 1 of this act may employ or accept the services of any person without the person first having a valid class 12 or class 13 permit.

(d) Within sixty days of initial employment, every person whose duties include the compounding, sale, service, or handling of liquor ~~((shall))~~ must have a class 12 or class 13 permit.

(e) No person may perform duties that include the sale or service of alcoholic beverages on a retail licensed premises without possessing a valid alcohol server permit.

(3) A permit issued by a training entity under this section is valid for employment at any retail licensed premises described in subsection (2)(a) of this section for a period of five years unless suspended by the board.

(4) The board may suspend or revoke an existing permit if any of the following occur:

(a) The applicant or permittee has been convicted of violating any of the state or local intoxicating liquor laws of this state or has been convicted at any time of a felony; or

(b) The permittee has performed or permitted any act that constitutes a violation of this title or of any rule of the board.

(5) The suspension or revocation of a permit under this section does not relieve a licensee from responsibility for any act of the employee or agent while employed upon the retail licensed premises. The board may, as appropriate, revoke or suspend either the permit of the employee who committed the violation or the license of the licensee upon whose premises the violation occurred, or both the permit and the license.

(6)(a) After January 1, 1997, it is a violation of this title for any retail licensee or agent of a retail licensee as described in subsection (2)(a) of this section to employ in the sale or service of alcoholic beverages, any person who does not have a valid alcohol server permit or whose permit has been revoked, suspended, or denied.

(b) It is a violation of this title for a person whose alcohol server permit has been denied, suspended, or revoked to accept employment in the sale or service of alcoholic beverages.

(7) Grocery stores licensed under RCW 66.24.360, the primary commercial activity of which is the sale of grocery products and for

which the sale and service of beer and wine for on-premises consumption with food is incidental to the primary business, and employees of such establishments, are exempt from RCW 66.20.300 through 66.20.350, except for employees whose duties include serving during tasting activities under RCW 66.24.363."

Representatives Hurst and Condotta spoke in favor of the adoption of the amendment.

MOTIONS

On motion of Representative Van De Wege, Representatives Freeman and Upthegrove were excused. On motion of Representative Harris, Representative DeBolt were excused.

Amendment (409) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5607, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5607, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 11; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, O'Ban, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Smith, Springer, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Crouse, Harris, Kagi, Klippert, Morrell, Nealey, Orcutt, Ormsby, Short and Stanford.

Excused: Representatives DeBolt, Freeman and Upthegrove.

ENGROSSED SENATE BILL NO. 5607, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5008, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Hobbs, Benton and Hatfield)

Addressing portable electronics insurance.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5008.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5008, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5008, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5030, by Senators Roach and Shin

Extending the Chinook scenic byway.

The 5030 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dahlquist and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5030.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5030, and the bill passed the House by the following vote: Yeas, 85; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton,

Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Crouse, Holy, Kretz, Kristiansen, Overstreet, Scott, Shea, Short and Taylor.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SENATE BILL NO. 5030, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5045, by Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Honeyford, Kohl-Welles and Frockt)

Allowing day spas to offer or supply without charge wine or beer by the individual glass to a customer for consumption on the premises.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 9, 2013).

Representative Klippert moved the adoption of amendment (370) to the committee amendment:

On page 1, line 7 of the striking amendment, after "premises." insert "The glass of beer may not exceed twelve ounces and the glass of wine may not exceed six ounces."

Representatives Klippert and Hurst spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (370) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5045, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5045, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, O'Ban, Orcutt, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Springer,

Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Green, Harris, Hudgins, Kagi, Morrell, Nealey, Ormsby, Scott, Short, Smith, Stanford and Van De Wege.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5045, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5056, by Senators Honeyford, Keiser, Shin and Hewitt

Allowing a person to apply for a work permit for the employment of minors without completing a new master application under certain circumstances.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Manweller and Sells spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5056.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5056, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SENATE BILL NO. 5056, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5095, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Roach, Tom, Rivers, Becker, Holmquist Newbry, Schoesler, Ericksen, Padden, Bailey, Hill and Honeyford)

Providing proof of financial responsibility for motor vehicle operation. Revised for 1st Substitute: Providing proof of financial responsibility for motor vehicle operation. (REVISED FOR ENGROSSED: Concerning proof of required documents for motor vehicle operation.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5095.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5095, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representatives DeBolt, Freeman and Upthegrove.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5095, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5197, by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Rolfes, Litzow, Billig, Mullet, Becker, Hill, Hargrove, Braun, Honeyford, Roach and Hewitt)

Requiring additional safety features in school construction and remodeling. Revised for 2nd Substitute: Taking measures to promote safe school buildings.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Capital Budget was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hayes, Stonier, Kochmar and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5197, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5197, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SECOND SUBSTITUTE SENATE BILL NO. 5197, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5343, by Senators Bailey, Rivers, Hobbs, Kline, Mullet, Fain, Frockt, Billig, Shin, Tom, Conway and Roach

Concerning the rights of higher education students involved in military service.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist, Haler, Angel, Morrell and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5343.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5343, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SENATE BILL NO. 5343, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5369, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Kline, King, Honeyford and Mullet)

Concerning the use of geothermal resources.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives McCoy and Short spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5369, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5369, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Upthegrove.

SUBSTITUTE SENATE BILL NO. 5369, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

SENATE BILL NO. 5496, by Senators Braun, Fain, Hatfield, Hargrove, Dammeier, Chase and Kohl-Welles

Authorizing approval of online school programs in private schools.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hargrove, Stonier, Kochmar and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5496.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5496, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5496, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5396, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist Newbry, Conway, Kohl-Welles, Hatfield, Hobbs, Schoesler, Delvin and Kline)

Concerning limited on-premise spirits sampling.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

Representative Walsh spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5396.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5396, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon,

Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, O'Ban, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Springer, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Green, Harris, Hawkins, Hudgins, Kagi, Klippert, Lias, Morrell, Nealey, Orcutt, Ormsby, Orwall, Scott, Smith, Stanford, Tharinger, Van De Wege and Walsh.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5396, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5593, by Senators Smith and Parlette

Concerning filing requirements for property tax exemption claims for certain improvements to benefit fish and wildlife habitat, water quality, or water quantity.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5593.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5593, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5593, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5630, by Senate Committee on Health Care (originally sponsored by Senators Bailey, Keiser, Becker, Conway and Frockt)

Implementing recommendations of the adult family home quality assurance panel.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Health & Human Services was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5630, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5630, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5630, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5770, by Senators Honeyford, Hatfield and Hobbs

Permitting conservation districts to use electronic deposits for employee pay and compensation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko, Taylor and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5770.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5770, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5770, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5806, by Senators Smith, Rolfes, Pearson and Hargrove

Repealing an obsolete provision for a credit against property taxes paid on timber on public land.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5806.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5806, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5806, having received the necessary constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8001, by Senators Sheldon, Bailey, Holmquist Newbry, Becker, Cleveland, Carrell, Frockt, Delvin, Padden, Ericksen, Dammeier, Rivers, Benton, Honeyford, Braun, Hill, Parlette, Roach, Tom, Schoesler, King, Hewitt and Conway

Requesting that Interstate 5 be named the "Purple Heart Trail."

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hayes, Liias, Hargrove, Angel, Kochmar, Rodne and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Joint Memorial No. 8001, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8001, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE JOINT MEMORIAL NO. 8001, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329, by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Hobbs, Fain, Hatfield, Tom, Frockt and Roach)

Creating the state superintendent school district. Revised for 2nd Substitute: Assisting persistently lowest-achieving schools to become more accountable. (REVISED FOR ENGROSSED: Transforming persistently failing schools.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 9, 2013).

Representative Lytton moved the adoption of amendment (426) to the committee amendment:

On page 21, beginning on line 30 of the striking amendment, after "members." strike all material through "struggling." on line 33

Representatives Lytton and Magendanz spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (426) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Santos, Dahlquist, Lytton, Magendanz and Maxwell spoke in favor of the passage of the bill.

Representative Reykdal spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5329, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5329, as amended by the House, and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kochmar, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Roberts, Rodne, Ross, Santos, Sawyer, Seaquist, Smith, Springer, Stonier, Sullivan, Takko, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Condotta, Crouse, Fagan, Harris, Holy, Hope, Kirby, Klippert, Kretz, Kristiansen, Liias, McCoy, Nealey, Orcutt, Overstreet, Reykdal, Riccelli, Ryu, Schmick, Scott, Sells, Shea, Short, Stanford, Tarleton, Taylor, Van De Wege and Walsh.

Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SENATE BILL NO. 5701, by Senators Brown, Fain, Rivers, Dammeier and Cleveland

Authorizing the suspension or revocation of certificates or permits to teach based on the fraudulent submission of tests for educators. (REVISED FOR ENGROSSED: Authorizing penalties based on the fraudulent submission of tests for educators.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bergquist and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 5701.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 5701, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SECOND ENGROSSED SENATE BILL NO. 5701, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5149, by Senators Carrell, Conway, Padden, Pearson, Braun, Dammeier and Parlette

Concerning crimes against pharmacies.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Klippert and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5149.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5149, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Green, Ormsby and Van De Wege.

Excused: Representative DeBolt.

SENATE BILL NO. 5149, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5180, by Senate Committee on Higher Education (originally sponsored by Senators Shin, Roach, Benton, Conway, Harper, Keiser, Sheldon, McAuliffe, Hill, Hatfield, Frockt, Schlicher and Kline)

Improving access to higher education for students with disabilities.

The bill was read the second time.

Representative Scott moved the adoption of amendment (355).

On page 2, line 21, after "than" strike "twenty-nine" and insert "fifteen"

On page 2, line 23, after "(a)" strike "Seven" and insert "Five"

On page 2, line 24, after "(i)" strike "Four" and insert "Three"

On page 2, line 31, after "(ii)" strike "Three" and insert "Two"

On page 2, line 34, after "(b)" strike "Eight" and insert "Two"

On page 2, line 36, after "(i)" strike "Two representatives" and insert "One representative"

On page 2, line 37, after "instruction;" insert "and"

On page 3, beginning on line 1, after "(ii)" strike all material through "concentrations" on line 3 and insert "One representative from a local school district that has a high concentration"

On page 3, beginning on line 5, after "(c)" strike all material through "community or" on line 9 and insert "One representative from the state board for community and"

On page 3, beginning on line 11, after "(d)" strike all material through "RCW 28B.10.016" on line 13 and insert "One representative from the council of presidents"

Representatives Scott and Haler spoke in favor of the adoption of the amendment.

Representative Seaquist spoke against the adoption of the amendment.

Amendment (355) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Haler spoke in favor of the passage of the bill.

Representative Hargrove spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5180.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5180, and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Hargrove, Harris, Holy, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Overstreet, Pike, Schmick, Scott, Shea, Short, Taylor, Vick and Warnick.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5180, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5113, by Senators Bailey, Padden, Carrell, Roach, Benton and Hobbs

Concerning the enforcement of speed limits on roads within condominium associations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Liias and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5113, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5113, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Holy, Hope, Morris and Short.

Excused: Representative DeBolt.

SENATE BILL NO. 5113, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5136, by Senators Padden and Kline

Concerning electronic presentment of claims against the state arising out of tortious conduct.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 68, March 22, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5136, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5136, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Klippert.

Excused: Representative DeBolt.

SENATE BILL NO. 5136, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5258, by Senators Benton, Roach, Hasegawa, Conway, Billig, Rivers and Fraser

Aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hunt spoke in favor of the passage of the bill.

Representative Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5258.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5258, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Condotta, Crouse, Fagan, Freeman, Haler, Hargrove, Harris, Hayes, Klippert, Kristiansen, Magendanz, Manweller, Nealey, Overstreet, Parker, Pike, Scott, Shea, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative DeBolt.

SENATE BILL NO. 5258, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5258.

Representative Hayes, 10th District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5258.

Representative Smith, 10th District

SECOND READING

SENATE BILL NO. 5344, by Senators Mullet, Hobbs, Kline, Fain and Benton**Revising state statutes concerning trusts.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5344, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5344, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5344, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5359, by Senator Carrell**Concerning mandatory reporting of child abuse or neglect by supervised persons.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Freeman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5359, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5359, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5359, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5362, by Senate Committee on Commerce & Labor (originally sponsored by Senators Conway, Holmquist Newbry, Keiser and Kohl-Welles)**Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5362.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5362, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall,

Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5362, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5399, by Senate Committee on Governmental Operations (originally sponsored by Senators Dammeier, Becker, Conway, Fraser, Rivers and Nelson)

Addressing the timing of penalties under the growth management act.

The bill was read the second time.

Representative Fitzgibbon moved the adoption of amendment (354).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.300 and 1997 c 429 s 14 are each amended to read as follows:

(1) The board shall issue a final order that shall be based exclusively on whether or not a state agency, county, or city is in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW.

(2)(a) Except as provided in (b) of this subsection, the final order shall be issued within one hundred eighty days of receipt of the petition for review, or, if multiple petitions are filed, within one hundred eighty days of receipt of the last petition that is consolidated.

(b) The board may extend the period of time for issuing a decision to enable the parties to settle the dispute if additional time is necessary to achieve a settlement, and (i) an extension is requested by all parties, or (ii) an extension is requested by the petitioner and respondent and the board determines that a negotiated settlement between the remaining parties could resolve significant issues in dispute. The request must be filed with the board not later than seven days before the date scheduled for the hearing on the merits of the petition. The board may authorize one or more extensions for up to ninety days each, subject to the requirements of this section.

(3) In the final order, the board shall either:

(a) Find that the state agency, county, or city is in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW; or

(b) Find that the state agency, county, or city is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption or amendment of shoreline master programs, or chapter 43.21C RCW as it relates to adoption of plans, development regulations, and amendments thereto, under RCW 36.70A.040 or chapter 90.58 RCW, in which case the board shall remand the matter to the affected state agency, county, or city. The board shall specify a reasonable time not in excess of one hundred eighty days, or such longer period as determined by the board in cases of unusual scope or complexity, within which the state agency, county, or city shall

comply with the requirements of this chapter. The board may require periodic reports to the board on the progress the jurisdiction is making towards compliance.

(4)(a) ~~Unless the board makes a determination of invalidity ((as provided in))~~ under RCW 36.70A.302, a finding of noncompliance and an order of remand shall not affect the validity of comprehensive plans and development regulations during the period of remand.

(b) Unless the board makes a determination of invalidity, state agencies, commissions, and governing boards may not determine a county, city, or town to be ineligible or otherwise penalized in the acceptance of applications or the awarding of state agency grants or loans during the period of remand. This subsection (4)(b) applies only to counties, cities, and towns that have: (i) Delayed the initial effective date of the action subject to the petition before the board until after the board issues a final determination; or (ii) within thirty days of receiving notice of a petition for review by the board, delayed or suspended the effective date of the action subject to the petition before the board until after the board issues a final determination.

(5) Any party aggrieved by a final decision of the hearings board may appeal the decision to superior court as provided in RCW 34.05.514 or 36.01.050 within thirty days of the final order of the board. Unless the board makes a determination of invalidity under RCW 36.70A.302, state agencies, commissions, or governing boards shall not penalize counties, cities, or towns during the pendency of an appeal as provided in RCW 43.17.250.

Sec. 2. RCW 43.17.250 and 1999 c 164 s 601 are each amended to read as follows:

(1) Whenever a state agency is considering awarding grants or loans for a county, city, or town planning under RCW 36.70A.040 to finance public facilities, it shall consider whether the county, city, or town requesting the grant or loan has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(2) If a comprehensive plan, development regulation, or amendment thereto adopted by a county, city, or town has been appealed to the growth management hearings board under RCW 36.70A.280, the county, city, or town may not be determined to be ineligible or otherwise penalized in the acceptance of applications or the awarding of state agency grants or loans during the pendency of the appeal before the board or subsequent judicial appeals. This subsection (2) applies only to counties, cities, and towns that have: (a) Delayed the initial effective date of the action subject to the petition before the board until after the board issues a final determination; or (b) within thirty days of receiving notice of a petition for review by the board, delayed or suspended the effective date of the action subject to the petition before the board until after the board issues a final determination.

(3) When reviewing competing requests from counties, cities, or towns planning under RCW 36.70A.040, a state agency considering awarding grants or loans for public facilities shall accord additional preference to those counties, cities, or towns that have adopted a comprehensive plan and development regulations as required by RCW 36.70A.040. For the purposes of the preference accorded in this section, a county, city, or town planning under RCW 36.70A.040 is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations specified in RCW 36.70A.040 if the county, city, or town:

(a) Adopts or has adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040;

(b) Adopts or has adopted a comprehensive plan and development regulations before ~~((submitting a request for a grant or loan))~~ the state agency makes a decision regarding award recipients of the grants or loans if the county, city, or town failed to adopt a comprehensive plan and/or development regulations within the time periods specified in RCW 36.70A.040; or

(c) Demonstrates substantial progress toward adopting a comprehensive plan or development regulations within the time

periods specified in RCW 36.70A.040. A county, city, or town that is more than six months out of compliance with the time periods specified in RCW 36.70A.040 shall not be deemed to demonstrate substantial progress for purposes of this section.

~~((3))~~ (4) The preference specified in subsection ~~((2))~~ (3) of this section applies only to competing requests for grants or loans from counties, cities, or towns planning under RCW 36.70A.040. A request from a county, city, or town planning under RCW 36.70A.040 shall be accorded no additional preference based on subsection ~~((2))~~ (3) of this section over a request from a county, city, or town not planning under RCW 36.70A.040.

~~((4))~~ (5) Whenever a state agency is considering awarding grants or loans for public facilities to a special district requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, it shall consider whether the county, city, or town in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040 and shall apply the standards in subsection (2) of this section and the preference specified in subsection ~~((2))~~ (3) of this section and restricted in subsection ~~((3))~~ (4) of this section.

Sec. 3. RCW 43.155.070 and 2012 c 196 s 9 are each amended to read as follows:

(1) To qualify for ~~(loans or pledges)~~ financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 ~~((must have))~~ may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving ~~((a loan or loan guarantee))~~ financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 ~~((which))~~ that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 ~~((is not prohibited from receiving a loan or loan guarantee))~~ may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before ~~((submitting a request for a loan or loan guarantee))~~ executing a contractual agreement for financial assistance with the board.

(3) In considering awarding ~~(loans)~~ financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) The board must develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to assure a geographical balance in assigning priorities to projects. The board

must consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;

(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;

(g) The cost of the project compared to the size of the local government and amount of loan money available;

(h) The number of communities served by or funding the project;

(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;

(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and

(m) Other criteria that the board considers advisable.

(5) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (9) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(7) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list

recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(8) Subsection (7) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (9) of this section.

(9) Loans made for the purpose of capital facilities plans are exempted from subsection (7) of this section.

(10) To qualify for loans or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(11) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 4. RCW 70.146.070 and 2008 c 299 s 26 are each amended to read as follows:

(1) When making grants or loans for water pollution control facilities, the department shall consider the following:

(a) The protection of water quality and public health;

(b) The cost to residential ratepayers if they had to finance water pollution control facilities without state assistance;

(c) Actions required under federal and state permits and compliance orders;

(d) The level of local fiscal effort by residential ratepayers since 1972 in financing water pollution control facilities;

(e) Except as otherwise conditioned by RCW 70.146.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(f) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(g) Except as otherwise provided in RCW 70.146.120, and effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the project is sponsored by an entity that has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(h) The extent to which the applicant county or city, or if the applicant is another public body, the extent to which the county or city in which the applicant public body is located, has established programs to mitigate nonpoint pollution of the surface or subterranean water sought to be protected by the water pollution control facility named in the application for state assistance; and

(i) The recommendations of the Puget Sound partnership, created in RCW 90.71.210, and any other board, council, commission, or group established by the legislature or a state agency to study water pollution control issues in the state.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive a grant or loan for water pollution control facilities unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. A county, city, or town that has adopted a comprehensive plan and development regulations as provided in RCW 36.70A.040 may request a grant or loan for water pollution control facilities. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting ~~((or receiving))~~ a grant or loan under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 ~~((which))~~ that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW

36.70A.040 is not prohibited from receiving a grant or loan under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before ~~((submitting a request for a))~~ the department executes a contractual agreement for the grant or loan.

(3) Whenever the department is considering awarding grants or loans for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, it shall consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) After January 1, 2010, any project designed to address the effects of water pollution on Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 5. RCW 36.70A.200 and 2011 c 60 s 17 are each amended to read as follows:

(1) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW 42.17A.005, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70.146.070;

(b) A consideration for grants or loans provided under RCW 43.17.250~~((2))~~ (3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action."

Correct the title.

Representatives Fitzgibbon and Taylor spoke in favor of the adoption of the amendment.

Amendment (354) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Fitzgibbon spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5399, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5399, as amended by the House, and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liiias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Haler, Harris, Holy, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Overstreet, Parker, Ross, Scott, Shea, Short, Taylor and Vick.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5399, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5444, by Senate Committee on Governmental Operations (originally sponsored by Senators Hasegawa, Nelson, Kohl-Welles, Hobbs, Chase, Keiser and Kline)

Creating greater efficiency in the offices of county assessor by eliminating the requirement to annually appraise tax-exempt government properties. Revised for 1st Substitute: Concerning the administration of taxes regarding publicly owned property.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Nealey and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5444.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5444, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liiias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Harris, Overstreet, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5444, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5472, by Senators Bailey, Ranker, Kohl-Welles and Becker

Authorizing applied doctorate level degrees in audiology at Western Washington University.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Seaquist and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5472, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5472, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liiias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5472, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5491, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Kohl-Welles, Dammeier, Frockt, Nelson, Rolfes, Chase, Eide, Cleveland, Rivers, Hobbs, Fain, Hewitt, Murray, Kline, Billig and Conway)

Establishing statewide indicators of educational health.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 74, March 28, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier and Fagan spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5491, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5491, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Pike, Shea and Taylor.
Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5491, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5510, by Senators Becker, Keiser, Kohl-Welles, McAuliffe and Conway

Concerning the abuse of vulnerable adults.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hansen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5510, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5510, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Shea and Taylor.

Excused: Representative DeBolt.

SENATE BILL NO. 5510, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Senate Bill No. 5310.

Representative Scott, 39th District

SECOND READING

SUBSTITUTE SENATE BILL NO. 5559, by Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Tom and McAuliffe)

Authorizing educational specialist degrees at Central Washington University and Western Washington University. Revised for 1st Substitute: Authorizing educational specialist degrees at Central Washington University, Western Washington University, and The Evergreen State College.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5559.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5559, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5559, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5577, by Senate Committee on Human Services & Corrections (originally sponsored by Senator Carrell)

Protecting public employees who act ethically and legally.

The bill was read the second time.

Representative Hunt moved the adoption of amendment (373).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that ensuring public trust in government is a priority. The public expects its elected officials and state employees to adhere to the highest ethical standards during their service, and this includes a commitment to full and independent investigations, with proper penalties, in cases where the ethics in public service act is violated.

Sec. 2. RCW 42.52.410 and 1994 c 154 s 211 are each amended to read as follows:

(1) A person may, personally or by his or her attorney, make, sign, and file with the appropriate ethics board a complaint on a form provided by the appropriate ethics board. The complaint shall state the name of the person alleged to have violated this chapter or rules adopted under it and the particulars thereof, and contain such other information as may be required by the appropriate ethics board.

(2) If it has reason to believe that any person has been engaged or is engaging in a violation of this chapter or rules adopted under it, an ethics board may issue a complaint.

(3)(a) A state employee who files a complaint with the appropriate ethics board shall be afforded the protection afforded to a whistleblower under RCW 42.40.050 and 49.60.210(2), subject to the limitations of RCW 42.40.035 and 42.40.910. An agency, manager, or supervisor may not retaliate against a state employee who, after making a reasonable attempt to ascertain the correctness of the information furnished, files a complaint with the appropriate ethics board.

(b) A state employee may not be denied the protections in chapter 42.40 RCW even if the ethics board denies an investigation of the complaint.

(4) If a determination is made that a reprisal or retaliatory action has been taken against the state employee, the retaliator may be subject to a civil penalty of up to five thousand dollars.

Sec. 3. RCW 42.52.360 and 2005 c 106 s 5 are each amended to read as follows:

(1) The executive ethics board shall enforce this chapter and rules adopted under it with respect to statewide elected officers and all other officers and employees in the executive branch, boards and commissions, and institutions of higher education.

(2) The executive ethics board shall enforce this chapter with regard to the activities of university research employees as provided in this subsection.

(a) With respect to compliance with RCW 42.52.030, 42.52.110, 42.52.130, 42.52.140, and 42.52.150, the administrative process shall be consistent with and adhere to no less than the current standards in regulations of the United States public health service and the office of the secretary of the department of health and human services in Title 42 C.F.R. Part 50, Subpart F relating to promotion of objectivity in research.

(b) With respect to compliance with RCW 42.52.040, 42.52.080, and 42.52.120, the administrative process shall include a comprehensive system for the disclosure, review, and approval of outside work activities by university research employees while assuring that such employees are fulfilling their employment obligations to the university.

(c) With respect to compliance with RCW 42.52.160, the administrative process shall include a reasonable determination by the university of acceptable private uses having de minimis costs to the university and a method for establishing fair and reasonable reimbursement charges for private uses the costs of which are in excess of de minimis.

(3) The executive ethics board shall:

(a) Develop educational materials and training;

(b) Adopt rules and policies governing the conduct of business by the board, and adopt rules defining working hours for purposes of RCW 42.52.180 and where otherwise authorized under chapter 154, Laws of 1994;

(c) Issue advisory opinions;

(d) Investigate, hear, and determine complaints by any person or on its own motion;

(e) Impose sanctions including reprimands and monetary penalties;

(f) Recommend to the appropriate authorities suspension, removal from position, prosecution, or other appropriate remedy; and

(g) Establish criteria regarding the levels of civil penalties appropriate for violations of this chapter and rules adopted under it.

(4) The board may:

(a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

(b) Administer oaths and affirmations;

(c) Examine witnesses; and

(d) Receive evidence.

(5) The board shall not delegate to the board's executive director its authority to issue advisories, advisory letters, or opinions.

(6) Except as provided in RCW 42.52.220, the executive ethics board may review and approve agency policies as provided for in this chapter.

~~((6))~~ (7) This section does not apply to state officers and state employees of the judicial branch.

Sec. 4. RCW 42.52.420 and 2000 c 211 s 1 are each amended to read as follows:

(1) After the filing of any complaint, except as provided in RCW 42.52.450, the staff of the appropriate ethics board shall investigate the complaint.

~~((The investigation shall be limited to the allegations contained in the complaint.))~~ The ethics board may request the assistance of the office of the attorney general or a contract investigator in conducting its investigation.

(2) The results of the investigation shall be reduced to writing and the staff shall either make a determination that the complaint should be dismissed pursuant to RCW 42.52.425, or recommend to the board that there is or that there is not reasonable cause to believe that a violation of this chapter or rules adopted under it has been or is being committed.

(3) The board's determination on reasonable cause shall be provided to the complainant and to the person named in such complaint.

(4) The identity of a person filing a complaint under RCW 42.52.410(1) is exempt from public disclosure, as provided in RCW 42.56.240.

Sec. 5. RCW 42.52.460 and 1994 c 154 s 216 are each amended to read as follows:

Any person who has notified the appropriate ethics board and the attorney general in writing that there is reason to believe that RCW 42.52.180 is being or has been violated may, in the name of the state, bring a citizen action for any of the actions authorized under this chapter. A citizen action may be brought only if the appropriate ethics board or the attorney general have failed to commence an action under this chapter within forty-five days after notice from the person, the person has thereafter notified the appropriate ethics board and the attorney general that the person will commence a citizen's action within ten days upon their failure to commence an action, and the appropriate ethics board and the attorney general have in fact failed to bring an action within ten days of receipt of the second notice. An action is deemed to have been commenced when the appropriate ethics board or the board's executive director accepts a complaint for filing and initiates a preliminary investigation.

If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but the person shall be entitled to be reimbursed by the state of Washington for costs and attorneys' fees incurred. If a citizen's action that the court finds was brought without reasonable cause is dismissed, the court may order the person commencing the action to pay all costs of trial and reasonable attorneys' fees incurred by the defendant.

Upon commencement of a citizen action under this section, at the request of a state officer or state employee who is a defendant, the office of the attorney general shall represent the defendant if the attorney general finds that the defendant's conduct complied with this chapter and was within the scope of employment.

NEW SECTION. Sec. 6. A new section is added to chapter 42.52 RCW to read as follows:

(1) Each executive branch agency shall designate an ethics advisor or advisors to assist the agency's employees in understanding their obligations under the ethics in public service act. Agencies shall inform the executive ethics board of their designated advisors. As funding permits and as determined by the executive ethics board and the agency head, the advisors shall receive regular ethics training.

(2) Executive branch officers and employees are encouraged to attend ethics training offered by the executive ethics board at least once every thirty-six months.

Sec. 7. RCW 42.56.240 and 2012 c 88 s 1 are each amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) The statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and e-mail address; ~~(and)~~

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; and

(10) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020."

Correct the title.

Representatives Hunt and Buys spoke in favor of the adoption of the amendment.

Amendment (373) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunt and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5577, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5577, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Taylor.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5577, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1920
- HOUSE BILL NO. 1961
- HOUSE BILL NO. 1971
- HOUSE BILL NO. 1982
- HOUSE BILL NO. 2002
- HOUSE BILL NO. 2016
- HOUSE BILL NO. 2018
- HOUSE BILL NO. 2024
- SUBSTITUTE SENATE BILL NO. 5010
- SENATE BILL NO. 5083
- SENATE BILL NO. 5092
- ENGROSSED SENATE BILL NO. 5104
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5176
- SUBSTITUTE SENATE BILL NO. 5195
- ENGROSSED SENATE BILL NO. 5206
- SUBSTITUTE SENATE BILL NO. 5211
- SECOND SUBSTITUTE SENATE BILL NO. 5213
- SUBSTITUTE SENATE BILL NO. 5256
- SUBSTITUTE SENATE BILL NO. 5263
- SUBSTITUTE SENATE BILL NO. 5287
- SENATE BILL NO. 5297
- ENGROSSED SENATE BILL NO. 5305
- SUBSTITUTE SENATE BILL NO. 5315
- SUBSTITUTE SENATE BILL NO. 5381

- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405
- SENATE BILL NO. 5411
- SUBSTITUTE SENATE BILL NO. 5416
- SUBSTITUTE SENATE BILL NO. 5434
- SUBSTITUTE SENATE BILL NO. 5437
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5449
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5551
- SECOND SUBSTITUTE SENATE BILL NO. 5595
- SUBSTITUTE SENATE BILL NO. 5601
- ENGROSSED SENATE BILL NO. 5666
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5669
- SUBSTITUTE SENATE BILL NO. 5705
- SECOND SUBSTITUTE SENATE BILL NO. 5732
- SUBSTITUTE SENATE BILL NO. 5760
- SENATE BILL NO. 5775
- SENATE BILL NO. 5809

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 16, 2013, the 93rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY THIRD DAY

House Chamber, Olympia, Tuesday, April 16, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages James Itaya and Ngoc Nguyen. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance.

Representative Tarleton requested a moment of silence in memory of the victims of the bombings in Boston

The prayer was offered by Representative Norma Smith, 10th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4650, by Representatives Hunt, Dunshee, Morris, Appleton, Seaquist, Fey, Walsh, Haler, Hargrove, Stonier, Goodman, Clibborn, and Springer

WHEREAS, During May 2013, many Washingtonians will celebrate the 50th Anniversary of the nationally and globally acclaimed successes of the 1963 American Mt. Everest Expedition, because Washington climbers achieved its most notable successes, and Washingtonians enthusiastically supported this historic achievement in many ways; and

WHEREAS, Members of this Expedition are famed for four unprecedented mountaineering achievements:

(1) On May 1, Jim Whittaker, a Washington State native, climbing with Sherpa Nawang Gombu by the South Col route, became the first American to reach Everest's 29,028 foot summit, the highest point on Earth;

(2) On May 22, Willi Unsoeld, who would become a faculty member at The Evergreen State College, and Tom Hornbein, who returned from Everest to the faculty at the University of Washington School of Medicine, pioneered the unprecedented and exceptionally difficult West Ridge route to the summit and descended by the South Col route to complete the first traverse of a major Himalayan peak;

(3) A few hours earlier that same day, Lute Jerstad, a former Washington resident, and Barry Bishop of Washington D.C. reached the summit by the South Col route; and

(4) Both teams were benighted during the descent, Unsoeld and Hornbein catching up with Jerstad and Bishop. All four survived an unplanned and unprecedented all-night bivouac above 28,000 feet without oxygen, tents, or food, and Unsoeld and Bishop suffered severe frostbite; and

WHEREAS, These mountaineering achievements are successes of the human spirit, involving supreme human effort, extraordinary

physical capability and endurance, clear vision and goals, intense determination and focus, superior teamwork, high tolerance for discomfort and danger, and exceptional organizational and logistical preparation; and

WHEREAS, These mountaineering achievements are also the successes of the highly appreciated, dedicated, expert Sherpa climbers who accompanied and supported the members of the Expedition; and

WHEREAS, Human survival at the upper elevations of Mt. Everest is possible only for brief periods of time because the air contains roughly one-third of the oxygen density of sea level, temperatures are generally around negative 20 degrees Fahrenheit, and hurricane force winds are frequent; and

WHEREAS, Throughout the 109 days of the Expedition, the team steadily engaged in scientific research relating to physiology, psychology, sociology, geology, and glaciology; and

WHEREAS, The Expedition's worldwide acclaim included recognition by President Kennedy at a White House ceremony, by the National Geographic Society, by King Mahendra of Nepal, by the United States Ambassador to Nepal Henry Stebbins, by India Prime Minister Nehru, by the United States Ambassador to India John Kenneth Galbraith, by the Indian Mountaineering Foundation, by mountaineering organizations throughout the world, by major news media around the world, and more; and

WHEREAS, The people of Washington State played a very significant role in the historic successes of the Expedition, through team members with deep Washington ties, including Barry Prather of Ellensburg and John Breitenbach who attended the University of Washington and tragically died when a massive wall of ice in the Khumbu icefall shifted and buried him in tons of ice blocks; through many contributions of cash and in-kind donations from Washington businesses, organizations, and individuals; through Washington State's United States Senator Warren G. Magnuson serving on the Expedition's Advisory Committee; through the Expedition's training and equipment testing taking place at Mount Rainier; and more; and

WHEREAS, Washingtonians' outdoor recreation heritage of hiking, climbing, and camping in the State's extensive mountain ranges, and the widespread appreciation by Washingtonians of the State's beautiful mountains and stately snowy peaks, served as the inspiration for and enthusiastic support of the Expedition in 1963;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives, on the occasion of the 50th Anniversary of the historic first American ascent of Mt. Everest:

(1) Congratulate members of this historic Expedition Jim Whittaker, Nawang Gombu, Willi Unsoeld, Tom Hornbein, Lute Jerstad, Barry Bishop, and all those who supported them;

(2) Express appreciation to all Washingtonians, to the hundreds of others from around the country who assisted its achievements, and to Norman G. Dyhrenfurth who, with his determination and genius, organized and led the Expedition; and

(3) Encourage Washingtonians to continue to engage in outdoor recreation in Washington's welcoming mountain ranges and to continue to appreciate their splendor and be inspired to greatness by them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of

Representatives to Jim Whittaker, Jolene Unsoeld, Tom Hornbein, Norman G. Dyhrenfurth, to the other four surviving members of the team, and to the surviving widows or nearest of kin of the team members now deceased.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4650.

HOUSE RESOLUTION NO. 4650 was adopted.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

- SUBSTITUTE SENATE BILL NO. 5021
- SENATE BILL NO. 5025
- SENATE BILL NO. 5046
- SUBSTITUTE SENATE BILL NO. 5077
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5110
- SENATE BILL NO. 5114
- SENATE BILL NO. 5142
- SUBSTITUTE SENATE BILL NO. 5165
- SENATE BILL NO. 5186
- SENATE BILL NO. 5207
- SUBSTITUTE SENATE BILL NO. 5210
- SENATE BILL NO. 5212
- SENATE BILL NO. 5235
- SUBSTITUTE SENATE BILL NO. 5274
- SENATE BILL NO. 5302
- SUBSTITUTE SENATE BILL NO. 5316
- SUBSTITUTE SENATE BILL NO. 5332
- SUBSTITUTE SENATE BILL NO. 5352
- SUBSTITUTE SENATE BILL NO. 5400
- SENATE BILL NO. 5466
- SUBSTITUTE SENATE BILL NO. 5517
- SENATE BILL NO. 5541
- SUBSTITUTE SENATE BILL NO. 5568
- SECOND SUBSTITUTE SENATE BILL NO. 5624
- SENATE BILL NO. 5627
- SENATE BILL NO. 5712
- SENATE BILL NO. 5751
- SUBSTITUTE SENATE BILL NO. 5774
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5849
- SUBSTITUTE HOUSE BILL NO. 1034
- HOUSE BILL NO. 1035
- HOUSE BILL NO. 1056
- HOUSE BILL NO. 1109
- HOUSE BILL NO. 1112
- HOUSE BILL NO. 1113
- HOUSE BILL NO. 1146
- HOUSE BILL NO. 1182
- HOUSE BILL NO. 1209
- HOUSE BILL NO. 1213
- SUBSTITUTE HOUSE BILL NO. 1307
- HOUSE BILL NO. 1311
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1325
- SUBSTITUTE HOUSE BILL NO. 1343
- SUBSTITUTE HOUSE BILL NO. 1376
- ENGROSSED HOUSE BILL NO. 1396
- HOUSE BILL NO. 1469
- SECOND SUBSTITUTE HOUSE BILL NO. 1518
- HOUSE BILL NO. 1533
- SUBSTITUTE HOUSE BILL NO. 1537

- HOUSE BILL NO. 1565
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1625
- HOUSE BILL NO. 1639
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1647
- SUBSTITUTE HOUSE BILL NO. 1686
- HOUSE BILL NO. 1770
- HOUSE BILL NO. 1790
- SUBSTITUTE HOUSE BILL NO. 1806
- SUBSTITUTE HOUSE BILL NO. 1836
- HOUSE BILL NO. 1860
- SUBSTITUTE HOUSE BILL NO. 1886
- SUBSTITUTE HOUSE BILL NO. 1889
- HOUSE BILL NO. 1937
- HOUSE BILL NO. 1006
- HOUSE BILL NO. 1108
- HOUSE BILL NO. 1124
- SUBSTITUTE HOUSE BILL NO. 1141
- HOUSE BILL NO. 1148
- HOUSE BILL NO. 1154
- HOUSE BILL NO. 1175
- SUBSTITUTE HOUSE BILL NO. 1192
- SUBSTITUTE HOUSE BILL NO. 1327
- HOUSE BILL NO. 1351
- ENGROSSED HOUSE BILL NO. 1400
- HOUSE BILL NO. 1404
- SUBSTITUTE HOUSE BILL NO. 1435
- SUBSTITUTE HOUSE BILL NO. 1512
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524
- ENGROSSED HOUSE BILL NO. 1677
- SUBSTITUTE HOUSE BILL NO. 1752
- SUBSTITUTE HOUSE BILL NO. 1853
- HOUSE BILL NO. 1903
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1944

The Speaker called upon Representative Moeller to preside

MESSAGES FROM THE SENATE

April 15, 2013

MR. SPEAKER:

The Senate has passed:

- HOUSE BILL NO. 1124
- HOUSE BILL NO. 1175
- SUBSTITUTE HOUSE BILL NO. 1327
- HOUSE BILL NO. 1351
- SUBSTITUTE HOUSE BILL NO. 1512
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524
- SUBSTITUTE HOUSE BILL NO. 1752
- HOUSE BILL NO. 1903

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 15, 2013

MR. SPEAKER:

The Senate has passed:

- HOUSE BILL NO. 1006
- HOUSE BILL NO. 1108
- SUBSTITUTE HOUSE BILL NO. 1141
- HOUSE BILL NO. 1148
- HOUSE BILL NO. 1154
- SUBSTITUTE HOUSE BILL NO. 1192
- ENGROSSED HOUSE BILL NO. 1400
- HOUSE BILL NO. 1404
- SUBSTITUTE HOUSE BILL NO. 1435
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515

ENGROSSED HOUSE BILL NO. 1677
 SUBSTITUTE HOUSE BILL NO. 1853
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1944

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 15, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110
 SENATE BILL NO. 5302
 SUBSTITUTE SENATE BILL NO. 5316
 SUBSTITUTE SENATE BILL NO. 5332
 SUBSTITUTE SENATE BILL NO. 5568
 SECOND SUBSTITUTE SENATE BILL NO. 5624
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5849

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2031 by Representatives Green, Ormsby, Reykdal, Appleton, Lytton and Moeller

AN ACT Relating to prohibiting certain employer communications about political or religious matters; adding new sections to chapter 49.44 RCW; and creating a new section.

Referred to Committee on Labor & Workforce Development.

HB 2032 by Representatives Green, Ormsby, Reykdal, Appleton and Moeller

AN ACT Relating to achieving economic security through income sufficient to meet basic needs; amending RCW 49.46.005 and 49.46.020; and providing for submission of this act to a vote of the people.

Referred to Committee on Labor & Workforce Development.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1864, by Representatives Clibborn, Liias, Ryu and Fey

Making transportation appropriations for the 2011-2013 and 2013-2015 fiscal biennia.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1864 was substituted for House Bill No. 1864 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1864 was read the second time.

With the consent of the house, amendments (412), (416), (417), (420) and (421) were withdrawn.

MOTIONS

On motion of Representative Harris, Representatives DeBolt and Kretz were excused. On motion of Representative Van De Wege, Representative Freeman was excused.

Representative Klippert moved the adoption of amendment (433).

On page 7, after line 5, insert the following:

"(3) \$250,000 of the motor vehicle account--state appropriation is provided solely for the joint transportation committee to coordinate an analysis of potential savings and benefits by consolidating law enforcement and emergency dispatching centers within the state of Washington. The analysis must consider different governing structures to coordinate and manage dispatching services in specific regions within the state. The analysis must review other states that are similar in size and population to gain an understanding of how other states have coordinated their dispatching centers and benefits that might be gained by employing some of the same processes within Washington.

The final report from the analysis must:

- (a) Provide an inventory of the existing dispatch centers in the state along with staffing levels, funding, and services provided;
- (b) Provide a list of dispatch centers that would benefit from consolidation and the centers that would not benefit and why;
- (c) Provide options for a governing board to consolidate and oversee the new dispatch center structure;
- (d) Identify any potential benefits and improved services to the public to be derived by consolidating dispatch centers;
- (e) Identify any potential savings through consolidating communication systems, facilities, and staffing;
- (f) Identify any technology and communication challenges that may require special expertise during the consolidation phase; and
- (g) Provide cost estimates for the consolidation and on-going operations of the proposed restructuring of the state's dispatch centers.

The final report must be delivered to the speaker of the house of representatives and the lieutenant governor of the senate by November 1, 2014."

Representatives Klippert and Clibborn spoke in favor of the adoption of the amendment.

Representative Morris spoke against the adoption of the amendment.

Amendment (433) was adopted.

Representative Clibborn moved the adoption of amendment (434).

On page 7, line 7, increase the Motor Vehicle Account--State Appropriation by \$174,000

On page 7, line 10, correct the total

On page 9, after line 23, insert the following:

"(7) \$174,000 of the motor vehicle account--state appropriation is provided solely for the voice of Washington survey program. The funding shall be utilized for the continued program maintenance and two transportation surveys for the 2013-2015 fiscal biennium."

On page 87, line 24, decrease the Motor Vehicle Account--State Appropriation by \$95,000

On page 87, line 27, correct the total

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment.

Amendment (434) was adopted.

Representative Angel moved the adoption of amendment (386).

Beginning on page 7, line 13, strike all of subsections (1) through (4)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 9, after line 23, insert the following:

"(7) It is the intent of the legislature to not delegate ferry fare or toll rate setting but to retain the authority to set fees as set forth in Initiative Measure No. 1185 as adopted by the voters in the November 6, 2012, general election."

Beginning on page 87, line 30, after "(1)" strike all material through "(3)" on page 88, line 13 and insert "((Consistent with RCW 43.135.055, 47.60.290, and 47.60.315, during the 2011-2013 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of fares for the Washington state ferry system only in amounts not greater than those sufficient to generate the amount of revenue required by the biennial transportation budget. When adjusting ferry fares, the commission must consider input from affected ferry users by public hearing and by review with the affected ferry advisory committees, in addition to the data gathered from the current ferry user survey.

(2) Consistent with RCW 43.135.055 and 47.46.100, during the 2011-2013 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of toll charges applicable to the Tacoma Narrows bridge only in amounts not greater than those sufficient to support (a) any required costs for operating and maintaining the toll bridge, including the cost of insurance, (b) any amount required by law to meet the redemption of bonds and applicable interest payments, and (c) repayment of the motor vehicle fund.

(3)) It is the intent of the legislature to not delegate ferry fare or toll rate setting but to retain the authority to set fees as set forth in Initiative Measure No. 1185 as adopted by the voters in the November 6, 2012, general election.

(2)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Angel and Orcutt spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (386) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 53; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kochmar, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban,

Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Kretz.

Amendment (386) was not adopted.

Representative Takko moved the adoption of amendment (414).

On page 9, line 29, increase the State Patrol Highway Account--State Appropriation by \$370,000

On page 10, line 3, correct the total

On page 11, after line 22, insert the following:

"(12) \$370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(5) of this act. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera infraction fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in roadway construction zones."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 19, after line 30, insert the following:

"(5) The department, in consultation with the Washington state patrol, must continue a pilot program for the state patrol to issue infractions based on information from automated traffic safety cameras in roadway construction zones on state highways. For the purpose of this pilot program, during the 2013-2015 fiscal biennium, a roadway construction zone includes areas where public employees or private contractors may be present or where a driving condition exists that would make it unsafe to drive at higher speeds, such as, when the department is redirecting or realigning lanes on any public roadway pursuant to ongoing construction. The department shall use the following guidelines to administer the program:

(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(b) The department shall plainly mark the locations where the automated traffic safety cameras are used by placing signs on locations that clearly indicate to a driver that he or she is entering a roadway construction zone where traffic laws are enforced by an automated traffic safety camera;

(c) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(d) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving

notification of the violation, mails to the patrol, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner, or any other extenuating circumstances;

(e) For purposes of the 2013-2015 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (3) for an infraction generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

(f) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction must be dismissed against the business if it mails to the patrol, within fourteen days of receiving the notice, a declaration under penalty of perjury of the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under penalty of perjury to this effect. The declaration must be mailed to the patrol within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must be included with each automated traffic safety camera infraction notice issued, along with instructions for its completion and use."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 82, after line 13, insert the following:

"**NEW SECTION. Sec. 711.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are each reenacted and amended to read as follows:

(1) The use of automated traffic safety cameras for issuance of notices of infraction is subject to the following requirements:

(a) The appropriate local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located: (i) Before enacting an ordinance allowing for the initial use of automated traffic safety cameras; and (ii) before adding additional cameras or relocating any existing camera to a new location within the jurisdiction. Automated traffic safety cameras may be used to detect one or more of the following: Stoplight, railroad crossing, or school speed zone violations. At a minimum, the local ordinance must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to enact an authorizing ordinance. Beginning one year after June 7, 2012, cities and counties using automated traffic safety cameras must post an annual report of the number of traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the city or county deems appropriate on the city's or county's web site.

(b) Use of automated traffic safety cameras is restricted to the following locations only: (i) Intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.

(c) During the 2011-2013 fiscal biennium, automated traffic safety cameras may be used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011 if the local legislative authority first enacts an ordinance authorizing the use of cameras to detect speed violations.

(d) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties shall consider installing cameras in a manner that minimizes the impact of camera flash on drivers.

(e) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (3)(a) of this section. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(f) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (3) of this section. If appropriate under the circumstances, a renter identified under subsection (3)(a) of this section is responsible for an infraction.

(g) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(h) All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(i) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(2) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120,

and 46.20.270(3). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal violation detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments.

(3) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(4) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(5) For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit in a school speed zone as detected by a speed measuring device. During the 2011-2013 fiscal biennium, an automated traffic safety camera includes a camera used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011.

(6) During the 2011-2013 and 2013-2015 fiscal (~~biennium~~) biennia, this section does not apply to automated traffic safety cameras for the purposes of (~~section 216(5), chapter 367, Laws of 2011~~) section 216(5) of this act."

On page 90, line 2, increase the State Patrol Highway Account--State Appropriation by \$370,000

On page 90, line 11, correct the total

On page 90, beginning on line 31, after "(3)" strike all material through "(4)" on page 32, line 10 and insert the following:

"\$370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(5) (~~of this act~~), chapter 86, Laws of 2012. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the Washington state department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three

hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in the roadway construction zones.

(4) ("

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 107, beginning on line 15, after "(5)" strike all material through "(6))" on page 108, line 34 and insert the following:

"The department, in consultation with the Washington state patrol, must continue a pilot program for the patrol to issue infractions based on information from automated traffic safety cameras in roadway construction zones on state highways. The department must report to the joint transportation committee by January 1, 2012, and January 1, 2013, on the status of this pilot program. For the purpose of this pilot program, during the 2011-2013 fiscal biennium, a roadway construction zone includes areas where public employees or private contractors may be present or where a driving condition exists that would make it unsafe to drive at higher speeds, such as, when the department is redirecting or realigning lanes on any public roadway pursuant to ongoing construction. The department shall use the following guidelines to administer the program:

(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(b) The department shall plainly mark the locations where the automated traffic safety cameras are used by placing signs on locations that clearly indicate to a driver that he or she is entering a roadway construction zone where traffic laws are enforced by an automated traffic safety camera;

(c) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(d) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving notification of the violation, mails to the patrol, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner, or any other extenuating circumstances;

(e) For purposes of the 2011-2013 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (5) for an infraction generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

(f) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction must be dismissed against the business if it mails to the patrol, within fourteen days of receiving the notice, a declaration under penalty of perjury of the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under penalty of perjury to this effect. The declaration must be mailed to the patrol within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must

be included with each automated traffic infraction notice issued, along with instructions for its completion and use.

(6)"

Representative Takko spoke in favor of the adoption of the amendment.

Representatives Overstreet, Hayes and Holy spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (414) and the amendment was adopted by the following vote: Yeas, 50; Nays, 45; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kochmar, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Kirby, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Reykdal, Rodne, Ross, Sawyer, Schmick, Scott, Shea, Short, Smith, Taylor, Upthegrove, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt, Freeman and Kretz.

Amendment (414) was adopted.

Representative Lias moved the adoption of amendment (408).

On page 11, line 21, after "providing" insert "his or her return time and"

Representatives Lias and Orcutt spoke in favor of the adoption of the amendment.

Amendment (408) was adopted.

Representative Farrell moved the adoption of amendment (425).

On page 19, beginning on line 17, after "(4)" strike all material through "signs" on line 30 and insert "(a) Upon receipt of funding from the city of Kenmore, the department shall erect guide signs along interstate 5, interstate 405, and state route 522 directing travelers to Bastyr University and Kenmore International Air Harbor.

(b) Within existing resources, and only if the department is replacing existing signs, the department shall erect:

(i) Guide signs on interstate 405 northbound and southbound that include the city of Kenmore; and

(ii) Overhead signs on interstate 5 northbound and southbound that include the city of Kenmore"

Representatives Farrell and Orcutt spoke in favor of the adoption of the amendment.

Amendment (425) was adopted.

Representative Klippert moved the adoption of amendment (411).

On page 25, after line 34, insert the following:

"(8) An affected urban growth area that has not previously implemented a commute trip reduction program as of the effective date of this act is exempt from the requirements in RCW 70.94.527."

Representatives Klippert, Clibborn and Orcutt spoke in favor of the adoption of the amendment.

Amendment (411) was adopted.

Representative Condotta moved the adoption of amendment (415).

On page 29, line 28, increase the Motor Vehicle Account--State Appropriation by \$17,000,000

On page 29, line 29, correct the total

On page 30, after line 18, insert the following:

"(3) \$17,000,000 of the motor vehicle account--state appropriation is provided solely for costs associated with the construction and consolidation of facilities identified as high priority replacement projects in the facilities oversight plan prepared for the governor and the joint transportation committee of the legislature and dated September 1, 2012. \$16,500,000 of this appropriation must be held in unallotted status until the office of financial management deems that revenue applicable to the sale of identified surplus property is sufficient to cover project expenditures. The Wenatchee administrative building and the Leavenworth and Blewett section maintenance facility projects are to be included in a pilot demonstration project funded by this appropriation. Revenue offsetting this appropriation is anticipated to come from the sale of properties owned by the department but no longer needed for transportation purposes. A portion of the appropriation in this section may be used to prepare, market, and sell the properties providing the offsetting revenue for this appropriation. Proceeds from the sale of these properties must be deposited in the motor vehicle account. The department shall report to the office of financial management and the transportation committees of the legislature the results of the pilot demonstration project, as well as suggestions to improve the process as a part of the department's annual facilities oversight report update."

Representatives Condotta and Clibborn spoke in favor of the adoption of the amendment.

Amendment (415) was adopted.

Representative Pike moved the adoption of amendment (423).

On page 31, line 38, after "(400506A)." insert "The funding provided may only be spent on preparing a supplemental environmental impact statement."

On page 32, beginning on line 1, after "(b)" strike all material through "July 1, 2014" on page 33, line 20, and insert "The legislature finds that the design alternative selected by the state department of transportation, the federal highway administration, and the federal transit administration for a new Interstate 5 bridge that connects Vancouver, Washington to Portland, Oregon is not acceptable as currently designed. As stated by an independent review panel of the Columbia river crossing project, "Complexities in design and construction produce great uncertainties in ultimate costs required and, even under full available funding, the time to construct will be lengthy, further increasing risk of affordability." The legislature further finds that:

(i) The United States coast guard has not approved the design alternative due to a lack of clearance between the Columbia river and the bridge deck, which will adversely affect the free movement of maritime freight and future economic development;

(ii) The inclusion of light rail in the design alternative results in a cost increase to the project of over nine hundred twenty-five million dollars for taxpayers, while imposing a commute time penalty of one hundred twenty-five percent for Vancouver transit riders;

(iii) The citizens of Clark county voted in November 2012 not to fund the costs of operating and maintaining light rail;

(iv) The current design alternative will not reduce congestion as it only offers three full span vehicular lanes in each direction, which is the same as the current Interstate 5 bridge; and

(v) The current contractor responsible for the environmental impact statement has repeatedly exceeded the deadlines and budgetary constraints.

(c) Therefore, it is the intent of the legislature that no funds be spent to further the selected design alternative as described in the December 7, 2011, record of decision. Within the amounts provided for the Columbia river crossing project, the department must prepare a new design alternative and a supplemental environmental impact statement, that should be completed in not more than twelve months, that includes the following:

(i) A clearance height between the bridge deck and the Columbia river that accommodates all existing and future river users and accommodates those river users' reasonable and foreseeable future needs;

(ii) A third bridge in addition to the Interstate 5 and Interstate 205 bridges to accommodate additional lanes of traffic. The design alternative must not include light rail. Any new design must either expand general lane capacity or create a measurable improvement of congestion and commute times; and

(iii) Consider the inclusion of a reversible span that will help move traffic during peak commute hours.

(d) The department is prohibited from utilizing the current contractor on the Columbia river crossing project to complete or assist with preparation of the supplemental environmental impact statement.

(e) The department shall maximize federal funds available for the design, construction, or other costs relating to the bridge structure, general purpose lanes, and bridge landings.

(f) It is the intent of the legislature that Washington and Oregon have equal funding commitments and equal total expenditures to date on the shared components of the Columbia river crossing project. The department shall provide quarterly reports on this project, beginning June 31, 2013. The report shall include:

(i) The status of the supplemental environmental impact statement, which must include updated expenditures and project timeframes;

(ii) Identification of shared and non-shared portions of the project; and

(iii) Amounts expended to date by the state of Washington and the state of Oregon on each respective states' non-shared obligations.

(g) It is also the intent of the legislature that Washington and Oregon have equal funding commitments and equal total expenditures on any the portions of the Columbia river crossing project which have not already been designated as shared project responsibilities. It is further the intent of the legislature that Washington state shall in no way be obligated to pay, either directly or indirectly, for improvements or construction to any interchanges, roads, or any other part of the project within the state of Oregon, other than those portions including the bridge and approaches which have to date been designated as shared project responsibilities"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Pike, Orcutt, Scott, Pike (again) and Harris spoke in favor of the adoption of the amendment.

Representatives Clibborn and Wylie spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (423) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 53; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Orwall, Overstreet, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Excused: Representatives DeBolt, Freeman and Kretz.

Amendment (423) was not adopted.

Representative Riccelli moved the adoption of amendment (413).

On page 35, line 33, after "(600010A & 600003A)." insert "Any future savings on the projects must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane Corridor projects or any future phase of the projects."

Representatives Riccelli, Orcutt and Shea spoke in favor of the adoption of the amendment.

Amendment (413) was adopted.

Representative Liias moved the adoption of amendment (419).

On page 45, line 11, increase the Motor Vehicle Account--State Appropriation by \$5,200,000

On page 45, line 19, correct the total

On page 46, line 24, after "appropriation" insert ", \$5,200,000 of the motor vehicle account--state appropriation,"

On page 46, line 31, after "act." insert "The motor vehicle account--state appropriation is the amount made available by the repeal of the deduction from motor vehicle fuel tax liability for handling losses of motor vehicle fuel, which is provided by RCW 82.36.029."

Representatives Liias and Orcutt spoke in favor of the adoption of the amendment.

Amendment (419) was adopted.

Representative Clibborn moved the adoption of amendment (427).

On page 45, line 11, decrease the Motor Vehicle Account--State Appropriation by \$500,000

On page 45, line 14, increase the Freight Mobility Multimodal Account--State Appropriation by \$500,000

On page 45, line 19, correct the total

On page 46, line 32, after "(5)" strike "\$584,000" and insert "\$84,000"

On page 46, line 36, after "appropriation," strike "\$9,236,000" and insert "\$9,736,000"

On page 51, after line 13, insert the following:

"(12) Multimodal Transportation Account--State Appropriation: For transfer to the State Patrol Highway Account--State . . . \$5,000,000"

On page 67, line 22, after "to" strike "\$3,867,000" and insert "\$4,680,000"

On page 73, after line 30, insert the following:

"**NEW SECTION. Sec. 614.** To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made prior to the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation."

On page 82, after line 13, insert the following:

"**Sec. 711.** RCW 46.20.745 and 2012 c 183 s 10 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the 2013-2015 fiscal biennium, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW

46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720."

On page 114, line 32, after "(4)" strike "\$8,942,000" and insert "~~(\$8,942,000)~~\$6,453,000"

On page 115, line 9, after "(a)" strike "\$40,000,000" and insert "~~(\$40,000,000)~~\$33,802,000"

On page 155, at the beginning of line 32, strike "\$6,299,000" and insert "\$6,221,000"

Correct the title.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment.

Amendment (427) was adopted.

Representative Rodne moved the adoption of amendment (376).

On page 47, after line 4, insert the following:

"(6) Within existing resources, the department shall compile a report on safe routes to schools which must include, but is not limited to, an outcomes review of completed projects, a status report on currently funded projects, and an inventory of routes eligible for future funding. The inventory of routes eligible for future funding must detail the current safety level of the routes using available data. The department shall submit the report to the transportation committees of the legislature by January 1, 2014."

Representatives Rodne and Shea spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

Amendment (376) was not adopted.

Representative Liias moved the adoption of amendment (418).

On page 47, after line 4, insert the following:

"(6) Sufficient amounts are appropriated within this section to implement chapter . . . (Substitute House Bill No. 1420), Laws of 2013 (public contracts for transportation improvement projects)."

Representatives Liias and Orcutt spoke in favor of the adoption of the amendment.

Amendment (418) was adopted.

Representative Orcutt moved the adoption of amendment (424).

On page 73, after line 30, insert the following:

"**NEW SECTION. Sec. 614.** The department of transportation shall expend any savings on a project on the correction of fish-passage barriers on rivers or streams affected by the project. If there are no fish-passage barriers on rivers or streams affected by the project, the department of transportation shall expend any savings on a project on the correction of fish-passage barriers on rivers or streams in the same water resource inventory area as the project. If there are no fish-passage barriers on rivers or streams in the same water resource inventory area as the project, the department of transportation shall expend any savings on a project in the Puget Sound region on the correction of fish-passage barriers on rivers or streams within the Puget Sound region, any savings on a project on the Olympic peninsula on the correction of fish-passage barriers on rivers or streams on the Olympic peninsula,

and any savings on a project in a particular basin that is not located in the Puget Sound region or on the Olympic peninsula on the correction of fish-passage barriers on rivers or streams within that basin."

Representatives Orcutt and Wilcox spoke in favor of the adoption of the amendment.

Representative Liias spoke against the adoption of the amendment.

Amendment (424) was not adopted.

Representative Pedersen moved the adoption of amendment (422).

On page 82, after line 13, insert the following:

"**Sec. 711.** RCW 90.58.140 and 2012 c 84 s 2 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and this chapter.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (11) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that notice of the application is given by at least one of the following methods:

(a) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(b) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(c) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning an application as expeditiously as possible after the issuance of the decision, may submit the comments or requests for decisions to the local government within thirty days of the last date the notice is to be published pursuant to this subsection. The local government shall forward, in a timely manner following the issuance of a decision, a

copy of the decision to each person who submits a request for the decision.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section; or until all review proceedings are terminated if the proceedings were initiated within twenty-one days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b)(i) In the case of any permit or decision to issue any permit to the state of Washington, department of transportation, for the replacement of the floating bridge and landings of the state route number 520 Evergreen Point bridge on or adjacent to Lake Washington, the construction may begin twenty-one days from the date of filing. Any substantial development permit granted for the floating bridge and landings is deemed to have been granted on the date that the local government's decision to grant the permit is issued. This authorization to construct is limited to only those elements of the floating bridge and landings that do not preclude the department of transportation's selection of a four-lane alternative for state route number 520 between Interstate 5 and Medina. Additionally, the Washington state department of transportation shall not engage in or contract for any construction on any portion of state route number 520 between Interstate 5 and the western landing of the floating bridge until the legislature has authorized the imposition of tolls on the Interstate 90 floating bridge and/or other funding sufficient to complete construction of the state route number 520 bridge replacement and HOV program. For the purposes of this subsection (5)(b), the "western landing of the floating bridge" means the least amount of new construction necessary to connect the new floating bridge to the existing state route number 520 and anchor the west end of the new floating bridge;

(ii) Nothing in this subsection (5)(b) precludes the shoreline hearings board from concluding that the project or any element of the project is inconsistent with the goals and policies of the shoreline management act or the local shoreline master program;

(iii) This subsection (5)(b) applies retroactively to any appeals filed after January 1, 2012, and to any appeals filed on or after March 23, 2012, and expires June 30, ~~(2014)~~2015.

(c) Except as authorized in (b) of this subsection, construction may be commenced no sooner than thirty days after the date of the appeal of the board's decision is filed if a permit is granted by the local government and (i) the granting of the permit is appealed to the shoreline hearings board within twenty-one days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW. The appellant may request, within ten days of the filing of the appeal with the court, a hearing before the court to determine whether construction pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board should not commence. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would involve a significant, irreversible damaging of the environment, the court shall prohibit the permittee from commencing the construction pursuant to the approved or revised permit until all review proceedings are final. Construction pursuant to a permit

revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(d) Except as authorized in (b) of this subsection, if the permit is for a substantial development meeting the requirements of subsection (11) of this section, construction pursuant to that permit may not begin or be authorized until twenty-one days from the date the permit decision was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to (a), (b), (c), or (d) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any decision on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. This shall be accomplished by return receipt requested mail. A petition for review of such a decision must be commenced within twenty-one days from the date of filing of the decision.

(a) With regard to a permit other than a permit governed by subsection (10) of this section, "date of filing" as used in this section refers to the date of actual receipt by the department of the local government's decision.

(b) With regard to a permit for a variance or a conditional use governed by subsection (10) of this section, "date of filing" means the date the decision of the department is transmitted by the department to the local government.

(c) When a local government simultaneously transmits to the department its decision on a shoreline substantial development with its approval of either a shoreline conditional use permit or variance, or both, "date of filing" has the same meaning as defined in (b) of this subsection.

(d) The department shall notify in writing the local government and the applicant of the date of filing by telephone or electronic means, followed by written communication as necessary, to ensure that the applicant has received the full written decision.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) Any permit for a variance or a conditional use issued with approval by a local government under their approved master program must be submitted to the department for its approval or disapproval.

(11)(a) An application for a substantial development permit for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (a)(i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(ii) Will serve an existing use in compliance with this chapter; and

(iii) Will not extend more than twenty-five hundred linear feet within the shorelines of the state."

Representative Pedersen spoke in favor of the adoption of the amendment.

Representatives Orcutt and Hunter spoke against the adoption of the amendment.

Amendment (422) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn, Liias, Moscoso, Angel, Fey, Johnson, Takko, Wilcox and Riccelli spoke in favor of the passage of the bill.

Representatives Orcutt, Hargrove, Rodne and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1864.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1864, and the bill passed the House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hawkins, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi,

Kirby, Kochmar, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hayes, Holy, Hope, Klippert, Kretz, Kristiansen, Magendanz, Nealey, Orcutt, Overstreet, Pike, Rodne, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor and Vick.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1864, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5702, by Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Pearson and Ranker)

Concerning aquatic invasive species.

The bill was read the second time.

With the consent of the house, amendment (367) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5702.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5702, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Magendanz.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5702, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5702.

Representative Overstreet, 42nd District

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5709, by Senate Committee on Ways & Means (originally sponsored by Senators Smith, Ericksen, Sheldon, Holmquist Newbry, Dammeier, Brown and Roach)

Concerning a pilot program to demonstrate the feasibility of using densified biomass to heat public schools.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 79, April 2, 2013).

Representative Short moved the adoption of amendment (383) to the committee amendment:

On page 2, beginning on line 19 of the amendment, after "district" strike all material through "state" on line 21 and insert "east of the crest of the Cascade mountains and one must be located in a district west of the crest of the Cascade mountains. The school district east of the crest of the Cascade mountains must be located in a county that shares an international border or borders the state of Idaho."

Representatives Short and Upthegrove spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (383) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Short, Upthegrove and Buys spoke in favor of the passage of the bill.

POINT OF PARLIAMENTARY INQUIRY

Representative Fey: "I serve as director of the Washington State University Extension Energy Program, a position I have held for the past eleven years. The program provides energy efficiency and renewable energy services to state and local governments and the private sector, and also implements programs at the direction of the legislature. Engrossed Substitute Senate Bill 5709 directs the WSU energy program to develop and initiate a pilot program to use densified biomass to heat two public schools. The development of this program is subject to receipt of federal and private funds. The bill also authorizes the WSU energy program to contract with other entities for implementation of the pilot program. I have had no involvement in this legislation, either as a member of the House or as Director of the WSU energy program. My compensation as Director will not be affected by the legislation. Any contract related to implementation would be handled by the contract office at WSU Pullman and not by the energy program office. Under these circumstances, do I have a

private interest in the proposed legislation which requires my recusal from voting?"

SPEAKER'S RULING

Mr. Speaker: "Rule 19(D), which is based on article 2, section 30 of the Washington Constitution, provides that no member shall vote on any question which affects that member privately and particularly. The Speaker notes that the Washington Legislature is, by constitutional design, a citizen legislature. This design is based on the premise that the people of Washington are best represented by members who are concurrently engaged in outside employment and activities, and can bring this real world experience and expertise to bear on the issues before this body. Members of a citizen legislature will often encounter circumstances where the subject matter of legislation has some impact on outside employment. Whether that impact rises to the level where recusal is warranted depends on whether the benefit to the member is direct or indirect, as well as whether it is unique to the member or flows from membership in a class. In this instance, you had no involvement in development of the proposed legislation, and will receive no personal benefit from its enactment. The Speaker finds that you do not have a private or particular interest requiring you to abstain from voting."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5709, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5709, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5709, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5565, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Keiser, Harper, Nelson, Kohl-Welles, McAuliffe and Kline)

Concerning background checks for individuals seeking a license under chapter 74.13 RCW or unsupervised access to children.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 3, 2013).

Representative Shea moved the adoption of amendment (445) to the committee amendment:

On page 1, line 5, after "serves." insert "The legislature also recognizes that a goal of the department of early learning is to keep children safe when children attend child care or early learning programs.

On page 1, line 7, after "services" insert "and the department of early learning"

On page 1, line 9, after "RCW" insert ", chapter 43.215 RCW,"

On page 1, line 14, after "RCW" insert ", chapter 43.215 RCW,"

On page 1, line 18, after "system" insert "or child care and early learning providers"

On page 7, after line 20, insert the following:

"Sec. 6. RCW 43.215.215 and 2011 c 295 s 2 are each amended to read as follows:

(1) In determining whether an individual is of appropriate character, suitability, and competence to provide child care and early learning services to children, the department may consider the history of past involvement of child protective services or law enforcement agencies with the individual for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of a child. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes. No unfounded or inconclusive allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.

(2) In order to determine the suitability of individuals newly applying for an agency license, new licensees, their new employees, and other persons who newly have unsupervised access to children in care, shall be fingerprinted.

(a) The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history record check.

(b)(i) Effective July 1, 2012, all individuals applying for first-time agency licenses, all new employees, and other persons who have not been previously qualified by the department to have unsupervised access to children in care must be fingerprinted and obtain a criminal history record check pursuant to this section.

(ii) Persons required to be fingerprinted and obtain a criminal [history] record check pursuant to this section must pay for the cost of this check as follows: The fee established by the Washington state patrol for the criminal background history check, including the cost of obtaining the fingerprints; and a fee paid to the department for the cost of administering the individual-based/portable background check clearance registry. The fee paid to the department must be deposited into the individual-based/portable background check clearance account established in RCW 43.215.218. The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(c) The director shall use the fingerprint criminal history record check information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children.

(d) Criminal justice agencies shall provide the director such information as they may have and that the director may require for such purpose.

(e) No later than July 1, 2013, all agency licensees holding licenses prior to July 1, 2012, persons who were employees before

July 1, 2012, and persons who have been qualified by the department before July 1, 2012, to have unsupervised access to children in care, must submit a new background application to the department. The department must require persons submitting a new background application pursuant to this subsection (2)(e) to pay a fee to the department for the cost of administering the individual-based/portable background check clearance registry. This fee must be paid into the individual-based/portable background check clearance account established in RCW 43.215.218. The licensee may, but need not, pay these costs on behalf of a prospective employee or reimburse the prospective employee for these costs. The licensee and the prospective employee may share these costs.

(f) In determining the character, suitability, and competence of an individual the department may not:

(i) Deny or delay a license or approval of unsupervised access to children to an individual solely because of a crime or civil infraction involving the individual or entity revealed in the background check process that is not on the director's list of crimes and negative actions and is not related directly to child safety; or

(ii) Delay the issuance of a license or approval of unsupervised access to children by requiring the individual to obtain records relating to a crime or civil infraction revealed in the background check process that is not on the director's list of crimes and negative actions and is not related directly to child safety and is not a permanent disqualifier pursuant to department rule.

~~((f))~~(g) The department shall issue a background check clearance card or certificate to the applicant if after the completion of a background check the department concludes the applicant is qualified for unsupervised access to children in care. The background check clearance card or certificate is valid for three years from the date of issuance. A valid card or certificate must be accepted by a potential employer as proof that the applicant has successfully completed a background check as required under this chapter.

(h) If the department determines that an individual does not possess the character, suitability, or competence to provide care or have unsupervised access to a child, it must provide the reasons for its decision in writing with copies of the records or documents related to its decision to the individual within ten days of making the decision.

~~((g))~~(i) The original applicant for an agency license, licensees, their employees, and other persons who have unsupervised access to children in care shall submit a new background check application to the department, on a form and by a date as determined by the department.

~~((h))~~(j) The applicant and agency shall maintain on-site for inspection a copy of the background check clearance card or certificate.

~~((i))~~(k) Individuals who have been issued a background check clearance card or certificate shall report nonconviction and conviction information to the department within twenty-four hours of the event constituting the nonconviction or conviction information.

~~((j))~~(l) The department shall investigate and conduct a redetermination of an applicant's or licensee's background clearance if the department receives a complaint or information from individuals, a law enforcement agency, or other federal, state, or local government agency. Subject to the requirements contained in RCW 43.215.300 and 43.215.305 and based on a determination that an individual lacks the appropriate character, suitability, or competence to provide child care or early learning services to children, the department may: (i) Invalidate the background card or certificate; or (ii) suspend, modify, or revoke any license authorized by this chapter.

(3) To satisfy the shared background check requirements of the department of early learning and the department of social and health services, each department shall share federal fingerprint-based background check results as permitted under the law. The purpose of this provision is to allow both departments to fulfill their joint background check responsibility of checking any individual who may

have unsupervised access to vulnerable adults, children, or juveniles. Neither department may share the federal background check results with any other state agency or person."

Re-number the remaining sections consecutively and correct and internal references accordingly.

On page 13, at the beginning of line 34, insert "and the department of early learning"

Representatives Shea and Walsh spoke in favor of the adoption of the amendment to the committee amendment.

Representative Kagi spoke against the adoption of the amendment to the committee amendment.

Amendment (445) to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5565, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5565, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5565, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5744, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hargrove, Hatfield and Conway)

Creating an industrial insurance high risk premium subsidy program. Revised for 1st Substitute: Monitoring the progress of the logger safety initiative.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sells, Manweller and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5744, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5744, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5744, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5104, by Senators Mullet, Frockt, Hatfield, Litzow, Ericksen, Fain and Kohl-Welles

Placing epinephrine autoinjectors in schools.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Stonier, Dahlquist, Manweller, Magendanz and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5104, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5104, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5104, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5195, by Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Hill, Tom, Bailey and Fain)

Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Haler spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5195.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5195, and the bill passed the House by the following vote: Yeas, 75; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Sawyer, Schmick, Scott, Seaquist, Sells, Smith, Springer, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Dahlquist, Harris, Holy, Klippert, Kretz, Kristiansen, Manweller, Nealey, Orcutt, Orwall, Overstreet, Pike, Ryu, Santos, Shea, Short, Stanford, Taylor and Vick.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5195, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5206, by Senators Becker, Keiser, Schlicher, Parlette and Conway

Authorizing occupational therapists, occupational therapy assistants, dieticians, and nutritionists to participate in online access to the University of Washington health sciences library. (REVISED FOR ENGROSSED: Increasing the health professions participating in online access to the University of Washington health sciences library.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5206, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5206, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5206, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5213, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Tom, Bailey, Honeyford and Frockt)

Concerning prescription review for medicaid managed care enrollees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 9, 2013).

Representative Alexander moved the adoption of amendment (444) to the committee amendment:

On page 3, line 9 of the striking amendment, after "management;" strike "and"

On page 3, line 15 of the striking amendment, after "amended" insert ";

(G) Evaluation and reporting on the impact of comprehensive medication management services on patient clinical outcomes and total health care costs, including reductions in emergency department utilization, hospitalization, and drug costs"

On page 3, line 19 of the striking amendment, after "through" strike "(E)" and insert "~~((E))~~ (G)"

Representatives Alexander and Jinkins spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (444) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5213, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5213, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SECOND SUBSTITUTE SENATE BILL NO. 5213, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5287, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

Eliminating accounts and funds.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5287, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5287, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5287, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5305, by Senators Becker, Schlicher, Kline, Dammeier, Delvin, Ericksen, Parlette and Carrell

Requiring hospitals to report when providing treatment for bullet wounds, gunshot wounds, and stab wounds to all patients.

The bill was read the second time.

With the consent of the house, amendment (364) was withdrawn.

Representative Cody moved the adoption of amendment (446).

On page 2, line 33, after "If the" strike all material through "family" on page 3, line 4 and insert "patient states his or her injury is the result of domestic violence, the hospital shall follow its established processes to inform the patient of resources to assure the safety of the patient and his or her family"

Representative Cody spoke in favor of the adoption of the amendment.

Amendment (446) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5305, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5305, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Goodman and Green.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5305, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5315, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker, Dammeier, Rivers, Padden and Roach)

Implementing the recommendations made by the Powell fatality team.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Human Services was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5315, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5315, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5315, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5411, by Senators Rolfes, Holmquist Newbry, Hatfield, Honeyford and Conway

Requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5411.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5411, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen,

Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SENATE BILL NO. 5411, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5416, by Senate Committee on Health Care (originally sponsored by Senators Bailey, Schlicher, Becker and Keiser)

Concerning prescription information.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5416.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5416, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5416, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5434, by Senate Committee on Health Care (originally sponsored by Senators Becker, Dammeier, Keiser, Harper and Conway)

Addressing the filing and public disclosure of health care provider compensation.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

Representative Cody moved the adoption of amendment (441).

On page 3, after line 11, insert the following:

"Sec. 2. RCW 48.44.070 and 1990 c 120 s 9 are each amended to read as follows:

(1) Forms of contracts between health care service contractors and participating providers shall be filed with the insurance commissioner prior to use.

(2) Any contract form not affirmatively disapproved within fifteen days of filing shall be deemed approved, except that the commissioner may extend the approval period an additional fifteen days upon giving notice before the expiration of the initial fifteen-day period. The commissioner may approve such a contract form for immediate use at any time. Approval may be subsequently withdrawn for cause.

(3) Subject to the right of the health care service contractor to demand and receive a hearing under chapters 48.04 and 34.05 RCW, the commissioner may disapprove such a contract form if it is in any respect in violation of this chapter or if it fails to conform to minimum provisions or standards required by the commissioner by rule under chapter 34.05 RCW.

(4) This section is suspended, and shall have no effect, until July 1, 2017."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 6, beginning on line 33, after "Sec. 4." strike all material through "repealed" on line 35 and insert "This act expires on July 1, 2017"

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (441) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5434, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5434, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker,

Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5434, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, by Senate Committee on Health Care (originally sponsored by Senators Parlette, Keiser, Becker, Bailey, Dammeier, Frockt, Ericksen and Schlicher)

Addressing the Washington state health insurance pool.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5449, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5449, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5449, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5480, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Keiser, Kohl-Welles, Darneille, Nelson, McAuliffe and Kline)

Accelerating changes to mental health involuntary commitment laws. Revised for 1st Substitute: Accelerating changes to mental health involuntary commitment laws. (REVISED FOR ENGROSSED: Concerning mental health involuntary commitment laws.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 29, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Green spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5480, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5480, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5480, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5551, by Senate Committee on Ways & Means (originally sponsored by Senators Conway, Carrell and Shin)

Concerning competency to stand trial evaluations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Morrell spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5551, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5551, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5551, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5595, by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Litzow, Darneille, Fain, Hargrove, McAuliffe, Harper, Nelson, Hobbs, Mullet, Frockt, Cleveland, Rolfes, Kohl-Welles, Shin, Kline and Conway)

Concerning child care reform.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Farrell spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5595, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5595, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 38; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter,

Hurst, Jinkins, Johnson, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt and Freeman.

SECOND SUBSTITUTE SENATE BILL NO. 5595, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5601, by Senate Committee on Health Care (originally sponsored by Senators Becker, Cleveland, Dammeyer and Schlicher)

Concerning interpretation of state law regarding rebating practices by health care entities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5601, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5601, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5601, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5666, by Senator Dammeyer

Concerning disclosure of information by health care quality improvement programs, quality assurance programs, and peer review committees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Rodne and Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5666, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5666, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5666, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5669, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Kohl-Welles, Smith, Hargrove, Pearson, Darneille, Bailey, Nelson, Becker, Benton, Brown, Baumgartner, Conway, Roach and Holmquist Newbry)

Concerning trafficking.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman, Hayes and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5669.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5669, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5669, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5732, by Senate Committee on Ways & Means (originally sponsored by Senators Carrell, Darneille, Keiser and Pearson)

Concerning the adult behavioral health system in Washington state.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Green and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5732, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5732, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representatives DeBolt and Freeman.

SECOND SUBSTITUTE SENATE BILL NO. 5732, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5809, by Senator Litzow

Changing provisions relating to the home visiting services account.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on Education was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 9, 2013).

Representative Dahlquist moved the adoption of amendment (440) to the committee amendment:

On page 1, at the beginning of line 21 of the striking amendment, strike all material through "year." on line 25 and insert the following:

"(iii) It is the intent of the legislature that state funds invested in the account be matched at fifty percent by the private-public partnership each fiscal year. However, state funds in the account may be accessed in the event that the private-public partnership fails to meet the fifty percent match target. Should the private-public partnership not meet the fifty percent match target by the conclusion of the fiscal year ending on June 30, the department and the private-public partnership, shall jointly submit a report to the relevant legislative committees detailing the reasons why the fifty-percent match target was not met, the actual match rate achieved, and a plan to achieve fifty percent match in the subsequent fiscal year. This report shall be submitted as promptly as practicable, but the lack of receipt of this report shall not prevent state funds in the account from being accessed.

(iv) Amounts used for program administration by the department may not exceed an average of four percent in any two consecutive fiscal years."

Renumber remaining subsections consecutively and correct any internal references.

Representatives Dahlquist and Kagi spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (440) to the committee amendment was adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kagi, Fagan and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5809, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5809, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt and Freeman.

SENATE BILL NO. 5809, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5603, by Senators Hatfield, Kohl-Welles, Shin and Ranker

Establishing the Washington coastal marine advisory council. (REVISED FOR ENGROSSED: Establishing the Washington coastal marine advisory council and the Washington marine resources advisory council.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was not adopted.

With the consent of the house, amendments (430), (429), and (428) were withdrawn.

Representative Taylor moved the adoption of amendment (357).

On page 4, after line 32, insert the following:

"(3) No advisory opinion, document, or report of the council shall be used in updating existing rules or for new rulemaking without specific authorization by the legislature."

On page 8, after line 3, insert the following:

"(9) No advisory opinion, document, or report of the council shall be used in updating existing rules or for new rulemaking without specific authorization by the legislature."

Renumber the remaining subsection consecutively and correct any internal references accordingly.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Springer spoke against the adoption of the amendment.

Amendment (357) was not adopted.

Representative Taylor moved the adoption of amendment (358).

On page 4, after line 32, insert the following:
"(3) In no case may a hearings officer, hearings board, or court accept an advisory opinion, document, or report of the Washington coastal marine advisory council as evidence in an appeal of a local decision under chapter 36.70A or 90.58 RCW."

On page 8, line 4, after "(9)" insert "In no case may a hearings officer, hearings board, or court accept an advisory opinion, document, or report of the Washington marine resources advisory council as evidence in an appeal of a local decision under chapter 36.70A or 90.58 RCW."
(10)"

On page 8, after line 4, insert the following:

NEW SECTION. Sec. 5. A new section is added to chapter 90.58 RCW to read as follows:

In no case may a hearings officer, hearings board, or court accept an advisory opinion, document, or report of the Washington coastal marine advisory council established in section 1 of this act or the Washington marine resources advisory council established in section 4 of this act as evidence in an appeal of a local decision under this chapter.

NEW SECTION. Sec. 6. A new section is added to chapter 36.70A RCW to read as follows:

In no case may a hearings officer, hearings board, or court accept an advisory opinion, document, or report of the Washington coastal marine advisory council established in section 1 of this act or the Washington marine resources advisory council established in section 4 of this act as evidence in an appeal of a local decision under this chapter."

Correct the title.

Representatives Taylor and Chandler spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

Amendment (358) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Upthegrove and Smith spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5603.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5603, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Hargrove, Holy, Magendanz, Overstreet, Parker, Pike, Rodne, Scott, Shea, Short and Taylor.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5603, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5591, by Senate Committee on Transportation (originally sponsored by Senators Eide, King and Shin)

Concerning confidential license plates, drivers' licenses, identicards, and vessel registrations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 80, April 3, 2013).

With the consent of the house, amendment (360) to the committee amendment was withdrawn.

Representative Overstreet moved the adoption of amendment (369) to the committee amendment:

On page 3, beginning on line 15 of the striking amendment, after "(c)" strike all material through "operation" on line 19 and insert "Any driver's license or identicard issued under this subsection must be returned to the department within thirty days of the end of the officer's undercover assignment"

Representatives Overstreet and Clibborn spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (369) to the committee amendment was adopted.

Representative Overstreet moved the adoption of amendment (432) to the committee amendment.

On page 3, after line 22 of the striking amendment, insert the following:

"(d) When any federal agency applies for a confidential driver's license or identicard under this section, the application must first be reviewed and approved by a superior court judge serving Thurston county. In conducting such a review, the judge shall ensure that the application complies with the laws and rules pertaining to confidential

driver's licenses and identicards and that the confidential driver's license or identicard will be used only in an undercover or covert law enforcement operation."

Representative Overstreet and Overstreet (again) spoke in favor of the adoption of amendment to the committee amendment.

Representative Liias spoke against the adoption of the committee amendment.

Amendment (432) to the committee amendment was not adopted.

Representative Taylor moved the adoption of amendment (389) to the committee amendment.

On page 5, after line 10 of the striking amendment, insert the following:

"NEW SECTION. Sec. 4. (1) The state auditor's office shall conduct a comprehensive audit of the department of licensing's issuing of confidential license plates, driver's licenses, identicards, and vessel registrations. The auditor shall provide a report including the following information:

(a) A complete history of the program dating back to 1975.

(b) An explanation of the department of licensing's authority, statutory or otherwise, to issue driver's licenses and identicards containing fictitious information.

(c) A full report on any incidents in which confidential personal information of undercover law enforcement officers was intentionally or unintentionally disclosed to the public.

(d) An analysis of the department of licensing's general accountability and recordkeeping standards with regards to the department's issuing of confidential license plates, driver's licenses, identicards, and vessel registrations.

(e) Recommendations regarding appropriate disclosures to provide adequate oversight for department of licensing's issuing of confidential license plates, driver's licenses, identicards, and vessel registrations.

(2) The audit report required by this section must be submitted to the legislature on or before December 31, 2013."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Taylor and Overstreet spoke in favor of the adoption of the amendment to the committee amendment.

Representative Clibborn spoke against the adoption of the amendment to the committee amendment.

Amendment (389) to the committee amendment was not adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn and Hayes spoke in favor of the passage of the bill.

Representatives Overstreet and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5591, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5591, as amended by the House, and the bill passed the House by the following vote: Yeas, 88; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Kretz, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE SENATE BILL NO. 5591, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5105, by Senators Dammeier, Harper and Pearson

Asserting conditions under which the department of corrections provides rental vouchers to a registered sex offender. (REVISED FOR ENGROSSED: Asserting conditions under which the department of corrections provides rental vouchers to an offender.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on General Government was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Zeiger and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5105, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5105, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SENATE BILL NO. 5105, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

April 16, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1034
HOUSE BILL NO. 1035
HOUSE BILL NO. 1056
HOUSE BILL NO. 1109
HOUSE BILL NO. 1112
HOUSE BILL NO. 1113
HOUSE BILL NO. 1146
HOUSE BILL NO. 1182
HOUSE BILL NO. 1209
HOUSE BILL NO. 1213
SUBSTITUTE HOUSE BILL NO. 1307
HOUSE BILL NO. 1311
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1325
SUBSTITUTE HOUSE BILL NO. 1343
SUBSTITUTE HOUSE BILL NO. 1376
ENGROSSED HOUSE BILL NO. 1396
HOUSE BILL NO. 1469
SECOND SUBSTITUTE HOUSE BILL NO. 1518
HOUSE BILL NO. 1533
SUBSTITUTE HOUSE BILL NO. 1537
HOUSE BILL NO. 1565
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1625
HOUSE BILL NO. 1639
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1647
SUBSTITUTE HOUSE BILL NO. 1686
HOUSE BILL NO. 1770
HOUSE BILL NO. 1790
SUBSTITUTE HOUSE BILL NO. 1806
SUBSTITUTE HOUSE BILL NO. 1836
HOUSE BILL NO. 1860
SUBSTITUTE HOUSE BILL NO. 1886
SUBSTITUTE HOUSE BILL NO. 1889
HOUSE BILL NO. 1937

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 16, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5008
SENATE BILL NO. 5030
SENATE BILL NO. 5056
ENGROSSED SUBSTITUTE SENATE BILL NO. 5095
SENATE BILL NO. 5149
SUBSTITUTE SENATE BILL NO. 5180

SENATE BILL NO. 5258
 SENATE BILL NO. 5343
 SUBSTITUTE SENATE BILL NO. 5362
 SUBSTITUTE SENATE BILL NO. 5396
 SUBSTITUTE SENATE BILL NO. 5444
 SENATE BILL NO. 5496
 SUBSTITUTE SENATE BILL NO. 5559
 SENATE BILL NO. 5593
 SECOND ENGROSSED SENATE BILL NO. 5701
 SENATE BILL NO. 5770
 SENATE BILL NO. 5806

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1961, by House Committee on Appropriations (originally sponsored by Representatives Pedersen, Rodne, Hudgins, Hunter and Ryu)

Extending the expiration date for judicial stabilization trust account surcharges.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1961 was substituted for House Bill No. 1961 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1961 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1961.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1961, and the bill passed the House by the following vote: Yeas, 91; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea, Taylor and Warnick.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE HOUSE BILL NO. 1961, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1971, by Representatives Carlyle and Nealey

Concerning communications services reform.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1971 was substituted for House Bill No. 1971 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1971 was read the second time.

Representative Wilcox moved the adoption of amendment (438).

On page 10, line 24, after "(6)(a)(ii)" insert ". Until July 1, 2018, a seller of prepaid wireless telecommunications service may charge an additional five cents per retail transaction as compensation for the cost of collecting and remitting the tax"

On page 29, line 23, after "**Sec. 301.**" strike "Part" and insert "(1) Except as provided otherwise in this section, part"

On page 29, after line 24, insert the following:
 "(2) Sections 102 through 106 of this act take effect January 1, 2014."

Representatives Wilcox and Carlyle spoke in favor of the adoption of the amendment.

Amendment (438) was adopted.

Representative Carlyle moved the adoption of amendment (448).

On page 13, beginning on line 36, after "is" strike all material through "542(a)" on line 37 and insert ", or is affiliated with a person that is, subject to a franchise fee in this state under the authority of Title 47 U.S.C. Sec. 542(a). A provider is affiliated with a person if the provider and the person have one hundred percent common ownership"

Representatives Carlyle and Nealey spoke in favor of the adoption of the amendment.

Amendment (448) was adopted.

Representative Nealey moved the adoption of amendment (443).

On page 25, line 14, after "threshold" insert ", if the lines or equivalents are located in Washington"

On page 25, at the beginning of line 22, strike "and broadband services"

On page 26, line 22, after "provider's" strike "broadband services and"

Representatives Nealey and Carlyle spoke in favor of the adoption of the amendment.

Amendment (443) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1971.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1971, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Crouse, Hargrove, Harris, Hawkins, Hayes, Hope, Johnson, Kochmar, Kristiansen, O'Ban, Overstreet, Parker, Pike, Rodne, Ross, Scott, Shea, Stonier and Taylor.

Excused: Representatives DeBolt and Freeman.

SECOND SUBSTITUTE HOUSE BILL NO. 1971, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1982, by Representative Hunter

Eliminating lottery games that generate insufficient net revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1982 was substituted for House Bill No. 1982 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1982 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1982.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1982, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE HOUSE BILL NO. 1982, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2002, by Representatives Condotta and Reykdal

Modifying snowmobile license fees.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2002 was substituted for House Bill No. 2002 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2002 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Condotta and Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2002.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2002, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Hargrove, Holy, Orcutt, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE HOUSE BILL NO. 2002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2016, by Representatives Jinkins, Hunter and Alexander

Concerning a hospital safety net assessment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2016 was substituted for House Bill No. 2016 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2016 was read the second time.

Representative Jinkins moved the adoption of amendment (435).

On page 4, line 31, after "~~((44))~~(15)" insert the following:

"Outpatient" means services provided classified as ambulatory payment classification services or successor payment methodologies as defined in WAC 182-550-7050 or successor rule and applies to fee-for-service payments and managed care encounter data.

(16)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 13, beginning on line 31, after "about" strike "the first day of" and insert "thirty days prior to the end of"

On page 14, line 20, after "2010" strike ", or equivalent data collected by the authority"

On page 27, beginning on line 2, after "section" strike "and hospitals identified in RCW 74.60.090(1)(c) and 74.60.100"

On page 27, at the beginning of line 35, strike "first" and insert "last"

On page 30, line 22, after "(b)" strike "Within thirty days after receipt" and insert "Before the end of the quarter in which funds are paid to them"

Representatives Jinkins and Schmick spoke in favor of the adoption of the amendment.

Amendment (435) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins, Alexander and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2016, and the bill passed the House by the following vote: Yeas, 75; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Dahlquist, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Orcutt, Overstreet, Parker, Pike, Scott, Shea, Smith, Stonier, Taylor, Vick and Zeiger.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1920, by Representatives Ormsby, Carlyle, Hunter and Pollet

Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers.

The bill was read the second time.

With the consent of the house, amendment (439) was withdrawn.

Representative Nealey moved the adoption of amendment (442).

Beginning on page 1, line 8, strike all of section 1

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, at the beginning of line 23, strike "regardless of whether" and insert "when"

On page 3, line 24, after "acquired" strike "before" and insert "after"

Beginning on page 5, line 36, strike all of sections 5 and 6

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Nealey, Alexander, Wilcox and Chandler spoke in favor of the adoption of the amendment.

Representatives Carlyle and Pollet spoke against the adoption of the amendment.

Amendment (442) was not adopted.

Representative Hansen moved the adoption of amendment (447).

On page 2, beginning on line 8, after "(4)" strike all material through "(5)" on line 14 and insert "The legislature further finds that:

The Bracken decision held certain qualified terminable interest property (QTIP) of married couples was transferred without incurring Washington state estate tax liability, which: (a) Creates an inequity never intended by the legislature because unmarried individuals did not enjoy any similar opportunities to avoid or greatly reduce their potential Washington estate tax liability; and (b) may create disparate treatment between QTIP property and other property transferred between spouses that is eligible for the marital deduction.

(5) Therefore, the legislature finds that it is necessary to reinstate the legislature's intended meaning when it enacted the estate tax, restore parity between married couples and unmarried individuals, restore parity between QTIP property and other property eligible for the marital deduction, and prevent the adverse fiscal impacts of the Bracken decision by reaffirming its intent that the term "transfer" as used in the Washington estate and transfer tax is to be given its broadest possible meaning consistent with established United States supreme court precedents, subject only to the limits and exceptions expressly provided by the legislature.
(6)"

Representatives Hansen and Nealey spoke in favor of the adoption of the amendment.

Amendment (447) was adopted.

Representative Condotta moved the adoption of amendment (449).

On page 2, line 19, after "The" strike "following"

On page 3, beginning on line 11, after "code" strike all material through "property" on line 13

On page 3, beginning on line 20, strike all of subsection (13) and insert the following:

"(13)(a) "Washington taxable estate" means the federal taxable estate, less: ~~((a))~~ (i) One million five hundred thousand dollars for decedents dying before January 1, 2006; and ~~((b))~~ (ii) two million dollars for decedents dying on or after January 1, 2006; and ~~((c))~~ (iii) the amount of any deduction allowed under RCW 83.100.046; ~~((and))~~

(b) Beginning in calendar year 2014 and through calendar year 2016, the amount specified in (a)(ii) of this subsection must be increased by an additional one million dollars each year.

Beginning on page 4, line 1, strike all of sections 3 through 9 and insert the following:

"Sec. 3. RCW 83.100.040 and 2010 c 106 s 234 are each amended to read as follows:

(1) Until January 1, 2017, a tax in an amount computed as provided in this section is imposed on every transfer of property located in Washington. For the purposes of this section, any intangible property owned by a resident is located in Washington. The tax authorized under this subsection (1) may not be imposed on or after January 1, 2017.

(2)(a) Except as provided in (b) of this subsection, the amount of tax is the amount provided in the following table:

If Washington Taxable The amount of Tax Equals Of Washington Taxable Estate Value Greater than			
Estate is at least	But Less Than	Initial Tax Amount	Plus
Tax Rate %			
\$0	\$1,000,000	\$0	10.00%
\$1,000,000	\$2,000,000	\$100,000	14.00%
\$2,000,000	\$3,000,000	\$240,000	15.00%
\$2,000,000			

\$3,000,000	\$4,000,000	\$390,000	16.00%
\$3,000,000			
\$4,000,000	\$6,000,000	\$550,000	17.00%
\$4,000,000			
\$6,000,000	\$7,000,000	\$890,000	18.00%
\$6,000,000			
\$7,000,000	\$9,000,000	\$1,070,000	
18.50%	\$7,000,000		
\$9,000,000	\$1,440,000		19.00%
\$9,000,000			

(b) If any property in the decedent's estate is located outside of Washington, the amount of tax is the amount determined in (a) of this subsection multiplied by a fraction. The numerator of the fraction is the value of the property located in Washington. The denominator of the fraction is the value of the decedent's gross estate. Property qualifying for a deduction under RCW 83.100.046 must be excluded from the numerator and denominator of the fraction.

(3) The tax imposed under this section is a stand-alone estate tax that incorporates only those provisions of the internal revenue code as amended or renumbered as of January 1, 2005, that do not conflict with the provisions of this chapter. The tax imposed under this chapter is independent of any federal estate tax obligation and is not affected by termination of the federal estate tax."

Correct the title.

POINT OF ORDER

Representative Carlyle requested a scope and object ruling on amendment (449) to House Bill No. 1920.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of House Bill 1920 is "an act relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers." The bill requires certain marital trust property to be included in the estate for purposes of the Washington estate tax. The amendment phases out and terminates the Washington estate tax for all persons, married and single. The amendment applies to all estate taxes under Washington law, not just the marital trust property addressed in the underlying bill. The Speaker therefore finds that the amendment would change the scope and object of the bill. The point of order is well taken."

Representative Taylor moved the adoption of amendment (450).

On page 5, after line 35, insert the following:

"Sec. 5. RCW 83.100.230 and 2012 1st sp.s. c 10 s 7 are each amended to read as follows:

The education legacy trust account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for support of the common schools, and for expanding access to higher education through funding for new enrollments and financial aid, and other educational improvement efforts. Money may not be transferred from the account to the general fund without a favorable vote of at least sixty percent of the members elected to each house of the legislature."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

POINT OF ORDER

Representative Carlyle requested a scope and object ruling on amendment (450) to House Bill No. 1920.

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The title of House Bill 1920 is "an act relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers." The bill requires certain marital trust property to be included in the estate for purposes of the Washington estate tax. The amendment concerns voting requirements for transfers from the education legacy trust account to the general fund, a subject wholly unrelated to the question of what kinds of property are subject to the estate tax. The Speaker therefore finds that the amendment would change the scope and object of the bill. The point of order is well taken."

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby and Carlyle spoke in favor of the passage of the bill.

Representatives Nealey, Orcutt, Condotta, Pike and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1920.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1920, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt and Freeman.

ENGROSSED HOUSE BILL NO. 1920, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2018, by Representative Hunter**Regarding additional contribution rates for employers of the Washington state retirement systems.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2018 was substituted for House Bill No. 2018 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2018 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2018.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2018, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE HOUSE BILL NO. 2018, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405, by Senate Committee on Ways & Means (originally sponsored by Senators Murray, Tom, Kohl-Welles, Darnelle, Hobbs, Harper and Frockt)**Concerning extended foster care services.**

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was not adopted. (For committee amendment, see Journal, Day 86, April 9, 2013)

Representative Roberts moved the adoption of amendment (451)

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that the federal fostering connections to success and increasing adoptions act of 2008 provides important new opportunities to increase the impact of state funding through maximizing the amount of federal funding available to promote permanency and positive outcomes for dependent youth.

(2) The legislature also finds that children and adolescents who are legal dependents of Washington state have experienced significant trauma and loss, putting them at increased risk for poor life outcomes. Longitudinal research on the adult functioning of former foster youth indicates a disproportionate likelihood that youth aging out of foster care and those who spent several years in care will experience poor outcomes in a variety of areas, including limited human capital upon which to build economic security and inability to fully take advantage of secondary and postsecondary educational opportunities, untreated mental or behavioral health problems, involvement in the criminal justice and corrections systems, and early parenthood combined with second-generation child welfare involvement.

(3) The legislature further finds that research also demonstrates that access to adequate and appropriate supports during the period of transition from foster care to independence can have significant positive impacts on adult functioning and can improve outcomes relating to educational attainment and postsecondary enrollment, employment and earnings, and reduced rates of teen pregnancies.

Sec. 2. RCW 13.34.030 and 2011 1st sp.s. c 36 s 13 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Abandoned" means when the child's parent, guardian, or other custodian has expressed, either by statement or conduct, an intent to forego, for an extended period, parental rights or responsibilities despite an ability to exercise such rights and responsibilities. If the court finds that the petitioner has exercised due diligence in attempting to locate the parent, no contact between the child and the child's parent, guardian, or other custodian for a period of three months creates a rebuttable presumption of abandonment, even if there is no expressed intent to abandon.

(2) "Child," "juvenile," and "youth" means:

(a) Any individual under the age of eighteen years; or

(b) Any individual age eighteen to twenty-one years who is eligible to receive and who elects to receive the extended foster care services authorized under RCW 74.13.031. A youth who remains dependent and who receives extended foster care services under RCW 74.13.031 shall not be considered a "child" under any other statute or for any other purpose.

(3) "Current placement episode" means the period of time that begins with the most recent date that the child was removed from the home of the parent, guardian, or legal custodian for purposes of placement in out-of-home care and continues until: (a) The child returns home; (b) an adoption decree, a permanent custody order, or guardianship order is entered; or (c) the dependency is dismissed, whichever occurs first.

(4) "Department" means the department of social and health services.

(5) "Dependency guardian" means the person, nonprofit corporation, or Indian tribe appointed by the court pursuant to this chapter for the limited purpose of assisting the court in the supervision of the dependency.

(6) "Dependent child" means any child who:

(a) Has been abandoned;

(b) Is abused or neglected as defined in chapter 26.44 RCW by a person legally responsible for the care of the child;

(c) Has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or

(d) Is receiving extended foster care services, as authorized by RCW 74.13.031.

(7) "Developmental disability" means a disability attributable to intellectual disability, cerebral palsy, epilepsy, autism, or another neurological or other condition of an individual found by the secretary to be closely related to an intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities, which disability originates before the individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial limitation to the individual.

(8) "Extended foster care services" means residential and other support services the department is authorized to provide under RCW 74.13.031. These services may include placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(9) "Guardian" means the person or agency that: (a) Has been appointed as the guardian of a child in a legal proceeding, including a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the legal right to custody of the child pursuant to such appointment. The term "guardian" does not include a "dependency guardian" appointed pursuant to a proceeding under this chapter.

(10) "Guardian ad litem" means a person, appointed by the court to represent the best interests of a child in a proceeding under this chapter, or in any matter which may be consolidated with a proceeding under this chapter. A "court-appointed special advocate" appointed by the court to be the guardian ad litem for the child, or to perform substantially the same duties and functions as a guardian ad litem, shall be deemed to be guardian ad litem for all purposes and uses of this chapter.

(11) "Guardian ad litem program" means a court-authorized volunteer program, which is or may be established by the superior court of the county in which such proceeding is filed, to manage all aspects of volunteer guardian ad litem representation for children alleged or found to be dependent. Such management shall include but is not limited to: Recruitment, screening, training, supervision, assignment, and discharge of volunteers.

(12) "Housing assistance" means appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations, assistance with forms, applications, or financial subsidies or other monetary assistance for housing. For purposes of this chapter, "housing assistance" is not a remedial service or time-limited family reunification service as described in RCW 13.34.025(2).

(13) "Indigent" means a person who, at any stage of a court proceeding, is:

(a) Receiving one of the following types of public assistance: Temporary assistance for needy families, aged, blind, or disabled assistance benefits, medical care services under RCW 74.09.035, pregnant women assistance benefits, poverty-related veterans' benefits, food stamps or food stamp benefits transferred electronically, refugee resettlement benefits, medicaid, or supplemental security income; or

(b) Involuntarily committed to a public mental health facility; or

(c) Receiving an annual income, after taxes, of one hundred twenty- five percent or less of the federally established poverty level; or

(d) Unable to pay the anticipated cost of counsel for the matter before the court because his or her available funds are insufficient to pay any amount for the retention of counsel.

(14) "Out-of-home care" means placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or placement in a home, other than that of the child's parent, guardian, or legal custodian, not required to be licensed pursuant to chapter 74.15 RCW.

(15) "Preventive services" means preservation services, as defined in chapter 74.14C RCW, and other reasonably available services, including housing assistance, capable of preventing the need for out-of-home placement while protecting the child.

(16) "Shelter care" means temporary physical care in a facility licensed pursuant to RCW 74.15.030 or in a home not required to be licensed pursuant to RCW 74.15.030.

(17) "Sibling" means a child's birth brother, birth sister, adoptive brother, adoptive sister, half-brother, or half-sister, or as defined by the law or custom of the Indian child's tribe for an Indian child as defined in RCW 13.38.040.

(18) "Social study" means a written evaluation of matters relevant to the disposition of the case and shall contain the following information:

(a) A statement of the specific harm or harms to the child that intervention is designed to alleviate;

(b) A description of the specific services and activities, for both the parents and child, that are needed in order to prevent serious harm to the child; the reasons why such services and activities are likely to be useful; the availability of any proposed services; and the agency's overall plan for ensuring that the services will be delivered. The description shall identify the services chosen and approved by the parent;

(c) If removal is recommended, a full description of the reasons why the child cannot be protected adequately in the home, including a description of any previous efforts to work with the parents and the child in the home; the in-home treatment programs that have been considered and rejected; the preventive services, including housing assistance, that have been offered or provided and have failed to prevent the need for out-of-home placement, unless the health, safety, and welfare of the child cannot be protected adequately in the home; and the parents' attitude toward placement of the child;

(d) A statement of the likely harms the child will suffer as a result of removal;

(e) A description of the steps that will be taken to minimize the harm to the child that may result if separation occurs including an assessment of the child's relationship and emotional bond with any siblings, and the agency's plan to provide ongoing contact between the child and the child's siblings if appropriate; and

(f) Behavior that will be expected before determination that supervision of the family or placement is no longer necessary.

(19) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

(20) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(21) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

(22) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 3. RCW 13.34.145 and 2011 c 330 s 6 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) When the youth is at least age seventeen years but not older than seventeen years and six months, the department shall provide the youth with written documentation which explains the availability of extended foster care services and detailed instructions regarding how the youth may access such services after he or she reaches age eighteen years.

(4) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home

placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

- (A) Being returned safely to his or her home;
- (B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;
- (C) Being placed for adoption;
- (D) Being placed with a guardian;
- (E) Being placed in the home of a fit and willing relative of the child; or
- (F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

At this hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. For purposes of this section, "good cause exception" includes but is not limited to the following: The child is being cared for by a relative; the department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home; or the department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests.

(c)(i) If the permanency plan identifies independent living as a goal, the court shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

(ii) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

(iii) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

(d) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

(i) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

(ii) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

~~((4))~~ (5) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or

(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

~~((5))~~ (6) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

~~((6))~~ (7) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

~~((7))~~ (8) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

~~((8))~~ (9) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

~~((9))~~ (10) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection ~~((8))~~ (9) of this section are met.

~~((10))~~ (11) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

~~((11))~~ (12) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

~~((12))~~ (13) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

Sec. 4. RCW 13.34.267 and 2012 c 52 s 4 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court, upon the agreement of the youth to participate in the extended foster care program, shall ~~((postpone for six months the dismissal of a))~~ maintain the dependency proceeding for any ~~((child))~~ youth who is ~~((a))~~ dependent ~~((child))~~ in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday, is:

(a) Enrolled in a secondary education program or a secondary education equivalency program; ~~((or))~~

(b) Enrolled and participating in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program; or

(c) Participating in a program or activity designed to promote employment or remove barriers to employment.

(2) If the court maintains the dependency proceeding of a youth

pursuant to subsection (1) of this section, the youth is eligible to receive extended foster care services pursuant to RCW 74.13.031, subject to the youth's continuing eligibility and agreement to participate.

(3) A dependent youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian must be dismissed from the dependency proceeding when the youth reaches the age of eighteen.

(4) The court shall dismiss the dependency proceeding for any youth who is a dependent in foster care and who, at the age of eighteen years, does not meet any of the criteria described in subsection (1)(a) through (c) of this section or does not agree to participate in the program.

((2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. The court shall dismiss the dependency if the youth:

- (i) Has not requested extended foster care services from the department by the end of the six-month period; or
 - (ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six-month period.
- (b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

(3) A youth who participates in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.

(4) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.))

(5) The court shall order a youth participating in extended foster care services to be under the placement and care authority of the department, subject to the youth's continuing agreement to participate in extended foster care services. The department may establish foster care rates appropriate to the needs of the youth participating in extended foster care services. The department's placement and care authority over a youth receiving extended foster care services is solely for the purpose of providing services and does not create a legal responsibility for the actions of the youth receiving extended foster care services.

(6) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.

(7) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:

- (a) Whether the youth is safe in his or her placement;
- (b) Whether the youth continues to be eligible for extended foster care services;
- (c) Whether the current placement is developmentally appropriate for the youth;
- (d) The youth's development of independent living skills; and
- (e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.

(8) Prior to the review hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.

((9) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency.))

NEW SECTION. Sec. 5. A new section is added to chapter 74.13 RCW to read as follows:

(1) A youth who has reached age eighteen years may request extended foster care services authorized under RCW 74.13.031 at any time before he or she reaches the age of nineteen years if on or after the effective date of this section:

(a) The dependency proceeding of the youth was dismissed pursuant to RCW 13.34.267(4) at the time that he or she reached age eighteen years; or

(b) The court, after holding the dependency case open pursuant to RCW 13.34.267(1), has dismissed the case because the youth became ineligible for extended foster care services.

(2)(a) Upon a request for extended foster care services by a youth pursuant to subsection (1) of this section, a determination that the youth is eligible for extended foster care services, and the completion of a voluntary placement agreement, the department shall provide extended foster care services to the youth.

(b) In order to continue receiving extended foster care services after entering into a voluntary placement agreement with the department, the youth must agree to the entry of an order of dependency within one hundred eighty days of the date that the youth is placed in foster care pursuant to a voluntary placement agreement.

(3) A youth may enter into a voluntary placement agreement for extended foster care services only once. A youth may transition among the eligibility categories identified in RCW 74.13.031 while under the same voluntary placement agreement, provided that the youth remains eligible for extended foster care services during the transition.

(4) "Voluntary placement agreement," for the purposes of this section, means a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

NEW SECTION. Sec. 6. A new section is added to chapter 13.34 RCW to read as follows:

(1)(a) If a youth prior to reaching age nineteen years requests extended foster care services from the department pursuant to section 5 of this act, and the department declines to enter into a voluntary placement agreement with the youth, the department must provide written documentation to the youth which contains:

(i) The date that the youth requested extended foster care services;

(ii) The department's reasons for declining to enter into a voluntary placement agreement with the youth and the date of the department's decision; and

(iii) Information regarding the youth's right to ask the court to establish a dependency for the purpose of providing extended foster care services and his or her right to counsel to assist in making that request.

(b) The written documentation pursuant to (a) of this subsection must be provided to the youth within ten days of the department's decision not to enter into a voluntary placement agreement with the youth.

(2)(a) A youth seeking to participate in extended foster care after being declined by the department under subsection (1) of this section may file a notice of intent to file a petition for dependency, asking the court to determine his or her eligibility for extended foster care services, and to enter an order of dependency. If the youth chooses to

file such notice, it must be filed within thirty days of the date of the department's decision.

(b) Upon filing the notice, the youth must be provided counsel at no cost to him or her. Upon receipt of the youth's petition, the court must set a hearing date to determine whether the petition should be granted.

Sec. 7. RCW 74.13.020 and 2012 c 205 s 12 are each amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services ~~may include~~ ~~(, but are not limited to,)~~ placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(9) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption

process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(10) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(11) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(12) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(13) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(14) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(15) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

(16) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 8. RCW 74.13.020 and 2012 c 259 s 7 and 2012 c 205 s 12 are each reenacted and amended to read as follows:

For purposes of this chapter:

(1) "Case management" means convening family meetings, developing, revising, and monitoring implementation of any case plan or individual service and safety plan, coordinating and monitoring services needed by the child and family, caseworker-child visits, family visits, and the assumption of court-related duties, excluding legal representation, including preparing court reports, attending judicial hearings and permanency hearings, and ensuring that the child is progressing toward permanency within state and federal mandates, including the Indian child welfare act.

(2) "Child" means:

(a) A person less than eighteen years of age; or

(b) A person age eighteen to twenty-one years who is eligible to receive the extended foster care services authorized under RCW 74.13.031.

(3) "Child protective services" has the same meaning as in RCW 26.44.020.

(4) "Child welfare services" means social services including voluntary and in-home services, out-of-home care, case management, and adoption services which strengthen, supplement, or substitute for, parental care and supervision for the purpose of:

(a) Preventing or remedying, or assisting in the solution of problems which may result in families in conflict, or the neglect, abuse, exploitation, or criminal behavior of children;

(b) Protecting and caring for dependent, abused, or neglected children;

(c) Assisting children who are in conflict with their parents, and assisting parents who are in conflict with their children, with services designed to resolve such conflicts;

(d) Protecting and promoting the welfare of children, including the strengthening of their own homes where possible, or, where needed;

(e) Providing adequate care of children away from their homes in foster family homes or day care or other child care agencies or facilities.

"Child welfare services" does not include child protection services.

(5) "Committee" means the child welfare transformation design committee.

(6) "Department" means the department of social and health services.

(7) "Extended foster care services" means residential and other support services the department is authorized to provide to foster children. These services include, but are not limited to, placement in licensed, relative, or otherwise approved care, or supervised independent living settings; assistance in meeting basic needs; independent living services; medical assistance; and counseling or treatment.

(8) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child abuse or neglect, and family strengths and needs that is applied to a child abuse or neglect report. Family assessment does not include a determination as to whether child abuse or neglect occurred, but does determine the need for services to address the safety of the child and the risk of subsequent maltreatment.

(9) "Measurable effects" means a statistically significant change which occurs as a result of the service or services a supervising agency is assigned in a performance-based contract, in time periods established in the contract.

(10) "Out-of-home care services" means services provided after the shelter care hearing to or for children in out-of-home care, as that term is defined in RCW 13.34.030, and their families, including the recruitment, training, and management of foster parents, the recruitment of adoptive families, and the facilitation of the adoption process, family reunification, independent living, emergency shelter, residential group care, and foster care, including relative placement.

(11) "Performance-based contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts shall also include provisions that link the performance of the contractor to the level and timing of reimbursement.

(12) "Permanency services" means long-term services provided to secure a child's safety, permanency, and well-being, including foster care services, family reunification services, adoption services, and preparation for independent living services.

(13) "Primary prevention services" means services which are designed and delivered for the primary purpose of enhancing child and family well-being and are shown, by analysis of outcomes, to reduce the risk to the likelihood of the initial need for child welfare services.

(14) "Supervising agency" means an agency licensed by the state under RCW 74.15.090, or licensed by a federally recognized Indian tribe located in this state under RCW 74.15.190, that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services, as defined in this section. This definition is applicable on or after December 30, 2015.

(15) "Nonminor dependent" means any individual age eighteen to twenty-one years who is participating in extended foster care services authorized under RCW 74.13.031.

(16) "Supervised independent living" includes, but is not limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings. Supervised independent living settings must be approved by the children's administration or the court.

(17) "Voluntary placement agreement" means, for the purposes of extended foster care services, a written voluntary agreement between a nonminor dependent who agrees to submit to the care and authority of the department for the purposes of participating in the extended foster care program.

Sec. 9. RCW 74.13.031 and 2012 c 52 s 2 are each amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(6) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95- 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) The department and supervising agency shall have authority to purchase care for children.

(9) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program(~~or~~);

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent and in foster care at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under section 5 of this act or pursuant to an order of dependency issued by the court under section 6 of this act. A nonminor dependent whose dependency case was dismissed by the court must have requested extended foster care services before reaching age nineteen years.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(11) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (10) of this section.

(12) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(13) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally

recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(14) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(15) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty- one years of age who are or have been in foster care.

(16) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(17)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community- based organization and must be updated as needed.

Sec. 10. RCW 74.13.031 and 2012 c 259 s 8 and 2012 c 52 s 2 are each reenacted and amended to read as follows:

(1) The department and supervising agencies shall develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, the department and supervising agencies shall recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens, and the department shall annually report to the governor and the legislature concerning the department's and supervising agency's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) The department shall investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency. An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) As provided in RCW 26.44.030(11), the department may respond to a report of child abuse or neglect by using the family assessment response.

(5) The department or supervising agencies shall offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(6) The department or supervising agencies shall monitor placements of children in out-of-home care and in-home dependencies to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010. Under this section children in out-of-home care and in-home dependencies and their caregivers shall receive a private and individual face-to-face visit each month. The department and the supervising agencies shall randomly select no less than ten percent of the caregivers currently providing care to receive one unannounced face-to-face visit in the caregiver's home per year. No caregiver will receive an unannounced visit through the random selection process for two consecutive years. If the caseworker makes a good faith effort to conduct the unannounced visit to a caregiver and is unable to do so, that month's visit to that caregiver need not be unannounced. The department and supervising agencies are encouraged to group monthly visits to caregivers by geographic area so that in the event an unannounced visit cannot be completed, the caseworker may complete other required monthly visits. The department shall use a method of random selection that does not cause a fiscal impact to the department.

The department or supervising agencies shall conduct the monthly visits with children and caregivers to whom it is providing child welfare services.

(7) The department and supervising agencies shall have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95- 608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(8) The department and supervising agency shall have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(9) The department and supervising agency shall have authority to purchase care for children.

(10) The department shall establish a children's services advisory committee with sufficient members representing supervising agencies which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child

care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(11)(a) The department and supervising agencies shall ~~((have authority to))~~ provide continued extended foster care services to ~~((youth ages eighteen to twenty one years to participate in or complete))~~ nonminor dependents who are:

(i) Enrolled in a secondary education program or a secondary education equivalency program~~((-or-))~~;

(ii) Enrolled and participating in a postsecondary academic or postsecondary vocational education program; or

(iii) Participating in a program or activity designed to promote employment or remove barriers to employment.

(b) To be eligible for extended foster care services, the nonminor dependent must have been dependent and in foster care at the time that he or she reached age eighteen years. If the dependency case of the nonminor dependent was dismissed pursuant to RCW 13.34.267, he or she may receive extended foster care services pursuant to a voluntary placement agreement under section 5 of this act or pursuant to an order of dependency issued by the court under section 6 of this act. A nonminor dependent whose dependency case was dismissed by the court must have requested extended foster care services before reaching age nineteen years.

(c) The department shall develop and implement rules regarding youth eligibility requirements.

(12) The department shall have authority to provide adoption support benefits, or relative guardianship subsidies on behalf of youth ages eighteen to twenty-one years who achieved permanency through adoption or a relative guardianship at age sixteen or older and who meet the criteria described in subsection (11) of this section.

(13) The department shall refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(14) The department and supervising agencies shall have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department under subsections (4), (7), and (8) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(15) Within amounts appropriated for this specific purpose, the supervising agency or department shall provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(16) The department and supervising agencies shall have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty- one years of age who are or have been in foster care.

(17) The department and supervising agencies shall consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department and supervising agencies are performing the duties and meeting the

obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

(18)(a) The department shall, within current funding levels, place on its public web site a document listing the duties and responsibilities the department has to a child subject to a dependency petition including, but not limited to, the following:

(i) Reasonable efforts, including the provision of services, toward reunification of the child with his or her family;

(ii) Sibling visits subject to the restrictions in RCW 13.34.136(2)(b)(ii);

(iii) Parent-child visits;

(iv) Statutory preference for placement with a relative or other suitable person, if appropriate; and

(v) Statutory preference for an out-of-home placement that allows the child to remain in the same school or school district, if practical and in the child's best interests.

(b) The document must be prepared in conjunction with a community- based organization and must be updated as needed.

Sec. 11. RCW 43.88C.010 and 2012 c 217 s 3 are each amended to read as follows:

(1) The caseload forecast council is hereby created. The council shall consist of two individuals appointed by the governor and four individuals, one of whom is appointed by the chairperson of each of the two largest political caucuses in the senate and house of representatives. The chair of the council shall be selected from among the four caucus appointees. The council may select such other officers as the members deem necessary.

(2) The council shall employ a caseload forecast supervisor to supervise the preparation of all caseload forecasts. As used in this chapter, "supervisor" means the caseload forecast supervisor.

(3) Approval by an affirmative vote of at least five members of the council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years. At the end of the first year of each three-year term the council shall consider extension of the supervisor's term by one year. The council may fix the compensation of the supervisor. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

(5) A councilmember who does not cast an affirmative vote for approval of the official caseload forecast may request, and the supervisor shall provide, an alternative forecast based on assumptions specified by the member.

(6) Members of the caseload forecast council shall serve without additional compensation but shall be reimbursed for travel expenses in accordance with RCW 44.04.120 while attending sessions of the council or on official business authorized by the council. Nonlegislative members of the council shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) "Caseload," as used in this chapter, means:

(a) The number of persons expected to meet entitlement requirements and require the services of public assistance programs, state correctional institutions, state correctional noninstitutional supervision, state institutions for juvenile offenders, the common school system, long-term care, medical assistance, foster care, and adoption support;

(b) The number of students who are eligible for the Washington college bound scholarship program and are expected to attend an institution of higher education as defined in RCW 28B.92.030.

(8) The caseload forecast council shall forecast the temporary assistance for needy families and the working connections child care programs as a courtesy.

(9) The caseload forecast council shall forecast youth participating in the extended foster care program pursuant to RCW 74.13.031 separately from other children who are residing in foster care and who are under eighteen years of age.

(10) Unless the context clearly requires otherwise, the definitions provided in RCW 43.88.020 apply to this chapter.

Sec. 12. RCW 74.13.107 and 2012 c 204 s 2 are each amended to read as follows:

(1) The child and family reinvestment account is created in the state treasury. Moneys in the account may be spent only after appropriation. Moneys in the account may be expended solely for improving outcomes related to: (a) Safely reducing entry into the foster care system and preventing reentry; (b) safely increasing reunifications; (c) achieving permanency for children unable to be reunified; and (d) improving outcomes for youth who will age out of the foster care system. Moneys may be expended for shared savings under performance-based contracts.

(2) Revenues to the child and family reinvestment account consist of: (a) Savings to the state general fund resulting from reductions in foster care caseloads and per capita costs, as calculated and transferred into the account under this section; and (b) any other public or private funds appropriated to or deposited in the account.

(3)(a) The department of social and health services, in collaboration with the office of financial management and the caseload forecast council, shall develop a methodology for calculating the savings under this section. The methodology must be used for the 2013- 2015 fiscal biennium, and for each biennium thereafter. The methodology must establish a baseline for calculating savings. In developing the methodology, the department of social and health services shall incorporate the relevant requirements of any demonstration waiver granted to the state under P.L. 112-34. The savings must be based on actual caseload and per capita expenditures.

(b) The caseload and the per capita expenditures for youth in extended foster care pursuant to RCW 74.13.031 and as determined under RCW 43.88C.010(9) shall not be included in the following:

(i) The calculation of savings transferred to the account; or

(ii) The capped allocation of the demonstration waiver granted to the state under P.L. 112-34.

(c) By December 1, 2012, the department of social and health services shall submit the proposed methodology to the governor and the appropriate committees of the legislature. The methodology is deemed approved unless the legislature enacts legislation to modify or reject the methodology.

~~((b))~~ (d) The department of social and health services shall use the methodology established in (a) of this subsection to calculate savings to the state general fund for transfer into the child and family reinvestment account in fiscal year 2014 and each fiscal year thereafter. Savings calculated by the department under this section are not subject to RCW 43.79.460. The department shall report the amount of the state general fund savings achieved to the office of financial management and the fiscal committees of the legislature at the end of each fiscal year. The office of financial management shall provide notice to the state treasurer of the amount of state general fund savings, as calculated by the department of social and health services, for transfer into the child and family reinvestment account.

~~((c))~~ (e) Nothing in this section prohibits (i) the caseload forecast council from forecasting the foster care caseload under RCW 43.88C.010 or (ii) the department from including maintenance funding in its budget submittal for caseload costs that exceed the baseline established in (a) of this subsection.

Sec. 13. RCW 43.131.416 and 2012 c 204 s 5 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 2019:

(1) 2012 c 204 s 1 (uncodified);

(2) RCW 74.13.107 and 2013 c ... s 12 (section 12 of this act) & 2012 c 204 s 2; and

(3) RCW 43.135.0341 and 2012 c 204 s 3.

NEW SECTION. Sec. 14. No later than September 1, 2013, the department of social and health services shall develop recommendations regarding the needs of dependent youth in juvenile rehabilitation administration institutions and report those recommendations to the governor and appropriate legislative committees. The report must include specific recommendations regarding how these youth may access services under the extended foster care program. The recommendations must be developed by the children's administration and the juvenile rehabilitation administration in consultation with youth who have been involved with the juvenile rehabilitation administration and representatives from community stakeholders and the courts.

NEW SECTION. Sec. 15. This act applies prospectively only and not retroactively. It applies to:

(1) Dependency matters that have an open court case on the effective date of this section; and

(2) Dependency matters for which a petition is filed on or after the effective date of this section.

NEW SECTION. Sec. 16. Sections 7 and 9 of this act expire December 1, 2013.

NEW SECTION. Sec. 17. Sections 8 and 10 of this act take effect December 1, 2013."

Correct the title.

Representative Roberts spoke in favor of the adoption of the amendment.

Amendment (451) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Roberts, Kagi and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5405, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5405, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Haler, Hawkins, Holy, Johnson, Klippert, Overstreet, Pike, Rodne, Ross, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt and Freeman.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405, as amended by the House, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 2002 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2002, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2002, on reconsideration, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Hargrove, Holy, Orcutt, Overstreet, Parker, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt and Freeman.

SUBSTITUTE HOUSE BILL NO. 2002, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SUBSTITUTE SENATE BILL NO. 5031
ENGROSSED SENATE BILL NO. 5048
ENGROSSED SENATE BILL NO. 5099
SUBSTITUTE SENATE BILL NO. 5123
SENATE BILL NO. 5748
SENATE BILL NO. 5824

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 17, 2013, the 94th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

NINETY FOURTH DAY

House Chamber, Olympia, Wednesday, April 17, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Austin Li and Angel Lloyd. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Father Joseph Mikel, St. David's of Wales, Shelton, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker assumed the chair.

POINT OF PERSONAL PRIVILEGE

Representative DeBolt: "Ladies and Gentleman of the House, it is kind of neat to be up here. I've had two firsts; I also got to go to caucus. I just wanted to let you know, you know as you sit here in life and you think about things, as a lot of you know I haven't been feeling very well lately. I was in the hospital and I kind of looked at my life and I thought about my son's sixteenth birthday, which is tomorrow. Happy Birthday Austin. I thought about where I fit in the world and one of the things I do know is that two years ago I had some severe health challenges and now I am going to face some new challenges and I know I'm going to be fine but it is time for me to step aside as the leader of the House Republican Caucus. I just really want you guys to know how much it has meant to me to serve in that area and in that part of my life. This has been a wonderful experience for me. We are going to see how the summer goes and then we will go from there. Each and every one of you holds a special place in the State of Washington. You represent a district and you represent a philosophy and an ideal that you have to hold on to because you represent those people that elected you and sent you here. Each and every one of you has a special gift and a talent and have been lucky enough to be elected to this body and I don't want you to look past that. I'm not leaving, I'm just changing roles for a while, stepping away, going to focus on my family and my health and my other worlds. There is a lot of stresses that come in this building, you guys know them probably better than anybody. The reason I choose to go now is because as I've been home, every time someone makes a decision I get ten texts telling me they made this decision. It is important that we know who is responsible. Joel is going to be stepping in and helping me out. Thank you. Our caucus is in good shape and very strong and I just want you guys to know how much I really appreciate everything and Mr. Speaker, you have been very concerned and very helpful to me as I went through this and you have been a great leader for us and I appreciate you and your compassion. Thank you guys very much as I move forward in a new chapter in my life and I appreciate it Thanks."

Mr. Speaker: "I am at a loss for words Richard. You and I have been through a lot together, a lot of floor battles, in fact I always was very worried whenever Richard would stand and speak

on the floor because I was very jealous frankly, because you can get up and give a great speech and I'm always nervous. In fact, I'm so pleased I haven't given a floor speech in about ten years but I just really have great admiration for you. We have been through a lot, maybe we should write a book together because there are lots of stories we could tell about how great this institution is and how great all the legislators are, but in particular, how great you have been to work with. It is more than just a working relationship, you've been a great friend. Anything we can do, just let us know, I appreciate all the years of service you've given to the State of Washington, to your district, and to all of us. I wish you all the best. Everybody up." (The members of the House rose in honor of Representative DeBolt.)

The Speaker called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

April 16, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1021
HOUSE BILL NO. 1036
SUBSTITUTE HOUSE BILL NO. 1180
SUBSTITUTE HOUSE BILL NO. 1200
HOUSE BILL NO. 1203
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247
SUBSTITUTE HOUSE BILL NO. 1256
SUBSTITUTE HOUSE BILL NO. 1261
SUBSTITUTE HOUSE BILL NO. 1270
SUBSTITUTE HOUSE BILL NO. 1271
HOUSE BILL NO. 1330
SUBSTITUTE HOUSE BILL NO. 1370
SUBSTITUTE HOUSE BILL NO. 1397
SUBSTITUTE HOUSE BILL NO. 1422
HOUSE BILL NO. 1447
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480
SUBSTITUTE HOUSE BILL NO. 1498
SUBSTITUTE HOUSE BILL NO. 1499
HOUSE BILL NO. 1534
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717
HOUSE BILL NO. 1738
SUBSTITUTE HOUSE BILL NO. 1812

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2033 by Representatives Hawkins, Hunter, Alexander, Bergquist, Hunt and Buys

AN ACT Relating to reducing the costs and inefficiencies in elections by eliminating a requirement to include the full text of ballot measures in the printed version of voters' pamphlets; amending RCW 29A.32.070; and creating a new section.

Referred to Committee on Appropriations.

HB 2034 by Representatives Ormsby and Reykdal

AN ACT Relating to funding K-12 basic education and higher education by narrowing or eliminating tax preferences.

Referred to Committee on Finance.

HB 2035 by Representatives Ormsby and Reykdal

AN ACT Relating to funding K-12 basic education and higher education by narrowing or eliminating certain state tax exemptions, deductions, credits, and preferential rates.

Referred to Committee on Finance.

HB 2036 by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences; amending RCW 82.04.260, 82.08.0293, 82.12.0293, 82.08.0273, 82.04.050, 82.04.4452, 82.63.030, 82.16.050, 82.04.610, 82.12.0263, 82.04.250, 82.04.261, 82.04.334, 82.04.4463, 82.04.460, 82.08.806, 82.45.195, 48.14.080, and 35.102.150; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.32 RCW; repealing RCW 82.04.272; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2037 by Representatives Carlyle, Hunter, Ormsby and Tharinger

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by extending the state business and occupation surtax; amending RCW 82.04.29002; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2038 by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences and extending taxes set to expire; amending RCW 82.04.29002, 82.04.260, 82.08.0293, 82.12.0293, 82.08.0273, 66.24.290, 82.04.050, 82.04.4452, 82.63.030, 82.16.050, 82.04.610, 82.12.0263, 82.04.250, 82.04.261, 82.04.334, 82.04.4463, 82.04.460, 82.08.806, 82.45.195, 48.14.080, and 35.102.150; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.32 RCW; repealing RCW 82.04.272; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2039 by Representative Dunshee

AN ACT Relating to funding capital projects.

Referred to Committee on Capital Budget.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5456, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Schlicher, Becker, Keiser, Bailey, Frockt, Cleveland, Hargrove, Darneille and McAuliffe)

Concerning detentions under the involuntary treatment act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

MOTION

On motion of Representative Shea, Representative DeBolt was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5456, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5456, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Sequist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove,

Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5456, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5182, by Senate Committee on Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs and Schlicher)

Addressing the disclosure of vehicle owner information.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5182.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5182, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5182, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5715, by Senators Hill, Carrell and Hargrove

Addressing the evasion of taxes by the use of certain electronic means.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5715.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5715, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5715, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5264, by Senate Committee on Transportation (originally sponsored by Senators Benton, Mullet, Baumgartner and Sheldon)

Concerning the transportation and storage of certain explosive devices.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5264.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5264, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall,

Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5264, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5476, by Senators Hewitt, Keiser, Conway and Holmquist Newbry

Clarifying the employment status of independent contractors in the news business.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

COLLOQUY

Representative Manweller: "Will the Representative from the 38th District yield to a question?"

Representative Sells: "Yes."

Representative Manweller: "Is it the intent of the legislature to expand the minimum wage, unemployment insurance and industrial insurance exemptions for persons performing services in the news business to include delivery persons who distribute or sell newspapers other than to offices, businesses, residences or on the street?"

Representative Sells: "No. With respect to newspaper delivery, the legislature intends solely to clarify and update the law in recognition of current standard news business delivery practices. The legislation is not intended to expand the scope of persons covered by the exemption to include delivery persons who distribute or sell other than to offices, businesses, residences or on the street."

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5476.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5476, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal,

Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5476, having received the necessary constitutional majority, was declared passed.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Rolfes and Keiser)

Facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5681.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5681, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5263, by Senate Committee on Transportation (originally sponsored by Senators Benton and King)

Concerning motorcycles overtaking and passing pedestrians and bicyclists.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5263.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5263, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5263, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5437, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Hargrove, Roach, Kline, Sheldon, Pearson and Chase)

Regarding boating safety.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on General Government was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Habib, Klippert and Goodman spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5437, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5437, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Carlyle, Condotta, Dunshee, Fitzgibbon, MacEwen, Ormsby, Overstreet, Pike, Sawyer, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5437, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5099, by Senator Rivers

Concerning fuel usage of publicly owned vehicles, vessels, and construction equipment.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Upthegrove and Pike spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5099, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5099, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan,

Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Chandler.

Excused: Representative DeBolt.

ENGROSSED SENATE BILL NO. 5099, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Smith, Hatfield, Baumgartner, Chase and Shin)

Modifying the property tax exemption for nonprofit fairs.

The bill was read the second time.

Representative Reykdal moved the adoption of amendment (452).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) An employer may not:

(a) Request, require, or otherwise coerce an employee or applicant to disclose login information for the employee's or applicant's personal social networking account;

(b) Request, require, or otherwise coerce an employee or applicant to access his or her personal social networking account in the employer's presence in a manner that enables the employer to observe the contents of the account;

(c) Compel or coerce an employee or applicant to add a person, including the employer, to the list of contacts associated with the employee's or applicant's personal social networking account;

(d) Request, require, or cause an employee or applicant to alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account; or

(e) Take adverse action against an employee or applicant because the employee or applicant refuses to disclose his or her login information, access his or her personal social networking account in the employer's presence, add a person to the list of contacts associated with his or her personal social networking account, or alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account.

(2) This section does not apply to an employer's request or requirement that an employee share content from his or her personal social networking account if the following conditions are met:

(a) The employer requests or requires the content to make a factual determination in the course of conducting an investigation;

(b) The employer undertakes the investigation in response to receipt of information about the employee's activity on his or her personal social networking account;

(c) The purpose of the investigation is to: (i) Ensure compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct; or (ii) investigate an allegation of unauthorized transfer of an employer's proprietary information, confidential information, or financial data to the employee's personal social networking account; and

(d) The employer does not request or require the employee to provide his or her login information.

(3) This section does not:

(a) Apply to a social network, intranet, or other technology platform that is intended primarily to facilitate work-related information exchange, collaboration, or communication by employees or other workers;

(b) Prohibit an employer from requesting or requiring an employee to disclose login information for access to: (i) An account or service provided by virtue of the employee's employment relationship with the employer; or (ii) an electronic communications device or online account paid for or supplied by the employer;

(c) Prohibit an employer from enforcing existing personnel policies that do not conflict with this section; or

(d) Prevent an employer from complying with the requirements of state or federal statutes, rules or regulations, case law, or rules of self-regulatory organizations.

(4) If, through the use of an employer-provided electronic communications device or an electronic device or program that monitors an employer's network, an employer inadvertently receives an employee's login information, the employer is not liable for possessing the information but may not use the login information to access the employee's personal social networking account.

(5)(a) An employee or applicant aggrieved by a violation of this section may file a complaint with the department of labor and industries. The department shall investigate the complaint and, if the investigation indicates that a violation may have occurred, hold a hearing in accordance with chapter 34.05 RCW. A finding pursuant to the procedure set forth in this subsection constitutes an exhaustion of administrative remedies.

(b) The department may adopt rules to implement this section, including a rule regarding penalties for violation of this section. Any penalty established by the department for violation of this section may not exceed one thousand dollars for the first violation and five thousand dollars for each subsequent violation.

(6) For the purposes of this section:

(a) "Adverse action" means: discharging, disciplining, or otherwise penalizing an employee; threatening to discharge, discipline, or otherwise penalize an employee; and failing or refusing to hire an applicant.

(b) "Applicant" means an applicant for employment.

(c) "Electronic communications device" means a device that uses electronic signals to create, transmit, and receive information, including computers, telephones, personal digital assistants, and other similar devices.

(d) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or other activity in this state and employs one or more employees, and includes the state, any state institution, state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation. "Employer" includes an agent, a representative, or a designee of the employer.

(e) "Login information" means a user name and password, a password, or other means of authentication that protects access to a personal social networking account.

NEW SECTION. Sec. 2. The sum of twenty-three thousand sixty-four dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2014, from the general fund to the department of labor and industries for the purposes of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Representatives Reykdal and Holy spoke in favor of the adoption of the amendment.

Amendment (452) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5211, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5211, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Fitzgibbon, Jinkins, Morrell, Ormsby, Reykdal, Roberts, Ryu, Tharinger and Van De Wege.

Excused: Representatives DeBolt and Hope.

SUBSTITUTE SENATE BILL NO. 5211, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Smith, Hatfield, Baumgartner, Chase and Shin)

Modifying the property tax exemption for nonprofit fairs.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Buys and Carlyle spoke in favor of the passage of the bill.

Representative Reykdal spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Hope was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5078, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5078, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Fitzgibbon, Jinkins, Morrell, Ormsby, Reykdal, Roberts, Ryu, Tharinger and Van De Wege.

Excused: Representatives DeBolt and Hope.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5002, by Senate Committee on Governmental Operations (originally sponsored by Senators Honeyford, Fraser and Ericksen)

Concerning mosquito control districts.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (436).

On page 2, line 3, after "(5)" insert "(a)"

On page 2, after line 11, insert the following:

"(b) The following provisions govern entry upon lands adjacent to lands within the district for the purposes specified in (a) of this subsection:

(i) A district must give prior written notice to the property owner of the intent to enter upon the land;

(ii) A district may not enter upon the land without the property owner's consent; and

(iii) RCW 17.28.250 does not apply to a district's entry upon or performance of work on any lands adjacent to lands within the district."

Representatives Taylor and Magendanz spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (436) was not adopted.

Representative Takko moved the adoption of amendment (453).

On page 2, line 3, after "(5)" insert "(a)"

On page 2, after line 11, insert the following:

"(b) For land adjacent to land within the district, a district must give prior written notice to the property owner of the district's intent to enter upon the land for the purposes specified in (a) of this subsection."

Representatives Takko and Taylor spoke in favor of the adoption of the amendment.

Amendment (453) was adopted.

Representative Taylor moved the adoption of amendment (437).

On page 2, after line 31, insert the following:

"**NEW SECTION. Sec. 2.** RCW 17.28.250 (Interference with entry or work of district - Penalty) and 2011 c 336 s 467, & 1957 c 153 s 25 are each repealed."

Correct the title.

Representative Taylor spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (437) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Takko and Warnick spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5002, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5002, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Overstreet, Parker, Pike,

Reykdal, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Van De Wege, Vick, Wilcox and Zeiger.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5002, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5052, by Senators Ericksen, Ranker, Shin, Padden and Kohl-Welles

Increasing the number of superior court judges in Whatcom county.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton and Buys spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5052.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5052, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, MacEwen, Pike, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SENATE BILL NO. 5052, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5092, by Senators Benton, Shin, Braun, Roach and Honeyford

Providing an exemption from continuing competency requirements for registered nurses who seek advanced nursing degrees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5092, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5092, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5092, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5297, by Senators Braun, Ericksen and Carrell

Concerning coal transition power.

The bill was read the second time.

With the consent of the house, amendment (455) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Upthegrove and Short spoke in favor of the passage of the bill.

Representative Hudgins spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5297.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5297, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Fagan, Fey, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morrell, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Overstreet, Parker, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Hudgins, Kagi, Liias, Lytton, Maxwell, Morris, Orwall, Pedersen and Tarleton.

Excused: Representative DeBolt.

SENATE BILL NO. 5297, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5705, by Senate Committee on Governmental Operations (originally sponsored by Senators Brown, King and Hatfield)

Concerning amounts received by taxing districts from property tax refunds and abatements.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (454).

On page 2, after line 3, insert the following:

"NEW SECTION. Sec. 2. The legislature finds that it is difficult for many property owners to pay property taxes under the current system where past due property tax payments must be paid in full, including penalties and interest. The legislature further finds that providing counties and property owners some flexibility in structuring past due property tax payments may provide some relief for property owners with delinquent tax payments.

Sec. 3. RCW 84.56.020 and 2010 c 200 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and, except as provided in this section, shall be delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax be paid on or before the thirtieth day of April, the remainder of such tax is due and payable on or before the thirty-first day of October following and shall be delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the thirty-first day of October following and is delinquent after that date.

(5) Except as provided in (c) of this subsection, delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the full year amount of tax unpaid from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the full year amount of tax unpaid is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the amount of tax delinquent on December 1st of the year in which the tax is due.

(c) If a taxpayer is successfully participating in a payment agreement under subsection (11)(b) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement.

(6)(a) When real property taxes become delinquent and prior to the filing of the certificate of delinquency, the treasurer is authorized to assess and collect tax foreclosure avoidance costs.

(b) For the purposes of this section, "tax foreclosure avoidance costs" means those costs that can be identified specifically with the administration of properties subject to and prior to foreclosure. Tax foreclosure avoidance costs include:

(i) Compensation of employees for the time devoted and identified specifically to administering the avoidance of property foreclosure; and

(ii) The cost of materials, services, or equipment acquired, consumed, or expended specifically for the purpose of administering tax foreclosure avoidance prior to the filing of a certificate of delinquency.

(c) When tax foreclosure avoidance costs are collected, the tax foreclosure avoidance costs must be credited to the county treasurer service fund account, except as otherwise directed.

(d) For purposes of chapter 84.64 RCW, any taxes, interest, or penalties deemed delinquent under this section remain delinquent until such time as all taxes, interest, and penalties for the tax year in which the taxes were first due and payable have been paid in full.

(7) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict on delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

~~((7))~~ (8) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at the request of any taxpayer affected by the emergency, may grant extensions of the due date of any taxes payable under this section as the treasurer deems proper.

~~((8))~~ (9) For purposes of this chapter, "interest" means both interest and penalties.

~~((9))~~ (10) All collections of interest on delinquent taxes must be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and must be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

~~((10))~~ (11)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, interest, and charges by electronic bill presentment and payment. Electronic bill presentment and payment may be utilized as an option by the taxpayer, but the treasurer may not require the use of electronic bill presentment and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for ~~((prepayments))~~ delinquent tax year payments only or for prepayments of current tax. All prepayments must be paid in full by the due date specified in (c) of this subsection. Payments on past due taxes must include collection of the oldest delinquent year, which includes interest and taxes within a twelve-month period, prior to filing a certificate of delinquency under chapter 84.64 RCW or distraint pursuant to RCW 84.56.070.

(b) The treasurer must provide, by electronic means or otherwise, a payment agreement that ~~((may include prepayment collection charges. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic bill))~~ provides for payment of current year taxes, inclusive of prepayment collection charges. The treasurer may provide, by electronic means or otherwise, a payment agreement for payment of past due delinquencies, which must also require current year taxes to be paid timely. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic or alternative bill, which includes a payment plan for current year taxes.

(c) All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the thirty-first day of October following and is delinquent after that date. All other assessments, fees, rates, and charges are delinquent after the due date.

(d) A county treasurer may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfer payments on a monthly basis. Monthly payments must first be applied to penalties and interest. Delinquent taxes are subject to interest and penalties, as provided in subsection (5) of this section.

(e) The treasurer must pay any collection costs, investment earnings, or both on past due payments or prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((11))~~ (12) For purposes of this section unless the context clearly requires otherwise, the following definitions apply:

(a) "Electronic bill presentment and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010.

Sec. 4. RCW 84.56.070 and 2009 c 350 s 2 are each amended to read as follows:

(1) The county treasurer ~~((shall))~~ must proceed to collect all personal property taxes after first completing the tax roll for the current year's collection.

(2) The treasurer (~~shall~~) must give notice by mail to all persons charged with personal property taxes, and if such taxes are not paid before they become delinquent, the treasurer (~~shall forthwith proceed to collect the same~~) must commence delinquent collection efforts. A delinquent collection charge for costs incurred by the treasurer must be added to the account.

(3) In the event that (~~he or she~~) the treasurer is unable to collect the (~~same~~) taxes when due under this section, the treasurer (~~shall~~) must prepare papers in distraint, which (~~shall~~) must contain a description of the personal property, the amount of taxes, the amount of the accrued interest at the rate provided by law from the date of delinquency, and the name of the owner or reputed owner.

(a) The treasurer (~~shall~~) must without demand or notice distraint sufficient goods and chattels belonging to the person charged with such taxes to pay the same, with interest at the rate provided by law from the date of delinquency, together with all accruing costs, and (~~shall~~) must proceed to advertise the same by posting written notices in three public places in the county in which such property has been distrained, one of which places (~~shall~~) must be at the county courthouse, such notice to state the time when and place where such property will be sold.

(b) The county treasurer, or the treasurer's deputy, (~~shall~~) must tax the same fees for making the distraint and sale of goods and chattels for the payment of taxes as are allowed by law to sheriffs for making levy and sale of property on execution; traveling fees to be computed from the county seat of the county to the place of making distraint.

(c) If the taxes for which such property is distrained, and the interest and costs accruing thereon, are not paid before the date appointed for such sale, which (~~shall be~~) may not be less than ten days after the taking of such property, such treasurer or treasurer's designee (~~shall~~) must proceed to sell such property at public auction, or so much thereof as (~~shall be~~) is sufficient to pay such taxes, with interest and costs, and if there be any excess of money arising from the sale of any personal property, the treasurer (~~shall~~) must pay such excess less any cost of the auction to the owner of the property so sold or to his or her legal representative (~~(= PROVIDED, That whenever it shall become)~~).

(d) If necessary to distraint any standing timber owned separately from the ownership of the land upon which the same may stand, or any fish trap, pound net, reef net, set net, or drag seine fishing location, or any other personal property as the treasurer (~~shall~~) determines to be incapable or reasonably impracticable of manual delivery, it (~~shall be~~) is deemed to have been distrained and taken into possession when the treasurer (~~shall have~~) has, at least thirty days before the date fixed for the sale thereof, filed with the auditor of the county wherein such property is located a notice in writing reciting that the treasurer has distrained such property, describing it, giving the name of the owner or reputed owner, the amount of the tax due, with interest, and the time and place of sale(~~(s)~~). A copy of the notice (~~shall~~) must also be sent to the owner or reputed owner at his or her last known address, by registered letter at least thirty days prior to the date of sale(~~(= AND PROVIDED FURTHER, That)~~).

(e) If the county treasurer has reasonable grounds to believe that any personal property, including mobile homes, manufactured homes, or park model trailers, upon which taxes have been levied, but not paid, is about to be removed from the county where the same has been assessed, or is about to be destroyed, sold, or disposed of, the county treasurer may demand such taxes, without the notice provided for in this section, and if necessary may (~~forthwith~~) distraint sufficient goods and chattels to pay the same."

Correct the title.

Representative Carlyle spoke in favor of the adoption of the amendment.

Amendment (454) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Carlyle and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5705, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5705, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5705, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5748, by Senator Roach

Extending contribution limits to candidates for public hospital district boards of commissioners.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Operations & Elections was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunt and Buys spoke in favor of the passage of the bill.

Representative Maxwell spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5748, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5748, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Chandler, Condotta, Crouse, Goodman, Jinkins, Maxwell, Morrell, Overstreet, Pike, Roberts, Scott, Shea, Taylor and Van De Wege.

Excused: Representative DeBolt.

SENATE BILL NO. 5748, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

MR. SPEAKER:

The President has signed:

- HOUSE BILL NO. 1006
- HOUSE BILL NO. 1108
- HOUSE BILL NO. 1124
- SUBSTITUTE HOUSE BILL NO. 1141
- HOUSE BILL NO. 1148
- HOUSE BILL NO. 1154
- HOUSE BILL NO. 1175
- SUBSTITUTE HOUSE BILL NO. 1192
- SUBSTITUTE HOUSE BILL NO. 1327
- HOUSE BILL NO. 1351
- ENGROSSED HOUSE BILL NO. 1400
- HOUSE BILL NO. 1404
- SUBSTITUTE HOUSE BILL NO. 1435
- SUBSTITUTE HOUSE BILL NO. 1512
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524
- ENGROSSED HOUSE BILL NO. 1677
- SUBSTITUTE HOUSE BILL NO. 1752
- SUBSTITUTE HOUSE BILL NO. 1853
- HOUSE BILL NO. 1903
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1944

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

SUBSTITUTE SENATE BILL NO. 5256, by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Baumgartner)

Concerning the confidentiality of certain autopsy and postmortem reports and records.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Shea spoke in favor of the passage of the bill.

MOTION

On motion of Representative Holy, Representative Crouse was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5256, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5256, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse and DeBolt.

SUBSTITUTE SENATE BILL NO. 5256, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Bergquist to preside.

There being no objection, the bills listed on the day's floor calendar were returned to the Committee on Rules for second reading:

- SENATE BILL NO. 5097
- SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007
- SENATE BILL NO. 5606
- SENATE BILL NO. 5059
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5118
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680
- SENATE BILL NO. 5787
- SUBSTITUTE SENATE BILL NO. 5010
- SENATE BILL NO. 5083
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5176
- SUBSTITUTE SENATE BILL NO. 5381
- SUBSTITUTE SENATE BILL NO. 5760
- SENATE BILL NO. 5775
- SUBSTITUTE SENATE BILL NO. 5031
- ENGROSSED SENATE BILL NO. 5048

SUBSTITUTE SENATE BILL NO. 5123
SENATE BILL NO. 5824

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1:30 p.m., April 18, 2013, the 95th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

NINETY FIFTH DAY

House Chamber, Olympia, Thursday, April 18, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Patrick Hoover and Jessica Dashkel. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

- HOUSE BILL NO. 1287
- HOUSE BILL NO. 1421
- HOUSE BILL NO. 1437
- HOUSE BILL NO. 1634
- HOUSE BILL NO. 1957
- HOUSE BILL NO. 1978
- HOUSE BILL NO. 1979
- HOUSE BILL NO. 1986
- HOUSE BILL NO. 1988

MESSAGES FROM THE SENATE

April 17, 2013

MR. SPEAKER:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 5195
- SENATE BILL NO. 5411
- SUBSTITUTE SENATE BILL NO. 5416
- ENGROSSED SENATE BILL NO. 5603
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5669
- SUBSTITUTE SENATE BILL NO. 5702

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 17, 2013

MR. SPEAKER:

The Senate has passed:

- HOUSE BILL NO. 1003
- SUBSTITUTE HOUSE BILL NO. 1009
- SUBSTITUTE HOUSE BILL NO. 1012
- HOUSE BILL NO. 1045
- HOUSE BILL NO. 1065
- SUBSTITUTE HOUSE BILL NO. 1071
- SUBSTITUTE HOUSE BILL NO. 1075
- HOUSE BILL NO. 1149
- HOUSE BILL NO. 1218

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1381
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1403
- SUBSTITUTE HOUSE BILL NO. 1420
- SUBSTITUTE HOUSE BILL NO. 1456
- HOUSE BILL NO. 1468
- SUBSTITUTE HOUSE BILL NO. 1568
- HOUSE BILL NO. 1576
- SUBSTITUTE HOUSE BILL NO. 1613
- SUBSTITUTE HOUSE BILL NO. 1617
- SUBSTITUTE HOUSE BILL NO. 1629
- HOUSE BILL NO. 1644
- HOUSE BILL NO. 1683
- SUBSTITUTE HOUSE BILL NO. 1822
- HOUSE BILL NO. 1863
- SUBSTITUTE HOUSE BILL NO. 1868
- ENGROSSED HOUSE BILL NO. 1887

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2040 by Representatives Springer, Clibborn, Pettigrew and Liias

AN ACT Relating to consolidating small loans and small consumer installment loans under chapter 31.45 RCW.

Referred to Committee on Business & Financial Services.

HB 2041 by Representatives Clibborn, Moscoso, Fey, Fitzgibbon, Carlyle, Liias, Tarleton, Upthegrove, Pedersen, Orwall, Farrell and Tharinger

AN ACT Relating to repealing the deduction for handling losses of motor vehicle fuel; and repealing RCW 82.36.029.

Referred to Committee on Transportation.

HB 2042 by Representatives Cody, Hunter and Sullivan

AN ACT Relating to modifying the nursing facility medicaid payment system by delaying the rebase of certain rate components and extending certain rate add-ons; amending RCW 74.46.431 and 74.46.501; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2043 by Representatives Hunter and Sullivan

AN ACT Relating to temporarily suspending inflationary increases in educational employee compensation; amending RCW 28A.400.205, 28B.50.465, 28B.50.468, and 28A.405.415; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2044 by Representatives Hunter and Sullivan

AN ACT Relating to delaying the implementation of the family leave insurance program until funding and payment of benefits are authorized in law; and amending RCW 49.86.030 and 49.86.210.

Referred to Committee on Appropriations.

HB 2045 by Representatives Hunter and Sullivan

AN ACT Relating to payments to counties in lieu of taxes; and amending RCW 77.12.201 and 77.12.203.

Referred to Committee on Appropriations.

HB 2046 by Representatives Hunter and Sullivan

AN ACT Relating to transferring funds from the budget stabilization account to the general fund; and creating a new section.

Referred to Committee on Appropriations.

HB 2047 by Representatives Springer, Hunter, Sullivan and Tharinger

AN ACT Relating to reducing the costs of the student assessment system by using consortium-developed assessments and reducing the assessments required for graduation to three content areas; amending RCW 28A.655.061, 28A.655.070, 28A.655.066, 28A.655.071, 28A.655.185, 28B.105.010, 28B.105.030, and 28B.105.060; and creating a new section.

Referred to Committee on Appropriations.

HB 2048 by Representatives Pollet and Roberts

AN ACT Relating to eliminating the investment income business and occupation tax deduction for corporations and other business entities; amending RCW 82.04.4281; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 2049 by Representatives Seaquist, Pollet, Ryu, Tarleton, Moscoso and Wylie

AN ACT Relating to creating the new economy scholars fund; amending RCW 82.04.4452 and 82.63.030; reenacting and amending RCW 43.79A.040; adding a new section to chapter 28B.77 RCW; and adding a new section to chapter 82.32 RCW.

Referred to Committee on Finance.

HB 2050 by Representatives Hunter, Ormsby and Roberts

AN ACT Relating to achieving correctional savings related to certification of jail time served; and amending RCW 9.94A.729 and 9.92.151.

Referred to Committee on Appropriations.

HB 2051 by Representatives Lytton, Hunter, Sullivan, Maxwell and Pollet

AN ACT Relating to implementation of basic education expenditures; amending RCW 28A.150.220, 28A.150.260, 28A.150.315, 28A.150.390, 28A.180.030, 28A.180.040, 28A.230.090, 28A.160.192, and 43.135.025; adding a new section to chapter 28A.150 RCW; creating new sections; and providing effective dates.

Referred to Committee on Appropriations.

HB 2052 by Representatives Habib and Magendanz

AN ACT Relating to promoting the start-up economy in Washington by providing a business and occupation tax preference for Washington-based high technology businesses during their first three years of operation and directing the department of commerce to develop a comprehensive strategy to facilitate the growth and development of start-ups in Washington; amending RCW 82.32.585; adding new sections to chapter 82.04 RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 43.136 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1957, by Representatives Clibborn, Lias, Moscoso and Fey

Concerning department of transportation project delivery.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1957 was substituted for House Bill No. 1957 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1957 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

MOTION

On motion of Representative Scott, Representatives Crouse, DeBolt and Hope were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1957.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1957, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Crouse, DeBolt and Hope.

SUBSTITUTE HOUSE BILL NO. 1957, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1978, by Representatives Zeiger, Clibborn, Orcutt, O'Ban, Hargrove, Liias, Fey, Moscoso and Morrell

Addressing the permitting of certain transportation projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1978 was substituted for House Bill No. 1978 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1978 was read the second time.

Representative Zeiger moved the adoption of amendment (458).

On page 6, line 27, after "must" strike "lead" and insert "supervise"

On page 6, line 35, after "department" insert ", or consultant staff hired directly by the department,"

Representatives Zeiger and Fitzgibbon spoke in favor of the adoption of the amendment.

Amendment (458) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Zeiger, Fitzgibbon and Taylor spoke in favor of the passage of the bill.

Representative Pollet spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Roberts was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1978.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1978, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Pollet.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1986, by Representatives O'Ban, Rodne, Magendanz, Zeiger, Kristiansen, Klippert and Hayes

Requiring the reporting of highway construction project errors.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1986 was substituted for House Bill No. 1986 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1986 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives O'Ban and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1986.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1986, and the bill passed the House by the following vote: Yeas, 87; Nays, 7; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Rodne, Ross, Santos, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hunt, McCoy, Reykdal, Ryu, Sawyer, Tarleton and Uptegrove.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE HOUSE BILL NO. 1986, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1988, by Representatives Rodne, Magendanz, Zeiger, Kristiansen, Hayes and O'Ban

Concerning the application of right-sizing to transportation projects.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne, Liias and Rodne (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1988.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1988, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Uptegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

HOUSE BILL NO. 1988, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 18, 2013

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5052
 SUBSTITUTE SENATE BILL NO. 5182
 SUBSTITUTE SENATE BILL NO. 5263
 SUBSTITUTE SENATE BILL NO. 5264
 SENATE BILL NO. 5297
 SENATE BILL NO. 5476
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
 SENATE BILL NO. 5715

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

THIRD READING

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1115 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 62A.4A-108 and 1991 sp.s. c 21 s 4A-108 are each amended to read as follows:

RELATIONSHIP TO ELECTRONIC FUND TRANSFER ACT.

(a) Except as provided in subsection (b) of this section, this Article does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 (Title XX, P.L. 95-630, 92 Stat. 3728, 15 U.S.C. Sec. 1693 et seq.) ~~((as amended from time to time))~~.

(b) This Article applies to a funds transfer that is a remittance transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. Sec. 1693o-1), unless the remittance transfer is an electronic fund transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. Sec. 1693a).

(c) In a funds transfer to which this Article applies, in the event of an inconsistency between an applicable provision of this Article and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency.

Sec. 2. RCW 62A.4A-103 and 1991 sp.s. c 21 s 4A-103 are each amended to read as follows:

~~((+))~~ (a) In this Article:

~~((+))~~ (1) "Payment order" means an instruction of a sender to a receiving bank, transmitted orally, electronically, or in writing, to pay, or to cause another bank to pay, a fixed or determinable amount of money to a beneficiary if:

(i) The instruction does not state a condition ~~((€))~~ to payment to the beneficiary other than time of payment;

(ii) The receiving bank is to be reimbursed by debiting an account of, or otherwise receiving payment from, the sender; and

(iii) The instruction is transmitted by the sender directly to the receiving bank or to an agent, funds-transfer system, or communication system for transmittal to the receiving bank.

~~((+))~~ (2) "Beneficiary" means the person to be paid by the beneficiary's bank.

~~((+))~~ (3) "Beneficiary's bank" means the bank identified in a payment order in which an account of the beneficiary is to be credited pursuant to the order or which otherwise is to make payment to the beneficiary if the order does not provide for payment to an account.

~~((+))~~ (4) "Receiving bank" means the bank to which the sender's instruction is addressed.

~~((+))~~ (5) "Sender" means the person giving the instruction to the receiving bank.

~~((2))~~ ~~(b)~~ If an instruction complying with subsection ~~((1)(a))~~ ~~(a)(1)~~ of this section is to make more than one payment to a beneficiary, the instruction is a separate payment order with respect to each payment.

~~((3))~~ ~~(c)~~ A payment order is issued when it is sent to the receiving bank.

Sec. 3. RCW 62A.4A-104 and 1991 sp.s. c 21 s 4A-104 are each amended to read as follows:

In this Article:

~~((4))~~ ~~(a)~~ "Funds transfer" means the series of transactions, beginning with the originator's payment order, made for the purpose of making payment to the beneficiary of the order. The term includes any payment order issued by the originator's bank or an intermediary bank intended to carry out the originator's payment order. A funds transfer is completed by acceptance by the beneficiary's bank of a payment order for the benefit of the beneficiary of the originator's payment order.

~~((2))~~ ~~(b)~~ "Intermediary bank" means a receiving bank other than the originator's bank or the beneficiary's bank.

~~((3))~~ ~~(c)~~ "Originator" means the sender of the first payment order in a funds transfer.

~~((4))~~ ~~(d)~~ "Originator's bank" means ~~((a))~~ ~~(i)~~ the receiving bank to which the payment order of the originator is issued if the originator is not a bank, or ~~((b))~~ ~~(ii)~~ the originator if the originator is a bank.

Sec. 4. RCW 62A.4A-105 and 2012 c 214 s 1201 are each amended to read as follows:

~~((4))~~ ~~(a)~~ In this Article:

~~((a))~~ ~~(1)~~ "Authorized account" means a deposit account of a customer in a bank designated by the customer as a source of payment of payment orders issued by the customer to the bank. If a customer does not so designate an account, any account of the customer is an authorized account if payment of a payment order from that account is not inconsistent with a restriction on the use of ~~((b))~~ ~~that~~ account.

~~((b))~~ ~~(2)~~ "Bank" means a person engaged in the business of banking and includes a savings bank, savings and loan association, credit union, and trust company. A branch or separate office of a bank is a separate bank for purposes of this Article.

~~((c))~~ ~~(3)~~ "Customer" means a person, including a bank, having an account with a bank or from whom a bank has agreed to receive payment orders.

~~((d))~~ ~~(4)~~ "Funds-transfer business day" of a receiving bank means the part of a day during which the receiving bank is open for the receipt, processing, and transmittal of payment orders and cancellations and amendments of payment orders.

~~((e))~~ ~~(5)~~ "Funds-transfer system" means a wire transfer network, automated clearing house, or other communication system of a clearing house or other association of banks through which a payment order by a bank may be transmitted to the bank to which the order is addressed.

~~((f))~~ ~~(6)~~ [Reserved.]

~~((g))~~ ~~(7)~~ "Prove" with respect to a fact means to meet the burden of establishing the fact (RCW 62A.1-201(b)(8)).

~~((2))~~ ~~(b)~~ Other definitions applying to this Article and the sections in which they appear are:

"Acceptance"	RCW 62A.4A-209
"Beneficiary"	RCW 62A.4A-103
"Beneficiary's bank"	RCW 62A.4A-103
"Executed"	RCW 62A.4A-301
"Execution date"	RCW 62A.4A-301

"Funds transfer"	RCW 62A.4A-104
"Funds-transfer system rule"	RCW 62A.4A-501
"Intermediary bank"	RCW 62A.4A-104
"Originator"	RCW 62A.4A-104
"Originator's bank"	RCW 62A.4A-104
"Payment by beneficiary's bank to beneficiary"	RCW 62A.4A-405
"Payment by originator to beneficiary"	RCW 62A.4A-406
"Payment by sender to receiving bank"	RCW 62A.4A-403
"Payment date"	RCW 62A.4A-401
"Payment order"	RCW 62A.4A-103
"Receiving bank"	RCW 62A.4A-103
"Security procedure"	RCW 62A.4A-201
"Sender"	RCW 62A.4A-103

~~((3))~~ ~~(c)~~ The following definitions in Article 4 (RCW 62A.4-101 through 62A.4-504) apply to this Article:

"Clearing house"	RCW 62A.4-104
"Item"	RCW 62A.4-104
"Suspends payments"	RCW 62A.4-104

~~((4))~~ ~~(d)~~ In addition, Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

Sec. 5. RCW 62A.4A-106 and 2012 c 214 s 1202 are each amended to read as follows:

~~((4))~~ ~~(a)~~ The time of receipt of a payment order or communication canceling or amending a payment order is determined by the rules applicable to receipt of a notice stated in RCW 62A.1-202. A receiving bank may fix a cut-off time or times on a funds-transfer business day for the receipt and processing of payment orders and communications canceling or amending payment orders. Different cut-off times may apply to payment orders, cancellations, or amendments, or to different categories of payment orders, cancellations, or amendments. A cut-off time may apply to senders generally or different cut-off times may apply to different senders or categories of payment orders. If a payment order or communication canceling or amending a payment order is received after the close of a funds-transfer business day or after the appropriate cut-off time on a funds-transfer business day, the receiving bank may treat the payment order or communication as received at the opening of the next funds-transfer business day.

~~((2))~~ ~~(b)~~ If this Article refers to an execution date or payment date or states a day on which a receiving bank is required to take action, and the date or day does not fall on a funds-transfer business day, the next day that is a funds-transfer business day is treated as the date or day stated, unless the contrary is stated in this Article.

Sec. 6. RCW 62A.4A-202 and 1991 sp.s. c 21 s 4A-202 are each amended to read as follows:

~~((+))~~ (a) A payment order received by the receiving bank is the authorized order of the person identified as sender if that person authorized the order or is otherwise bound by it under the law of agency.

~~((2))~~ (b) If a bank and its customer have agreed that the authenticity of payment orders issued to the bank in the name of the customer as sender will be verified pursuant to a security procedure, a payment order received by the receiving bank is effective as the order of the customer, whether or not authorized, if ~~((+))~~ (i) the security procedure is a commercially reasonable method of providing security against unauthorized payment orders, and ~~((+))~~ (ii) the bank proves that it accepted the payment order in good faith and in compliance with the security procedure and any written agreement or instruction of the customer restricting acceptance of payment orders issued in the name of the customer. The bank is not required to follow an instruction that violates a written agreement with the customer or notice of which is not received at a time and in a manner affording the bank a reasonable opportunity to act on it before the payment order is accepted.

~~((3))~~ (c) Commercial reasonableness of a security procedure is a question of law to be determined by considering the wishes of the customer expressed to the bank, the circumstances of the customer known to the bank, including the size, type, and frequency of payment orders normally issued by the customer to the bank, alternative security procedures offered to the customer, and security procedures in general use by customers and receiving banks similarly situated. A security procedure is deemed to be commercially reasonable if ~~((+))~~ (i) the security procedure was chosen ~~((by))~~ by the customer after the bank offered, and the customer refused, a security procedure that was commercially reasonable for that customer, and ~~((+))~~ (ii) the customer expressly agreed in writing to be bound by any payment order, whether or not authorized, issued in its name, and accepted by the bank in compliance with the security procedure chosen by the customer.

~~((4))~~ (d) The term "sender" in this Article includes the customer in whose name a payment order is issued if the order is the authorized order of the customer under subsection ~~((+))~~ (a) of this section, or it is effective as the order of the customer under subsection ~~((2))~~ (b) of this section.

~~((5))~~ (e) This section applies to amendments and cancellations of payment orders to the same extent it applies to payment orders.

~~((6))~~ (f) Except as provided in this section and RCW 62A.4A-203~~((+))~~ (a)(1), rights and obligations arising under this section or RCW 62A.4A-203 may not be varied by agreement.

Sec. 7. RCW 62A.4A-203 and 1991 sp.s. c 21 s 4A-203 are each amended to read as follows:

~~((4))~~ (a) If an accepted payment order is not, under RCW ~~((62A.4A-201(+)))~~ 62A.4A-202(a), an authorized order of a customer identified as sender, but is effective as an order of the customer pursuant to RCW 62A.4A-202~~((2))~~ (b), the following rules apply.

~~((+))~~ (1) By express written agreement, the receiving bank may limit the extent to which it is entitled to enforce or retain payment of the payment order.

~~((+))~~ (2) The receiving bank is not entitled to enforce or retain payment of the payment order if the customer proves that the order was not caused, directly or indirectly, by a person (i) entrusted at any time with duties to act for the customer with respect to payment orders or the security procedure, or (ii) who obtained access to transmitting facilities of the customer or who obtained, from a source controlled by the customer and without authority of the receiving bank, information facilitating breach of the security procedure, regardless of how the information was obtained or whether the customer was at fault. Information includes any access device, computer software, or the like.

~~((2))~~ (b) This section applies to amendments of payment orders to the same extent it applies to payment orders.

Sec. 8. RCW 62A.4A-204 and 2012 c 214 s 1203 are each amended to read as follows:

~~((+))~~ (a) If a receiving bank accepts a payment order issued in the name of its customer as sender which is ~~((+))~~ (i) not authorized and not effective as the order of the customer under RCW 62A.4A-202, or ~~((+))~~ (ii) not enforceable, in whole or in part, against the customer under RCW 62A.4A-203, the bank shall refund any payment of the payment order received from the customer to the extent the bank is not entitled to enforce payment and shall pay interest on the refundable amount calculated from the date the bank received payment to the date of the refund. However, the customer is not entitled to interest from the bank on the amount to be refunded if the customer fails to exercise ordinary care to determine that the order was not authorized by the customer and to notify the bank of the relevant facts within a reasonable time not exceeding ninety days after the date the customer received notification from the bank that the order was accepted or that the customer's account was debited with respect to the order. The bank is not entitled to any recovery from the customer on account of a failure by the customer to give notification as stated in this section.

~~((2))~~ (b) Reasonable time under subsection ~~((+))~~ (a) of this section may be fixed by agreement as stated in RCW 62A.1-302(b), but the obligation of a receiving bank to refund payment as stated in subsection ~~((+))~~ (a) of this section may not otherwise be varied by agreement.

Sec. 9. RCW 62A.4A-205 and 1991 sp.s. c 21 s 4A-205 are each amended to read as follows:

~~((+))~~ (a) If an accepted payment order was transmitted pursuant to a security procedure for the detection of error and the payment order ~~((+))~~ (i) erroneously instructed payment to a beneficiary not intended by the sender, ~~((+))~~ (ii) erroneously instructed payment in an amount greater than the amount intended by the sender, or ~~((+))~~ (iii) was an erroneously transmitted duplicate of a payment order previously sent by the sender, the following rules apply:

~~((+))~~ (1) If the sender proves that the sender or a person acting on behalf of the sender pursuant to RCW 62A.4A-206 complied with the security procedure and that the error would have been detected if the receiving bank had also complied, the sender is not obliged to pay the order to the extent stated in ~~((+))~~ paragraphs (2) and ((+)) (3) of this subsection.

~~((+))~~ (2) If the funds transfer is completed on the basis of an erroneous payment order described in ~~((+))~~ clause (i) or ~~((+))~~ (iii) of this subsection (a), the sender is not obliged to pay the order and the receiving bank is entitled to recover from the beneficiary any amount paid to the beneficiary to the extent allowed by the law governing mistake and restitution.

~~((+))~~ (3) If the funds transfer is completed on the basis of a payment order described in ~~((+))~~ clause (ii) of this subsection (a), the sender is not obliged to pay the order to the extent the amount received by the beneficiary is greater than the amount intended by the sender. In that case, the receiving bank is entitled to recover from the beneficiary the excess amount received to the extent allowed by the law governing mistake and restitution.

~~((2))~~ (b) If ~~((+))~~ (i) the sender of an erroneous payment order described in subsection ~~((+))~~ (a) of this section is not obliged to pay all or part of the order, and ~~((+))~~ (ii) the sender receives notification from the receiving bank that the order was accepted by the bank or that the sender's account was debited with respect to the order, the sender has a duty to exercise ordinary care, on the basis of information available to the sender, to discover the error with respect to the order and to advise the bank of the relevant facts within a reasonable time, not exceeding ninety days, after the bank's notification was received by the sender. If the bank proves that the sender failed to perform that duty, the sender is liable to the bank for the loss the bank proves it incurred as a result of the failure, but the

liability of the sender may not exceed the amount of the sender's order.

~~((3))~~ (c) This section applies to amendments to payment orders to the same extent it applies to payment orders.

Sec. 10. RCW 62A.4A-206 and 1991 sp.s. c 21 s 4A-206 are each amended to read as follows:

~~((4))~~ (a) If a payment order addressed to a receiving bank is transmitted to a funds-transfer system or other third-party communication system for transmittal to the bank, the system is deemed to be an agent of the sender for the purpose of transmitting the payment order to the bank. If there is a discrepancy between the terms of the payment order transmitted to the system and the terms of the payment order transmitted by the system to the bank, the terms of the payment order of the sender are those transmitted by the system. This section does not apply to a funds-transfer system of the federal reserve banks.

~~((2))~~ (b) This section applies to cancellations and amendments of payment orders to the same extent it applies to payment orders.

Sec. 11. RCW 62A.4A-207 and 1991 sp.s. c 21 s 4A-207 are each amended to read as follows:

~~((4))~~ (a) Subject to subsection ~~((2))~~ (b) of this section, if, in a payment order received by the beneficiary's bank, the name, bank account number, or other identification of the beneficiary refers to a nonexistent or unidentifiable person or account, no person has rights as a beneficiary of the order and acceptance of the order cannot occur.

~~((2))~~ (b) If a payment order received by the beneficiary's bank identifies the beneficiary both by name and by an identifying or bank account number and the name and number identify different persons, the following rules apply:

~~((a))~~ (1) Except as otherwise provided in subsection ~~((3))~~ (c) of this section, if the beneficiary's bank does not know that the name and number refer to different persons, it may rely on the number as the proper identification of the beneficiary of the order. The beneficiary's bank need not determine whether the name and number refer to the same person.

~~((b))~~ (2) If the beneficiary's bank pays the person identified by name or knows that the name and number identify different persons, no person has rights as beneficiary except the person paid by the beneficiary's bank if that person was entitled to receive payment from the originator of the funds transfer. If no person has rights as beneficiary, acceptance of the order cannot occur.

~~((3))~~ (c) If ~~((a))~~ (i) a payment order described in subsection ~~((2))~~ (b) of this section is accepted, ~~((b))~~ (ii) the originator's payment order described the beneficiary inconsistently by name and number, and ~~((e))~~ (iii) the beneficiary's bank pays the person identified by number as permitted by subsection ~~((2)(a))~~ (b)(1) of this section, the following rules apply:

~~((i))~~ (1) If the originator is a bank, the originator is obliged to pay its order.

~~((ii))~~ (2) If the originator is not a bank and proves that the person identified by number was not entitled to receive payment from the originator, the originator is not obliged to pay its order unless the originator's bank proves that the originator, before acceptance of the originator's order, had notice that payment of a payment order issued by the originator might be made by the beneficiary's bank on the basis of an identifying or bank account number even if it identifies a person different from the named beneficiary. Proof of notice may be made by any admissible evidence. The originator's bank satisfies the burden of proof if it proves that the originator, before the payment order was accepted, signed a writing stating the information to which the notice relates.

~~((4))~~ (d) In a case governed by subsection ~~((2)(a))~~ (b)(1) of this section, if the beneficiary's bank rightfully pays the person identified by number and that person was not entitled to receive payment from the originator, the amount paid may be recovered from

that person to the extent allowed by the law governing mistake and restitution as follows:

~~((a))~~ (1) If the originator is obliged to pay its payment order as stated in subsection ~~((3))~~ (c) of this section, the originator has the right to recover.

~~((b))~~ (2) If the originator is not a bank and is not obliged to pay its payment order, the originator's bank has the right to recover.

Sec. 12. RCW 62A.4A-208 and 1991 sp.s. c 21 s 4A-208 are each amended to read as follows:

~~((4))~~ (a) This subsection applies to a payment order identifying an intermediary bank or the beneficiary's bank only by an identifying number.

~~((a))~~ (1) The receiving bank may rely on the number as the proper identification of the intermediary or beneficiary's bank and need not determine whether the number identifies a bank.

~~((b))~~ (2) The sender is obliged to compensate the receiving bank for any loss and expenses incurred by the receiving bank as a result of its reliance on the number in executing or attempting to execute the order.

~~((2))~~ (b) This subsection applies to a payment order identifying an intermediary bank or the beneficiary's bank both by name and an identifying number if the name and number identify different persons.

~~((a))~~ (1) If the sender is a bank, the receiving bank may rely on the number as the proper identification of the intermediary or beneficiary's bank if the receiving bank, when it executes the sender's order, does not know that the name and number identify different persons. The receiving bank need not determine whether the name and number refer to the same person or whether the number refers to a bank. The sender is obliged to compensate the receiving bank for any loss and expenses incurred by the receiving bank as a result of its reliance on the number in executing or attempting to execute the order.

~~((b))~~ (2) If the sender is not a bank and the receiving bank proves that the sender, before the payment order was accepted, had notice that the receiving bank might rely on the number as the proper identification of the intermediary or beneficiary's bank even if it identifies a person different from the bank identified by name, the rights and obligations of the sender and the receiving bank are governed by subsection ~~((2)(a))~~ (b)(1) of this section, as though the sender were a bank. Proof of notice may be made by any admissible evidence. The receiving bank satisfies the burden of proof if it proves that the sender, before the payment order was accepted, signed a writing stating the information to which the notice relates.

~~((e))~~ (3) Regardless of whether the sender is a bank, the receiving bank may rely on the name as the proper identification of the intermediary or beneficiary's bank if the receiving bank, at the time it executes the sender's order, does not know that the name and number identify different persons. The receiving bank need not determine whether the name and number refer to the same person.

~~((d))~~ (4) If the receiving bank knows that the name and number identify different persons, reliance on either the name or the number in executing the sender's payment order is a breach of the obligation stated in RCW 62A.4A-302~~((4)(a))~~ (a)(1).

Sec. 13. RCW 62A.4A-209 and 1991 sp.s. c 21 s 4A-209 are each amended to read as follows:

~~((4))~~ (a) Subject to subsection ~~((4))~~ (d) of this section, a receiving bank other than the beneficiary's bank accepts a payment order when it executes the order.

~~((2))~~ (b) Subject to subsections ~~((3) and (4))~~ (c) and (d) of this section, a beneficiary's bank accepts a payment order at the earliest of the following times:

~~((a))~~ (1) When the bank (i) pays the beneficiary as stated in RCW 62A.4A-405 ~~((1) or (2))~~ (a) or (b) or (ii) notifies the beneficiary of receipt of the order or that the account of the beneficiary has been credited with respect to the order unless the notice indicates that the bank is rejecting the order or that funds with

respect to the order may not be withdrawn or used until receipt of payment from the sender of the order;

~~((b))~~ (2) When the bank receives payment of the entire amount of the sender's order pursuant to RCW 62A.4A-403~~((1)(a) or (b))~~ (a) (1) or (2); or

~~((c))~~ (3) The opening of the next funds-transfer business day of the bank following the payment date of the order if, at that time, the amount of the sender's order is fully covered by a withdrawable credit balance in an authorized account of the sender or the bank has otherwise received full payment from the sender, unless the order was rejected before that time or is rejected within (i) one hour after that time, or (ii) one hour after the opening of the next business day of the sender following the payment date if that time is later. If notice of rejection is received by the sender after the payment date and the authorized account of the sender does not bear interest, the bank is obliged to pay interest to the sender on the amount of the order for the number of days elapsing after the payment date to the day the sender receives notice or learns that the order was not accepted, counting that day as an elapsed day. If the withdrawable credit balance during that period falls below the amount of the order, the amount of interest payable is reduced accordingly.

~~((c))~~ (c) Acceptance of a payment order cannot occur before the order is received by the receiving bank. Acceptance does not occur under subsection ~~((2)(b) or (c))~~ (b) (2) or (3) of this section if the beneficiary of the payment order does not have an account with the receiving bank, the account has been closed, or the receiving bank is not permitted by law to receive credits for the beneficiary's account.

~~((4))~~ (d) A payment order issued to the originator's bank cannot be accepted until the payment date if the bank is the beneficiary's bank, or the execution date if the bank is not the beneficiary's bank. If the originator's bank executes the originator's payment order before the execution date or pays the beneficiary of the originator's payment order before the payment date and the payment order is subsequently canceled pursuant to RCW 62A.4A-211~~((2))~~ (b), the bank may recover from the beneficiary any payment received to the extent allowed by the law governing mistake and restitution.

Sec. 14. RCW 62A.4A-210 and 1991 sp.s. c 21 s 4A-210 are each amended to read as follows:

~~((4))~~ (a) A payment order is rejected by the receiving bank by a notice of rejection transmitted to the sender orally, electronically, or in writing. A notice of rejection need not use any particular words and is sufficient if it indicates that the receiving bank is rejecting the order or will not execute or pay the order. Rejection is effective when the notice is given if transmission is by a means that is reasonable in the circumstances. If notice of rejection is given by a means that is not reasonable, rejection is effective when the notice is received. If an agreement of the sender and receiving bank establishes the means to be used to reject a payment order, ~~((a))~~ (i) any means complying with the agreement is reasonable and ~~((b))~~ (ii) any means not complying is not reasonable unless no significant delay in receipt of the notice resulted from the use of the noncomplying means.

~~((2))~~ (b) This subsection applies if a receiving bank other than the beneficiary's bank fails to execute a payment order despite the existence on the execution date of a withdrawable credit balance in an authorized account of the sender sufficient to cover the order. If the sender does not receive notice of rejection of the order on the execution date and the authorized account of the sender does not bear interest, the bank is obliged to pay interest to the sender on the amount of the order for the number of days elapsing after the execution date to the earlier of the day the order is canceled pursuant to RCW 62A.4A-211~~((4))~~ (d) or the day the sender receives notice or learns that the order was not executed, counting the final day of the period as an elapsed day. If the withdrawable credit balance during that period falls below the amount of the order, the amount of interest is reduced accordingly.

~~((3))~~ (c) If a receiving bank suspends payments, all unaccepted payment orders issued to it are deemed rejected at the time the bank suspends payments.

~~((4))~~ (d) Acceptance of a payment order precludes a later rejection of the order. Rejection of a payment order precludes a later acceptance of the order.

Sec. 15. RCW 62A.4A-211 and 1991 sp.s. c 21 s 4A-211 are each amended to read as follows:

~~((2))~~ (a) A communication of the sender of a payment order canceling or amending the order may be transmitted to the receiving bank orally, electronically, or in writing. If a security procedure is in effect between the sender and the receiving bank, the communication is not effective to cancel or amend the order unless the communication is verified pursuant to the security procedure or the bank agrees to the cancellation or amendment.

~~((2))~~ (b) Subject to subsection ~~((4))~~ (a) of this section, a communication by the sender canceling or amending a payment order is effective to cancel or amend the order if notice of the communication is received at a time and in a manner affording the receiving bank a reasonable opportunity to act on the communication before the bank accepts the payment order.

~~((3))~~ (c) After a payment order has been accepted, cancellation or amendment of the order is not effective unless the receiving bank agrees or a funds-transfer system rule allows cancellation or amendment without agreement of the bank.

~~((a))~~ (1) With respect to a payment order accepted by a receiving bank other than the beneficiary's bank, cancellation or amendment is not effective unless a conforming cancellation or amendment of the payment order issued by the receiving bank is also made.

~~((b))~~ (2) With respect to a payment order accepted by the beneficiary's bank, cancellation or amendment is not effective unless the order was issued in execution of an unauthorized payment order, or because of a mistake by a sender in the funds transfer which resulted in the issuance of a payment order (i) that is a duplicate of a payment order previously issued by the sender, (ii) that orders payment to a beneficiary not entitled to receive payment from the originator, or (iii) that orders payment in an amount greater than the amount the beneficiary was entitled to receive from the originator. If the payment order is canceled or amended, the beneficiary's bank is entitled to recover from the beneficiary any amount paid to the beneficiary to the extent allowed by the law governing mistake and restitution.

~~((4))~~ (d) An unaccepted payment order is canceled by operation of law at the close of the fifth funds-transfer business day of the receiving bank after the execution date or payment date of the order.

~~((5))~~ (e) A canceled payment order cannot be accepted. If an accepted payment order is canceled, the acceptance is nullified and no person has any right or obligation based on the acceptance. Amendment of a payment order is deemed to be cancellation of the original order at the time of amendment and issue of a new payment order in the amended form at the same time.

~~((6))~~ (f) Unless otherwise provided in an agreement of the parties or in a funds-transfer system rule, if the receiving bank, after accepting a payment order, agrees to cancellation or amendment of the order by the sender or is bound by a funds-transfer system rule allowing cancellation or amendment without the bank's agreement, the sender, whether or not cancellation or amendment is effective, is liable to the bank for any loss and expenses, including reasonable attorneys' fees, incurred by the bank as a result of the cancellation or amendment or attempted cancellation or amendment.

~~((7))~~ (g) A payment order is not revoked by the death or legal incapacity of the sender unless the receiving bank knows of the death or of an adjudication of incapacity by a court of competent jurisdiction and has reasonable opportunity to act before acceptance of the order.

~~((8))~~ (h) A funds-transfer system rule is not effective to the extent it conflicts with subsection ~~((3)(b))~~ (c)(2) of this section.

Sec. 16. RCW 62A.4A-212 and 1991 sp.s. c 21 s 4A-212 are each amended to read as follows:

If a receiving bank fails to accept a payment order that ~~((f))~~ (i) is obliged by express agreement to accept, the bank is liable for breach of the agreement to the extent provided in the agreement or in this Article, but does not otherwise have any duty to accept a payment order or, before acceptance, to take any action, or refrain from taking action, with respect to the order except as provided in this Article or by express agreement. Liability based on acceptance arises only when acceptance occurs as stated in RCW 62A.4A-209₂ and liability is limited to that provided in this Article. A receiving bank is not the agent of the sender or beneficiary of the payment order it accepts, or of any other party to the funds transfer, and the bank owes no duty to any party to the funds transfer except as provided in this Article or by express agreement.

Sec. 17. RCW 62A.4A-301 and 1991 sp.s. c 21 s 4A-301 are each amended to read as follows:

~~((4))~~ (a) A payment order is "executed" by the receiving bank when it issues a payment order intended to carry out the payment order received by the bank. A payment order received by the beneficiary's bank can be accepted but cannot be executed.

~~((2))~~ (b) "Execution date" of a payment order means the day on which the receiving bank may properly issue a payment order in execution of the sender's order. The execution date may be determined by instruction of the sender but cannot be earlier than the day the order is received and, unless otherwise determined, is the day the order is received. If the sender's instruction states a payment date, the execution date is the payment date or an earlier date on which execution is reasonably necessary to allow payment to the beneficiary on the payment date.

Sec. 18. RCW 62A.4A-302 and 1991 sp.s. c 21 s 4A-302 are each amended to read as follows:

~~((4))~~ (a) Except as provided in subsections ~~((2) through (4))~~ (b) through (d) of this section, if the receiving bank accepts a payment order pursuant to RCW 62A.4A-209~~((4))~~ (a), the bank has the following obligations in executing the order.

~~((a))~~ (1) The receiving bank is obliged to issue, on the execution date, a payment order complying with the sender's order and to follow the sender's instructions concerning (i) any intermediary bank or funds-transfer system to be used in carrying out the funds transfer, or (ii) the means by which payment orders are to be transmitted in the funds transfer. If the originator's bank issues a payment order to an intermediary bank, the originator's bank is obliged to instruct the intermediary bank according to the instruction of the originator. An intermediary bank in the funds transfer is similarly bound by an instruction given to it by the sender of the payment order it accepts.

~~((b))~~ (2) If the sender's instruction states that the funds transfer is to be carried out telephonically or by wire transfer or otherwise indicates that the funds transfer is to be carried out by the most expeditious means, the receiving bank is obliged to transmit its payment order by the most expeditious available means, and to instruct any intermediary bank accordingly. If a sender's instruction states a payment date, the receiving bank is obliged to transmit its payment order at a time and by means reasonably necessary to allow payment to the beneficiary on the payment date or as soon thereafter as is feasible.

~~((2))~~ (b) Unless otherwise instructed, a receiving bank executing a payment order may ~~((a))~~ (i) use any funds-transfer system if use of that system is reasonable in the circumstances, and ~~((b))~~ (ii) issue a payment order to the beneficiary's bank or to an intermediary bank through which a payment order conforming to the sender's order can expeditiously be issued to the beneficiary's bank if the receiving bank exercises ordinary care in the selection of the intermediary bank. A receiving bank is not required to follow an instruction of the sender

designating a funds-transfer system to be used in carrying out the funds transfer if the receiving bank, in good faith, determines that it is not feasible to follow the instruction or that following the instruction would unduly delay completion of the funds transfer.

~~((3))~~ (c) Unless subsection ~~((4)(b))~~ (a)(2) of this section applies or the receiving bank is otherwise instructed, the bank may execute a payment order by transmitting its payment order by first~~((-))~~ class mail or by any means reasonable in the circumstances. If the receiving bank is instructed to execute the sender's order by transmitting its payment order by a particular means, the receiving bank may issue its payment order by the means stated or by any means as expeditious as the means stated.

~~((4))~~ (d) Unless instructed by the sender, ~~((a))~~ (i) the receiving bank may not obtain payment of its charges for services and expenses in connection with the execution of the sender's order by issuing a payment order in an amount equal to the amount of the sender's order less the amount of the charges, and ~~((b))~~ (ii) may not instruct a subsequent receiving bank to obtain payment of its charges in the same manner.

Sec. 19. RCW 62A.4A-303 and 1991 sp.s. c 21 s 4A-303 are each amended to read as follows:

~~((4))~~ (a) A receiving bank that ~~((a))~~ (i) executes the payment order of the sender by issuing a payment order in an amount greater than the amount of the sender's order, or ~~((b))~~ (ii) issues a payment order in execution of the sender's order and then issues a duplicate order, is entitled to payment of the amount of the sender's order under RCW 62A.4A-402~~((3))~~ (c) if that subsection is otherwise satisfied. The bank is entitled to recover from the beneficiary of the erroneous order the excess payment received to the extent allowed by the law governing mistake and restitution.

~~((2))~~ (b) A receiving bank that executes the payment order of the sender by issuing a payment order in an amount less than the amount of the sender's order is entitled to payment of the amount of the sender's order under RCW 62A.4A-402~~((3))~~ (c) if ~~((a))~~ (i) that subsection is otherwise satisfied and ~~((b))~~ (ii) the bank corrects its mistake by issuing an additional payment order for the benefit of the beneficiary of the sender's order. If the error is not corrected, the issuer of the erroneous order is entitled to receive or retain payment from the sender of the order it accepted only to the extent of the amount of the erroneous order. This subsection does not apply if the receiving bank executes the sender's payment order by issuing a payment order in an amount less than the amount of the sender's order for the purpose of obtaining payment of its charges for services and expenses pursuant to instruction of the sender.

~~((3))~~ (c) If a receiving bank executes the payment order of the sender by issuing a payment order to a beneficiary different from the beneficiary of the sender's order and the funds transfer is completed on the basis of that error, the sender of the payment order that was erroneously executed and all previous senders in the funds transfer are not obliged to pay the payment orders they issued. The issuer of the erroneous order is entitled to recover from the beneficiary of the order the payment received to the extent allowed by the law governing mistake and restitution.

Sec. 20. RCW 62A.4A-304 and 1991 sp.s. c 21 s 4A-304 are each amended to read as follows:

If the sender of a payment order that is erroneously executed as stated in RCW 62A.4A-303 receives notification from the receiving bank that the order was executed or that the sender's account was debited with respect to the order, the sender has a duty to exercise ordinary care to determine, on the basis of information available to the sender, that the order was erroneously executed and to notify the bank of the relevant facts within a reasonable time not exceeding ninety days after the notification from the bank was received by the sender. If the sender fails to perform that duty, the bank is not obliged to pay interest on any amount refundable to the sender under RCW 62A.4A-402~~((4))~~ (d) for the period before the bank learns of the

execution error. The bank is not entitled to any recovery from the sender on account of a failure by the sender to perform the duty stated in this section.

Sec. 21. RCW 62A.4A-305 and 1991 sp.s. c 21 s 4A-305 are each amended to read as follows:

((+)) (a) If a funds transfer is completed but execution of a payment order by the receiving bank in breach of RCW 62A.4A-302 results in delay in payment to the beneficiary, the bank is obliged to pay interest to either the originator or the beneficiary of the funds transfer for the period of delay caused by the improper execution. Except as provided in subsection ((3)) (c) of this section, additional damages are not recoverable.

((2)) (b) If execution of a payment order by a receiving bank in breach of RCW 62A.4A-302 results in ((+)) (i) noncompletion of the funds transfer, ((+)) (ii) failure to use an intermediary bank designated by the originator, or ((+)) (iii) issuance of a payment order that does not comply with the terms of the payment order of the originator, the bank is liable to the originator for its expenses in the funds transfer and for incidental expenses and interest losses, to the extent not covered by subsection ((+)) (a) of this section, resulting from the improper execution. Except as provided in subsection ((3)) (c) of this section, additional damages are not recoverable.

((3)) (c) In addition to the amounts payable under subsections ((+ and -2)) (a) and (b) of this section, damages, including consequential damages, are recoverable to the extent provided in an express written agreement of the receiving bank.

((4)) (d) If a receiving bank fails to execute a payment order it was obliged by express agreement to execute, the receiving bank is liable to the sender for its expenses in the transaction and for incidental expenses and interest losses resulting from the failure to execute. Additional damages, including consequential damages, are recoverable to the extent provided in an express written agreement of the receiving bank, but are not otherwise recoverable.

((5)) (e) Reasonable attorneys' fees are recoverable if demand for compensation under subsection ((+ or -2)) (a) or (b) of this section is made and refused before an action is brought on the claim. If a claim is made for breach of an agreement under subsection ((4)) (d) of this section and the agreement does not provide for damages, reasonable attorneys' fees are recoverable if demand for compensation under subsection ((4)) (d) of this section is made and refused before an action is brought on the claim.

((6)) (f) Except as stated in this section, the liability of a receiving bank under subsections ((+ and -2)) (a) and (b) of this section may not be varied by agreement.

Sec. 22. RCW 62A.4A-402 and 1991 sp.s. c 21 s 4A-402 are each amended to read as follows:

((+)) (a) This section is subject to RCW 62A.4A-205 and 62A.4A-207.

((2)) (b) With respect to a payment order issued to the beneficiary's bank, acceptance of the order by the bank obliges the sender to pay the bank the amount of the order, but payment is not due until the payment date of the order.

((3)) (c) This subsection is subject to subsection ((5)) (e) of this section and to RCW 62A.4A-303. With respect to a payment order issued to a receiving bank other than the beneficiary's bank, acceptance of the order by the receiving bank obliges the sender to pay the bank the amount of the sender's order. Payment by the sender is not due until the execution date of the sender's order. The obligation of that sender to pay its payment order is excused if the funds transfer is not completed by acceptance by the beneficiary's bank of a payment order instructing payment to the beneficiary of that sender's payment order.

((4)) (d) If the sender of a payment order pays the order and was not obliged to pay all or part of the amount paid, the bank receiving payment is obliged to refund payment to the extent the sender was not obliged to pay. Except as provided in RCW 62A.4A-204 and

62A.4A-304, interest is payable on the refundable amount from the date of payment.

((5)) (e) If a funds transfer is not completed as stated in ((this subsection)) (c) of this section and an intermediary bank is obliged to refund payment as stated in subsection ((4)) (d) of this section but is unable to do so because not permitted by applicable law or because the bank suspends payments, a sender in the funds transfer that executed a payment order in compliance with an instruction, as stated in RCW 62A.4A-302((+)) (a)(1), to route the funds transfer through that intermediary bank is entitled to receive or retain payment from the sender of the payment order that it accepted. The first sender in the funds transfer that issued an instruction requiring routing through that intermediary bank is subrogated to the right of the bank that paid the intermediary bank to refund as stated in subsection ((4)) (d) of this section.

((6)) (f) The right of the sender of a payment order to be excused from the obligation to pay the order as stated in subsection ((3)) (c) of this section or to receive refund under subsection ((4)) (d) of this section may not be varied by agreement.

Sec. 23. RCW 62A.4A-403 and 1991 sp.s. c 21 s 4A-403 are each amended to read as follows:

((+)) (a) Payment of the sender's obligation under RCW 62A.4A-402 to pay the receiving bank occurs as follows:

((+)) (1) If the sender is a bank, payment occurs when the receiving bank receives final settlement of the obligation through a federal reserve bank or through a funds-transfer system.

((+)) (2) If the sender is a bank and the sender (i) credited an account of the receiving bank with the sender, or (ii) caused an account of the receiving bank in another bank to be credited, payment occurs when the credit is withdrawn or, if not withdrawn, at midnight of the day on which the credit is withdrawable and the receiving bank learns of that fact.

((+)) (3) If the receiving bank debits an account of the sender with the receiving bank, payment occurs when the debit is made to the extent the debit is covered by a withdrawable credit balance in the account.

((2)) (b) If the sender and receiving bank are members of a funds-transfer system that nets obligations multilaterally among participants, the receiving bank receives final settlement when settlement is complete in accordance with the rules of the system. The obligation of the sender to pay the amount of a payment order transmitted through the funds-transfer system may be satisfied, to the extent permitted by the rules of the system, by setting off and applying against the sender's obligation the right of the sender to receive payment from the receiving bank of the amount of any other payment order transmitted to the sender by the receiving bank through the funds-transfer system. The aggregate balance of obligations owed by each sender to each receiving bank in the funds-transfer system may be satisfied, to the extent permitted by the rules of the system, by setting off and applying against that balance the aggregate balance of obligations owed to the sender by other members of the system. The aggregate balance is determined after the right of setoff stated in the second sentence of this subsection has been exercised.

((3)) (c) If two banks transmit payment orders to each other under an agreement that settlement of the obligations of each bank to the other under RCW 62A.4A-402 will be made at the end of the day or other period, the total amount owed with respect to all orders transmitted by one bank shall be set off against the total amount owed with respect to all orders transmitted by the other bank. To the extent of the setoff, each bank has made payment to the other.

((4)) (d) In a case not covered by subsection ((+)) (a) of this section, the time when payment of the sender's obligation under RCW 62A.4A-402 ((2) or (3)) (b) or (c) occurs is governed by applicable principles of law that determine when an obligation is satisfied.

Sec. 24. RCW 62A.4A-404 and 1991 sp.s. c 21 s 4A-404 are each amended to read as follows:

~~((+))~~ ~~(a)~~ Subject to RCW 62A.4A-211~~((+))~~ ~~(e)~~, 62A.4A-405~~((+))~~ ~~(d)~~, and 62A.4A-405~~((+))~~ ~~(e)~~, if a beneficiary's bank accepts a payment order, the bank is obliged to pay the amount of the order to the beneficiary of the order. Payment is due on the payment date of the order, but if acceptance occurs on the payment date after the close of the funds-transfer business day of the bank, payment is due on the next funds-transfer business day. If the bank refuses to pay after demand by the beneficiary and receipt of notice of particular circumstances that will give rise to consequential damages as a result of nonpayment, the beneficiary may recover damages resulting from the refusal to pay to the extent the bank had notice of the damages, unless the bank proves that it did not pay because of a reasonable doubt concerning the right of the beneficiary to payment.

~~((+))~~ ~~(b)~~ If a payment order accepted by the beneficiary's bank instructs payment to an account of the beneficiary, the bank is obliged to notify the beneficiary of receipt of the order before midnight of the next funds-transfer business day following the payment date. If the payment order does not instruct payment to an account of the beneficiary, the bank is required to notify the beneficiary only if notice is required by the order. Notice may be given by first-class mail or any other means reasonable in the circumstances. If the bank fails to give the required notice, the bank is obliged to pay interest to the beneficiary on the amount of the payment order from the day notice should have been given until the day the beneficiary learned of receipt of the payment order by the bank. No other damages are recoverable. Reasonable attorneys' fees are also recoverable if demand for interest is made and refused before an action is brought on the claim.

~~((+))~~ ~~(c)~~ The right of a beneficiary to receive payment and damages as stated in subsection (a) ~~(subsection (1) of this section)~~ of this section may not be varied by agreement or a funds-transfer system rule. The right of a beneficiary to be notified as stated in subsection ~~((+))~~ ~~(b)~~ of this section may be varied by agreement of the beneficiary or by a funds-transfer system rule if the beneficiary is notified of the rule before initiation of the funds transfer.

Sec. 25. RCW 62A.4A-405 and 1991 sp.s. c 21 s 4A-405 are each amended to read as follows:

~~((+))~~ ~~(a)~~ If the beneficiary's bank credits an account of the beneficiary of a payment order, payment of the bank's obligation under RCW 62A.4A-404~~((+))~~ ~~(a)~~ occurs when and to the extent ~~((+))~~ ~~(i)~~ the beneficiary is notified of the right to withdraw the credit, ~~((+))~~ ~~(ii)~~ the bank lawfully applies the credit to a debt of the beneficiary, or ~~((+))~~ ~~(iii)~~ funds with respect to the order are otherwise made available to the beneficiary by the bank.

~~((+))~~ ~~(b)~~ If the beneficiary's bank does not credit an account of the beneficiary of a payment order, the time when payment of the bank's obligation under RCW 62A.4A-404~~((+))~~ ~~(a)~~ occurs is governed by principles of law that determine when an obligation is satisfied.

~~((+))~~ ~~(c)~~ Except as stated in subsections ~~((+))~~ ~~(d)~~ and ~~((+))~~ ~~(e)~~ of this ~~(act [section])~~ section, if the beneficiary's bank pays the beneficiary of a payment order under a condition to payment or agreement of the beneficiary giving the bank the right to recover payment from the beneficiary if the bank does not receive payment of the order, the condition to payment or agreement is not enforceable.

~~((+))~~ ~~(d)~~ A funds-transfer system rule may provide that payments made to beneficiaries of funds transfers made through the system are provisional until receipt of payment by the beneficiary's bank of the payment order it accepted. A beneficiary's bank that makes a payment that is provisional under the rule is entitled to refund from the beneficiary if ~~((+))~~ ~~(i)~~ the rule requires that both the beneficiary and the originator be given notice of the provisional nature of the payment before the funds transfer is initiated, ~~((+))~~ ~~(ii)~~ the beneficiary, the beneficiary's bank and the originator's bank

agreed to be bound by the rule, and ~~((+))~~ ~~(iii)~~ the beneficiary's bank did not receive payment of the payment order that it accepted. If the beneficiary is obliged to refund payment to the beneficiary's bank, acceptance of the payment order by the beneficiary's bank is nullified and no payment by the originator of the funds transfer to the beneficiary occurs under RCW 62A.4A-406.

~~((+))~~ ~~(e)~~ This subsection applies to a funds transfer that includes a payment order transmitted over a funds-transfer system that ~~((+))~~ ~~(i)~~ nets obligations multilaterally among participants, and ~~((+))~~ ~~(ii)~~ has in effect a loss-sharing agreement among participants for the purpose of providing funds necessary to complete settlement of the obligations of one or more participants that do not meet their settlement obligations. If the beneficiary's bank in the funds transfer accepts a payment order and the system fails to complete settlement pursuant to its rules with respect to any payment order in the funds transfer, (i) the acceptance by the beneficiary's bank is nullified and no person has any right or obligation based on the acceptance, (ii) the beneficiary's bank is entitled to recover payment from the beneficiary, (iii) no payment by the originator to the beneficiary occurs under RCW 62A.4A-406, and (iv) subject to RCW 62A.4A-402~~((+))~~ ~~(e)~~, ~~((each sender in the funds transfer is excused from its obligation to pay its payment order under RCW 62A.4A-402(5),))~~ each sender in the funds transfer is excused from its obligation to pay its payment order under RCW 62A.4A-402~~((+))~~ ~~(c)~~ because the funds transfer has not been completed.

Sec. 26. RCW 62A.4A-406 and 1991 sp.s. c 21 s 4A-406 are each amended to read as follows:

~~((+))~~ ~~(a)~~ Subject to RCW 62A.4A-211~~((+))~~ ~~(e)~~, 62A.4A-405~~((+))~~ ~~(d)~~, and 62A.4A-405~~((+))~~ ~~(e)~~, the originator of a funds transfer pays the beneficiary of the originator's payment order ~~((+))~~ ~~(i)~~ at the time a payment order for the benefit of the beneficiary is accepted by the beneficiary's bank in the funds transfer and ~~((+))~~ ~~(ii)~~ in an amount equal to the amount of the order accepted by the beneficiary's bank, but not more than the amount of the originator's order.

~~((+))~~ ~~(b)~~ If payment under subsection ~~((+))~~ ~~(a)~~ of this section is made to satisfy an obligation, the obligation is discharged to the same extent discharge would result from payment to the beneficiary of the same amount in money, unless ~~((+))~~ ~~(i)~~ the payment under subsection ~~((+))~~ ~~(a)~~ of this section was made by a means prohibited by the contract of the beneficiary with respect to the obligation, ~~((+))~~ ~~(ii)~~ the beneficiary, within a reasonable time after receiving notice of receipt of the order by the beneficiary's bank, notified the originator of the beneficiary's refusal of the payment, ~~((+))~~ ~~(iii)~~ funds with respect to the order were not withdrawn by the beneficiary or applied to a debt of the beneficiary, and ~~((+))~~ ~~(iv)~~ the beneficiary would suffer a loss that could reasonably have been avoided if payment had been made by a means complying with the contract. If payment by the originator does not result in discharge under this section, the originator is subrogated to the rights of the beneficiary to receive payment from the beneficiary's bank under RCW 62A.4A-404~~((+))~~ ~~(a)~~.

~~((+))~~ ~~(c)~~ For the purpose of determining whether discharge of an obligation occurs under subsection ~~((+))~~ ~~(b)~~ of this section, if the beneficiary's bank accepts a payment order in an amount equal to the amount of the originator's payment order less charges of one or more receiving banks in the funds transfer, payment to the beneficiary is deemed to be in the amount of the originator's order unless upon demand by the beneficiary the originator does not pay the beneficiary the amount of the deducted charges.

~~((+))~~ ~~(d)~~ Rights of the originator or of the beneficiary of a funds transfer under this section may be varied only by agreement of the originator and the beneficiary.

Sec. 27. RCW 62A.4A-501 and 1991 sp.s. c 21 s 4A-501 are each amended to read as follows:

~~((+))~~ (a) Except as otherwise provided in this Article, the rights and obligations of a party to a funds transfer may be varied by agreement of the affected party.

~~((2))~~ (b) "Funds-transfer system rule" means a rule of an association of banks ~~((+))~~ (i) governing transmission of payment orders by means of a funds-transfer system of the association or rights and obligations with respect to those orders, or ~~((+))~~ (ii) to the extent the rule governs rights and obligations between banks that are parties to a funds transfer in which a federal reserve bank, acting as an intermediary bank, sends a payment order to the beneficiary's bank. Except as otherwise provided in this Article, a funds-transfer system rule governing rights and obligations between participating banks using the system may be effective even if the rule conflicts with ~~((he))~~ this Article and indirectly affects another party to the funds transfer who does not consent to the rule. A funds-transfer system rule may also govern rights and obligations of parties other than participating banks using the system to the extent stated in RCW 62A.4A-404~~((3))~~ (c), 62A.4A-405~~((4))~~ (d), and 62A.4A-507~~((3))~~ (c).

Sec. 28. RCW 62A.4A-502 and 1991 sp.s. c 21 s 4A-502 are each amended to read as follows:

~~((+))~~ (a) As used in this section, "creditor process" means levy, attachment, garnishment, notice of lien, sequestration, or similar process issued by or on behalf of a creditor or other claimant with respect to an account.

~~((2))~~ (b) This subsection applies to creditor process with respect to an authorized account of the sender of a payment order if the creditor process is served on the receiving bank. For the purpose of determining rights with respect to the creditor process, if the receiving bank accepts the payment order the balance in the authorized account is deemed to be reduced by the amount of the payment order to the extent the bank did not otherwise receive payment of the order, unless the creditor process is served at ~~((he))~~ a time and in a manner affording the bank a reasonable opportunity to act on it before the bank accepts the payment order.

~~((3))~~ (c) If a beneficiary's bank has received a payment order for payment to the beneficiary's account in the bank, the following rules apply:

~~((+))~~ (1) The bank may credit the beneficiary's account. The amount credited may be set off against an obligation owed by the beneficiary to the bank or may be applied to satisfy creditor process served on the bank with respect to the account.

~~((+))~~ (2) The bank may credit the beneficiary's account and allow withdrawal of the amount credited unless creditor process with respect to the account is served at ~~((he))~~ a time and in a manner affording the bank a reasonable opportunity to act to prevent withdrawal.

~~((+))~~ (3) If creditor process with respect to the beneficiary's account has been served and the bank has had a reasonable opportunity to act on it, the bank may not reject the payment order except for a reason unrelated to the service of process.

~~((+))~~ (d) Creditor process with respect to a payment by the originator to the beneficiary pursuant to a funds transfer may be served only on the beneficiary's bank with respect to the debt owed by that bank to the beneficiary. Any other bank served with the creditor process is not obliged to act with respect to the process.

Sec. 29. RCW 62A.4A-503 and 1991 sp.s. c 21 s 4A-503 are each amended to read as follows:

For proper cause and in compliance with applicable law, a court may restrain ~~((+))~~ (i) a person from issuing a payment order to initiate a funds transfer, ~~((2))~~ (ii) an originator's bank from executing the payment order of the originator, or ~~((3))~~ (iii) the beneficiary's bank from releasing funds to the beneficiary or the beneficiary from withdrawing the funds. A court may not otherwise restrain a person from issuing a payment order, paying or receiving payment of a payment order, or otherwise acting with respect to a funds transfer.

Sec. 30. RCW 62A.4A-504 and 1991 sp.s. c 21 s 4A-504 are each amended to read as follows:

~~((+))~~ (a) If a receiving bank has received more than one payment order of the sender or one or more payment orders and other items that are payable from the sender's account, the bank may charge the sender's account with respect to the various orders and items in any sequence.

~~((2))~~ (b) In determining whether a credit to an account has been withdrawn by the holder of the account or applied to a debt of the holder of the account, credits first made to the account are first withdrawn or applied.

Sec. 31. RCW 62A.4A-506 and 1991 sp.s. c 21 s 4A-506 are each amended to read as follows:

~~((+))~~ (a) If, under this Article, a receiving bank is obliged to pay interest with respect to a payment order issued to the bank, the amount payable may be determined ~~((+))~~ (i) by agreement of the sender and receiving bank, or ~~((+))~~ (ii) by a funds-transfer system rule if the payment order is transmitted through a funds-transfer system.

~~((2))~~ (b) If the amount of interest is not determined by an agreement or rule as stated in subsection ~~((+))~~ (a) of this section, the amount is calculated by multiplying the applicable federal funds rate by the amount on which interest is payable, and then multiplying the product by the number of days for which interest is payable. The applicable federal funds rate is the average of the federal funds rates published by the federal reserve bank of New York for each of the days for which interest is payable divided by three hundred sixty. The federal funds rate for any day on which a published rate is not available is the same as the published rate for the next preceding day for which there is a published rate. If a receiving bank that accepted a payment order is required to refund payment to the sender of the order because the funds transfer was not completed, but the failure to complete was not due to any fault by the bank, the interest payable is reduced by a percentage equal to the reserve requirement on deposits of the receiving bank.

Sec. 32. RCW 62A.4A-507 and 1991 sp.s. c 21 s 4A-507 are each amended to read as follows:

~~((+))~~ (a) The following rules apply unless the affected parties otherwise agree or subsection ~~((3))~~ (c) of this section applies~~((3))~~:

~~((+))~~ (1) The rights and obligations between the sender of a payment order and the receiving bank are governed by the law of the jurisdiction in which the receiving bank is located.

~~((+))~~ (2) The rights and obligations between the beneficiary's bank and the beneficiary are governed by the law of the jurisdiction in which the beneficiary's bank is located.

~~((+))~~ (3) The issue of when payment is made pursuant to a funds transfer by the originator to the beneficiary is governed by the law of the jurisdiction in which the beneficiary's bank is located.

~~((2))~~ (b) If the parties described in each paragraph of subsection ~~((+))~~ (a) of this section have made an agreement selecting the law of a particular jurisdiction to govern rights and obligations between each other, the law of that jurisdiction governs those rights and obligations, whether or not the payment order or the funds transfer bears a reasonable relation to that jurisdiction.

~~((3))~~ (c) A funds-transfer system rule may select the law of a particular jurisdiction to govern ~~((+))~~ (i) rights and obligations between participating banks with respect to payment orders transmitted or processed through the system, or ~~((+))~~ (ii) the rights and obligations of some or all parties to a funds transfer any part of which is carried out by means of the system. A choice of law made pursuant to ~~((+))~~ clause (i) of this subsection is binding on participating banks. A choice of law made pursuant to ~~((+))~~ clause (ii) of this subsection is binding on the originator, other sender, or a receiving bank having notice that the funds-transfer system might be used in the funds transfer and of the choice of law by the system when the originator, other sender, or receiving bank issued or accepted a

payment order. The beneficiary of a funds transfer is bound by the choice of law if, when the funds transfer is initiated, the beneficiary has notice that the funds-transfer system might be used in the funds transfer and of the choice of law by the system. The law of a jurisdiction selected pursuant to this subsection may govern, whether or not that law bears a reasonable relation to the matter in issue.

~~((4))~~ (d) In the event of inconsistency between an agreement under subsection ~~((2))~~ (b) of this section and a choice-of-law rule under subsection ~~((3))~~ (c) of this section, the agreement under subsection ~~((2))~~ (b) of this section prevails.

~~((5))~~ (e) If a funds transfer is made by use of more than one funds-transfer system and there is inconsistency between choice-of-law rules of the systems, the matter in issue is governed by the law of the selected jurisdiction that has the most significant relationship to the matter in issue.

Sec. 33. RCW 62A.9A-502 and 2000 c 250 s 9A-502 are each amended to read as follows:

(a) **Sufficiency of financing statement.** Subject to subsection (b) of this section, a financing statement is sufficient only if it:

(1) Provides the name of the debtor;

(2) Provides the name of the secured party or a representative of the secured party; and

(3) Indicates the collateral covered by the financing statement.

(b) **Real-property-related financing statements.** Except as otherwise provided in RCW 62A.9A-501(b), to be sufficient, a financing statement that covers as-extracted collateral or timber to be cut, or which is filed as a fixture filing and covers goods that are or are to become fixtures, must satisfy subsection (a) of this section and also:

(1) Indicate that it covers this type of collateral;

(2) Indicate that it is to be filed for record in the real property records;

(3) Provide a description of the real property to which the collateral is related sufficient to give constructive notice of a mortgage under the law of this state if the description were contained in a record of the mortgage of the real property; and

(4) If the debtor does not have an interest of record in the real property, provide the name of a record owner.

(c) **Record of mortgage as financing statement.** A record of a mortgage is effective, from the date of recording, as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut only if:

(1) The record indicates the goods or accounts that it covers;

(2) The goods are or are to become fixtures related to the real property described in the record or the collateral is related to the real property described in the record and is as-extracted collateral or timber to be cut;

(3) The record satisfies the requirements for a financing statement in this section ~~((other than an indication)), but:~~

(A) The record need not indicate that it is to be filed in the real property records; and

(B) The record sufficiently provides the name of a debtor who is an individual if it provides the individual name of the debtor or the surname and first personal name of the debtor, even if the debtor is an individual to whom RCW 62A.9A-503(a)(4) applies; and

(4) The record is recorded.

(d) **Filing before security agreement or attachment.** A financing statement may be filed before a security agreement is made or a security interest otherwise attaches.

Sec. 34. RCW 62A.9A-503 and 2011 c 74 s 401 are each amended to read as follows:

(a) **Sufficiency of debtor's name.** A financing statement sufficiently provides the name of the debtor:

(1) Except as otherwise provided in (3) of this subsection (a), if the debtor is a registered organization or the collateral is held in a trust that is a registered organization, only if the financing statement

provides the name that is stated to be the registered organization's name on the public organic record most recently filed with or issued or enacted by the registered organization's jurisdiction of organization which purports to state, amend, or restate the registered organization's name;

(2) Subject to subsection (f) of this section, if the collateral is being administered by the personal representative of a decedent, only if the financing statement provides, as the name of the debtor, the name of the decedent and, in a separate part of the financing statement, indicates that the collateral is being administered by a personal representative;

(3) If the collateral is held in a trust that is not a registered organization, only if the financing statement:

(A) Provides, as the name of the debtor:

(i) If the organic record of the trust specifies a name for the trust, the name specified; or

(ii) If the organic record of the trust does not specify a name for the trust, the name of the settlor or testator; and

(B) In a separate part of the financing statement:

(i) If the name is provided in accordance with (3)(A)(i) of this subsection, indicates that the collateral is held in a trust; or

(ii) If the name is provided in accordance with (3)(A)(ii) of this subsection, provides additional information sufficient to distinguish the trust from other trusts having one or more of the same settlors or the same testator and indicates that the collateral is held in a trust, unless the additional information so indicates;

(4) Subject to subsection (g) of this section, if the debtor is an individual to whom this state has issued a driver's license or identification card that has not expired, only if the financing statement:

~~(A) Provides the individual name of the debtor;~~

~~(B) Provides the surname and first personal name of the debtor;~~

~~or~~

~~(C) Subject to subsection (g) of this section, provides the name of the individual which is indicated on ((a)) the driver's license or identification card ((that this state has issued to the individual and which has not expired));~~

(5) If the debtor is an individual to whom (4) of this subsection (a) does not apply, only if the financing statement provides the individual name of the debtor or the surname and first personal name of the debtor; and

~~((5))~~ (6) In other cases:

(A) If the debtor has a name, only if the financing statement provides the organizational name of the debtor; and

(B) If the debtor does not have a name, only if the financing statement provides the names of the partners, members, associates, or other persons comprising the debtor, in a manner that each name provided would be sufficient if the person named were the debtor.

(b) **Additional debtor-related information.** A financing statement that provides the name of the debtor in accordance with subsection (a) of this section is not rendered ineffective by the absence of:

(1) A trade name or other name of the debtor; or

(2) Unless required under subsection ~~((a)(5)(B))~~ (a)(6)(B) of this section, names of partners, members, associates, or other persons comprising the debtor.

(c) **Debtor's trade name insufficient.** A financing statement that provides only the debtor's trade name does not sufficiently provide the name of the debtor.

(d) **Representative capacity.** Failure to indicate the representative capacity of a secured party or representative of a secured party does not affect the sufficiency of a financing statement.

(e) **Multiple debtors and secured parties.** A financing statement may provide the name of more than one debtor and the name of more than one secured party.

(f) **Name of decedent.** The name of the decedent indicated on the order appointing the personal representative of the decedent issued by the court having jurisdiction over the collateral is sufficient as the "name of the decedent" under subsection (a)(2) of this section.

(g) **Multiple driver's licenses.** If this state has issued to an individual more than one driver's license or identification card of a kind described in subsection (a)(4) of this section, the one that was issued most recently is the one to which subsection (a)(4) of this section refers.

(h) **Definition.** In this section, the "name of the settlor or testator" means:

(1) If the settlor is a registered organization, the name that is stated to be the settlor's name on the public organic record most recently filed with or issued or enacted by the settlor's jurisdiction of organization which purports to state, amend, or restate the settlor's name; or

(2) In other cases, the name of the settlor or testator indicated in the trust's organic record.

NEW SECTION. Sec. 35. Section captions as used in this act are law.

NEW SECTION. Sec. 36. Sections 33 and 34 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2013."

On page 1, line 1 of the title, after "code;" strike the remainder of the title and insert "amending RCW 62A.4A-108, 62A.4A-103, 62A.4A-104, 62A.4A-105, 62A.4A-106, 62A.4A-202, 62A.4A-203, 62A.4A-204, 62A.4A-205, 62A.4A-206, 62A.4A-207, 62A.4A-208, 62A.4A-209, 62A.4A-210, 62A.4A-211, 62A.4A-212, 62A.4A-301, 62A.4A-302, 62A.4A-303, 62A.4A-304, 62A.4A-305, 62A.4A-402, 62A.4A-403, 62A.4A-404, 62A.4A-405, 62A.4A-406, 62A.4A-501, 62A.4A-502, 62A.4A-503, 62A.4A-504, 62A.4A-506, 62A.4A-507, 62A.9A-502, and 62A.9A-503; creating a new section; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1115 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Rodne and Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1115, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1115, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz,

Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE HOUSE BILL NO. 1115, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1116 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. SHORT TITLE. This chapter may be known and cited as the "uniform collaborative law act."

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Collaborative law communication" means a statement, whether oral or in a record, or verbal or nonverbal, that:

(a) Is made to conduct, participate in, continue, or reconvene a collaborative law process; and

(b) Occurs after the parties sign a collaborative law participation agreement and before the collaborative law process is concluded.

(2) "Collaborative law participation agreement" means an agreement by persons to participate in a collaborative law process.

(3) "Collaborative law process" means a procedure intended to resolve a collaborative matter without intervention by a tribunal in which persons:

(a) Sign a collaborative law participation agreement; and

(b) Are represented by collaborative lawyers.

(4) "Collaborative lawyer" means a lawyer who represents a party in a collaborative law process.

(5) "Collaborative matter" means a dispute, transaction, claim, problem, or issue for resolution, including a dispute, claim, or issue in a proceeding, which is described in a collaborative law participation agreement.

(6) "Law firm" means:

(a) Lawyers who practice law together in a partnership, professional corporation, sole proprietorship, limited liability company, or association; and

(b) Lawyers employed in a legal services organization, or the legal department of a corporation or other organization, or the legal department of a government or governmental subdivision, agency, or instrumentality.

(7) "Nonparty participant" means a person, other than a party and the party's collaborative lawyer, that participates in a collaborative law process.

(8) "Party" means a person that signs a collaborative law participation agreement and whose consent is necessary to resolve a collaborative matter.

(9) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(10) "Proceeding" means a judicial, administrative, arbitral, or other adjudicative process before a tribunal, including related prehearing and posthearing motions, conferences, and discovery.

(11) "Prospective party" means a person that discusses with a prospective collaborative lawyer the possibility of signing a collaborative law participation agreement.

(12) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(13) "Related to a collaborative matter" means involving the same parties, transaction or occurrence, nucleus of operative fact, dispute, claim, or issue as the collaborative matter.

(14) "Sign" means, with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

(15) "Tribunal" means a court, arbitrator, administrative agency, or other body acting in an adjudicative capacity which, after presentation of evidence or legal argument, has jurisdiction to render a decision affecting a party's interests in a matter.

NEW SECTION. Sec. 3. APPLICABILITY. (1) This chapter applies to a collaborative law participation agreement that meets the requirements of section 4 of this act signed on or after the effective date of this section.

(2) The use of collaborative law applies only to matters that would be resolved in civil court and may not be used to resolve matters in criminal cases.

NEW SECTION. Sec. 4. COLLABORATIVE LAW PARTICIPATION AGREEMENT; REQUIREMENTS. (1) A collaborative law participation agreement must:

(a) Be in a record;

(b) Be signed by the parties;

(c) State the parties' intention to resolve a collaborative matter through a collaborative law process under this chapter;

(d) Describe the nature and scope of the matter;

(e) Identify the collaborative lawyer who represents each party in the process; and

(f) Contain a statement by each collaborative lawyer confirming the lawyer's representation of a party in the collaborative law process.

(2) Parties may agree to include in a collaborative law participation agreement additional provisions not inconsistent with this chapter.

NEW SECTION. Sec. 5. BEGINNING AND CONCLUDING COLLABORATIVE LAW PROCESS. (1) A collaborative law process begins when the parties sign a collaborative law participation agreement.

(2) A tribunal may not order a party to participate in a collaborative law process over that party's objection.

(3) A collaborative law process is concluded by a:

(a) Resolution of a collaborative matter as evidenced by a signed record;

(b) Resolution of a part of the collaborative matter, evidenced by a signed record, in which the parties agree that the remaining parts of the matter will not be resolved in the process; or

(c) Termination of the process.

(4) A collaborative law process terminates:

(a) When a party gives notice to other parties in a record that the process is ended; or

(b) When a party:

(i) Begins a proceeding related to a collaborative matter without the agreement of all parties; or

(ii) In a pending proceeding related to the matter:

(A) Initiates a pleading, motion, order to show cause, or request for a conference with the tribunal without the agreement of all parties as to the relief sought;

(B) Requests that the proceeding be put on the tribunal's active calendar; or

(C) Takes similar contested action requiring notice to be sent to the parties; or

(c) Except as otherwise provided by subsection (7) of this section, when a party discharges a collaborative lawyer or a collaborative lawyer withdraws from further representation of a party.

(5) A party's collaborative lawyer shall give prompt notice to all other parties in a record of a discharge or withdrawal.

(6) A party may terminate a collaborative law process with or without cause.

(7) Notwithstanding the discharge or withdrawal of a collaborative lawyer, a collaborative law process continues, if not later than thirty days after the date that the notice of the discharge or withdrawal of a collaborative lawyer required by subsection (5) of this section is sent to the parties:

(a) The unrepresented party engages a successor collaborative lawyer; and

(b) In a signed record:

(i) The parties consent to continue the process by reaffirming the collaborative law participation agreement;

(ii) The agreement is amended to identify the successor collaborative lawyer; and

(iii) The successor collaborative lawyer confirms the lawyer's representation of a party in the collaborative law process.

(8) A collaborative law process does not conclude if, with the consent of the parties, a party requests a tribunal to approve a resolution of the collaborative matter or any part thereof as evidenced by a signed record.

(9) A collaborative law participation agreement may provide additional methods of concluding a collaborative law process.

NEW SECTION. Sec. 6. PROCEEDINGS PENDING BEFORE TRIBUNAL; STATUS REPORT. (1) Persons in a proceeding pending before a tribunal may sign a collaborative law participation agreement to seek to resolve a collaborative matter related to the proceeding. Parties shall file promptly with the tribunal a notice of the agreement after it is signed. Subject to subsection (3) of this section and sections 7 and 8 of this act, the filing operates as an application for a stay of the proceeding.

(2) The parties shall file promptly with the tribunal notice in a record when a collaborative law process concludes. The stay of the proceeding under subsection (1) of this section is lifted when the notice is filed. The notice may not specify any reason for termination of the process.

(3) A tribunal in which a proceeding is stayed under subsection (1) of this section may require the parties and collaborative lawyers to provide a status report on the collaborative law process and the proceeding. A status report may include only information on whether the process is ongoing or concluded. It may not include a report, assessment, evaluation, recommendation, finding, or other communication regarding a collaborative law process or collaborative matter.

(4) A tribunal may not consider a communication made in violation of subsection (3) of this section.

(5) A tribunal shall provide parties notice and an opportunity to be heard before dismissing a proceeding in which a notice of collaborative law process is filed based on delay or failure to prosecute.

NEW SECTION. Sec. 7. EMERGENCY ORDER. During a collaborative law process, a tribunal may issue emergency orders to protect the health, safety, welfare, or interest of a party or a family or household member, as defined in RCW 26.50.010.

NEW SECTION. Sec. 8. APPROVAL OF AGREEMENT BY TRIBUNAL. A tribunal may approve an agreement resulting from a collaborative law process.

NEW SECTION. Sec. 9. DISQUALIFICATION OF COLLABORATIVE LAWYER AND LAWYERS IN ASSOCIATED LAW FIRM. (1) Except as otherwise provided in

subsection (3) of this section, a collaborative lawyer is disqualified from appearing before a tribunal to represent a party in a proceeding related to the collaborative matter.

(2) Except as otherwise provided in subsection (3) of this section and section 10 of this act, a lawyer in a law firm with which the collaborative lawyer is associated is disqualified from appearing before a tribunal to represent a party in a proceeding related to the collaborative matter if the collaborative lawyer is disqualified from doing so under subsection (1) of this section.

(3) A collaborative lawyer or a lawyer in a law firm with which the collaborative lawyer is associated may represent a party:

(a) To ask a tribunal to approve an agreement resulting from the collaborative law process; or

(b) To seek or defend an emergency order to protect the health, safety, welfare, or interest of a party, or family or household member, as defined in RCW 26.50.010, if a successor lawyer is not immediately available to represent that person.

(4) If subsection (3)(b) of this section applies, a collaborative lawyer, or lawyer in a law firm with which the collaborative lawyer is associated, may represent a party or family or household member only until the person is represented by a successor lawyer or reasonable measures are taken to protect the health, safety, welfare, or interest of the person.

NEW SECTION. Sec. 10. GOVERNMENTAL ENTITY AS PARTY. (1) The disqualification of section 9(1) of this act applies to a collaborative lawyer representing a party that is a government or governmental subdivision, agency, or instrumentality.

(2) After a collaborative law process concludes, another lawyer in a law firm with which the collaborative lawyer is associated may represent a government or governmental subdivision, agency, or instrumentality in the collaborative matter or a matter related to the collaborative matter if:

(a) The collaborative law participation agreement so provides; and

(b) The collaborative lawyer is isolated from any participation in the collaborative matter or a matter related to the collaborative matter through procedures within the law firm which are reasonably calculated to isolate the collaborative lawyer from such participation.

NEW SECTION. Sec. 11. DISCLOSURE OF INFORMATION. Except as provided by law other than this chapter, during the collaborative law process, on the request of another party, a party shall make timely, full, candid, and informal disclosure of information related to the collaborative matter without formal discovery. A party also shall update promptly previously disclosed information that has materially changed. The parties may define the scope of disclosure during the collaborative law process.

NEW SECTION. Sec. 12. STANDARDS OF PROFESSIONAL RESPONSIBILITY AND MANDATORY REPORTING NOT AFFECTED. (1) This chapter does not affect the professional responsibility obligations and standards applicable to a lawyer or other licensed professional or relieve a lawyer or other licensed professional from the duty to comply with all applicable professional responsibility obligations and standards.

(2) This chapter does not affect the obligation of a person to report abuse or neglect, abandonment, or exploitation of a child or adult under the law of this state.

(3) Noncompliance with an obligation or prohibition imposed by this chapter does not in itself establish grounds for professional discipline.

NEW SECTION. Sec. 13. APPROPRIATENESS OF COLLABORATIVE LAW PROCESS. Before a prospective party signs a collaborative law participation agreement, the prospective party must:

(1) Be advised as to whether a collaborative law process is appropriate for the prospective party's matter;

(2) Be provided with sufficient information to make an informed decision about the material benefits and risks of a collaborative law process as compared to the material benefits and risks of other reasonably available alternatives for resolving the proposed collaborative matter, such as litigation, mediation, arbitration, or expert evaluation;

(3) Be informed that after signing an agreement if a party initiates a proceeding or seeks tribunal intervention in a pending proceeding related to the collaborative matter, the collaborative law process terminates;

(4) Be informed that participation in a collaborative law process is voluntary and any party has the right to terminate unilaterally a collaborative law process with or without cause; and

(5) Be informed that the collaborative lawyer and any lawyer in a law firm with which the collaborative lawyer is associated may not appear before a tribunal to represent a party in a proceeding related to the collaborative matter, except as authorized by law or court rule.

NEW SECTION. Sec. 14. COERCIVE OR VIOLENT RELATIONSHIP. (1) Before a prospective party signs a collaborative law participation agreement, a prospective collaborative lawyer shall make reasonable inquiry whether the prospective party has a history of a coercive or violent relationship with another prospective party.

(2) Throughout a collaborative law process, a collaborative lawyer reasonably and continuously shall assess whether the party the collaborative lawyer represents has a history of a coercive or violent relationship with another party.

(3) If a collaborative lawyer reasonably believes that the party the lawyer represents or the prospective party who consults the lawyer has a history of a coercive or violent relationship with another party or prospective party, the lawyer may not begin or continue a collaborative law process unless:

(a) The party or the prospective party requests beginning or continuing a process; and

(b) The collaborative lawyer reasonably believes that the safety of the party or prospective party can be protected adequately during a process.

NEW SECTION. Sec. 15. CONFIDENTIALITY OF COLLABORATIVE LAW COMMUNICATION. Subject to section 12 of this act, a collaborative law communication is confidential to the extent agreed by the parties in a signed record or as provided by law of this state other than this chapter.

NEW SECTION. Sec. 16. PRIVILEGE AGAINST DISCLOSURE FOR COLLABORATIVE LAW COMMUNICATION; ADMISSIBILITY; DISCOVERY. (1) Subject to sections 17 and 18 of this act, a collaborative law communication is privileged under subsection (2) of this section, is not subject to discovery, and is not admissible in evidence.

(2) In a proceeding, the following privileges apply:

(a) A party may refuse to disclose, and may prevent any other person from disclosing, a collaborative law communication.

(b) A nonparty participant may refuse to disclose, and may prevent any other person from disclosing, a collaborative law communication of the nonparty participant.

(3) Evidence or information that is otherwise admissible or subject to discovery does not become inadmissible or protected from discovery solely because of its disclosure or use in a collaborative law process.

NEW SECTION. Sec. 17. WAIVER AND PRECLUSION OF PRIVILEGE. (1) A privilege under section 16 of this act may be waived in a record or orally during a proceeding if it is expressly waived by all parties and, in the case of the privilege of a nonparty participant, it is also expressly waived by the nonparty participant.

(2) A person that makes a disclosure or representation about a collaborative law communication which prejudices another person in a proceeding may not assert a privilege under section 16 of this act,

but this preclusion applies only to the extent necessary for the person prejudiced to respond to the disclosure or representation.

NEW SECTION. Sec. 18. LIMITS OF PRIVILEGE. (1) There is no privilege under section 16 of this act for a collaborative law communication that is:

(a) Available to the public under chapter 42.56 RCW or made during a session of a collaborative law process that is open, or is required by law to be open, to the public;

(b) A threat or statement of a plan to inflict bodily injury or commit a crime of violence;

(c) Intentionally used to plan a crime, commit or attempt to commit a crime, or conceal an ongoing crime or ongoing criminal activity; or

(d) In an agreement resulting from the collaborative law process, evidenced by a record signed by all parties to the agreement.

(2) The privileges under section 16 of this act for a collaborative law communication do not apply to the extent that a communication is:

(a) Sought or offered to prove or disprove a claim or complaint of professional misconduct or malpractice arising from or related to a collaborative law process;

(b) Sought or offered to prove or disprove abuse, neglect, abandonment, or exploitation of a child or adult, unless the child protective services agency or adult protective services agency is a party to or otherwise participates in the process; or

(c) Sought or offered to prove or disprove stalking or cyber stalking of a party or child.

(3) There is no privilege under section 16 of this act if a tribunal finds, after a hearing in camera, that the party seeking discovery or the proponent of the evidence has shown the evidence is not otherwise available, the need for the evidence substantially outweighs the interest in protecting confidentiality, and the collaborative law communication is sought or offered in:

(a) A court proceeding involving a felony or misdemeanor; or

(b) A proceeding seeking rescission or reformation of a contract arising out of the collaborative law process or in which a defense to avoid liability on the contract is asserted.

(4) If a collaborative law communication is subject to an exception under subsection (2) or (3) of this section, only the part of the communication necessary for the application of the exception may be disclosed or admitted.

(5) Disclosure or admission of evidence excepted from the privilege under subsection (2) or (3) of this section does not make the evidence or any other collaborative law communication discoverable or admissible for any other purpose.

(6) The privileges under section 16 of this act do not apply if the parties agree in advance in a signed record, or if a record of a proceeding reflects agreement by the parties, that all or part of a collaborative law process is not privileged. This subsection does not apply to a collaborative law communication made by a person that did not receive actual notice of the agreement before the communication was made.

NEW SECTION. Sec. 19. AUTHORITY OF TRIBUNAL IN CASE OF NONCOMPLIANCE. (1) If an agreement fails to meet the requirements of section 4 of this act, or a lawyer fails to comply with section 13 or 14 of this act, a tribunal may nonetheless find that the parties intended to enter into a collaborative law participation agreement if they:

(a) Signed a record indicating an intention to enter into a collaborative law participation agreement; and

(b) Reasonably believed they were participating in a collaborative law process.

(2) If a tribunal makes the findings specified in subsection (1) of this section, and the interests of justice require, the tribunal may:

(a) Enforce an agreement evidenced by a record resulting from the process in which the parties participated;

(b) Apply the disqualification provisions of sections 5, 6, 9, and 10 of this act; and

(c) Apply a privilege under section 16 of this act.

NEW SECTION. Sec. 20. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

NEW SECTION. Sec. 21. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, and supersedes the federal electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001, et seq., but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

NEW SECTION. Sec. 22. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 23. Sections 1 through 22 of this act constitute a new chapter in Title 7 RCW."

On page 1, line 1 of the title, after "law," strike the remainder of the title and insert "and adding a new chapter to Title 7 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1116 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1116, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1116, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE HOUSE BILL NO. 1116, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) American Indian and Alaska Native students make up 2.5 percent of the total student population in the state and twenty-five percent or more of the student population in fifty-seven schools across the state.

(b) American Indian students in Washington have the highest annual drop-out rate at 9.5 percent, compared to 4.6 percent of all students in each of grades nine through twelve. Of the students expected to graduate in 2010 because they entered the ninth grade in 2006, the American Indian on-time graduation rate was only fifty-eight percent, compared to 76.5 percent of all students.

(c) The teaching of American Indian language, culture, and history are important to American Indian people and critical to the educational attainment and achievement of American Indian children.

(d) The state-tribal education compacts authorized under this chapter reaffirm the state's important commitment to government-to-government relationships with the tribes that has been recognized by proclamation, and in the centennial accord and the millennium agreement. These state-tribal education compacts build upon the efforts highlighted by the office of the superintendent of public instruction in its 2012 Centennial Accord Agency Highlights, including: The Since Time Immemorial (STI): Tribal Sovereignty in Washington State Curriculum Project that imbeds the history surrounding sovereignty and intergovernmental responsibilities into this state's classrooms; the agency's regular meetings with the superintendents of the seven current tribal schools, as well as the federal bureau of Indian education representatives at the regional and national level on issues relating to student academic achievement, accessing of funding for tribal schools, and connecting tribal schools to the K-20 network; and the recent establishment, in statute, of the office of native education within the office of the superintendent of public instruction.

(e) School funding should honor tribal sovereignty and reflect the government-to-government relationship between the state and the tribes, however the current structure that requires negotiation of an interlocal agreement between a school district and a tribal school ignores tribal sovereignty and results in a siphoning of funds for administration that could be better used for teaching and learning.

(2) The legislature further finds that:

(a) There is a preparation gap among entering kindergartners with many children, especially those from low-income homes, arriving at kindergarten without the knowledge, skills, and good health necessary to succeed in school;

(b) Upon entry into the K-12 school system, the educational opportunity gap becomes more evident, with children of color and from low-income homes having lower scores on math, reading, and writing standardized tests, as well as lower graduation rates and higher rates of dropping out of school; and

(c) Comprehensive, culturally competent early learning and greater collaboration between the early learning and K-12 school systems will ensure appropriate connections and smoother transitions

for children, and help eliminate or bridge gaps that might otherwise develop.

(3) In light of these findings, it is the intent and purpose of the legislature to authorize the superintendent of public instruction to enter into state-tribal education compacts.

NEW SECTION. Sec. 2. (1) The superintendent of public instruction is authorized to enter into state-tribal education compacts.

(2) No later than six months after the effective date of this section, the superintendent of public instruction shall establish an application and approval process, procedures, and timelines for the negotiation, approval or disapproval, and execution of state-tribal education compacts.

(3) The process may be initiated by submission, to the superintendent of public instruction, of a resolution by:

(a) The governing body of a tribe in the state of Washington; or

(b) The governing body of any of the schools in Washington that are currently funded by the federal bureau of Indian affairs, whether directly or through a contract or compact with an Indian tribe or a tribal consortium.

(4) The resolution must be accompanied by an application that indicates the grade or grades from kindergarten through twelve that will be offered and that demonstrates that the school will be operated in compliance with all applicable laws, the rules adopted thereunder, and the terms and conditions set forth in the application.

(5) Within ninety days of receipt of a resolution and application under this section, the superintendent must convene a government-to-government meeting for the purpose of considering the resolution and application and initiating negotiations.

(6) State-tribal education compacts must include provisions regarding:

(a) Compliance;

(b) Notices of violation;

(c) Dispute resolution, which may include nonjudicial processes such as mediation;

(d) Recordkeeping and auditing;

(e) The delineation of the respective roles and responsibilities;

(f) The term or length of the contract, and whether or not it is renewable; and

(g) Provisions for compact termination.

(7) The superintendent of public instruction shall adopt such rules as are necessary to implement this chapter.

NEW SECTION. Sec. 3. (1) A school that is the subject of a state-tribal education compact must operate according to the terms of its compact executed in accordance with section 2 of this act.

(2) Schools that are the subjects of state-tribal education compacts are exempt from all state statutes and rules applicable to school districts and school district boards of directors, except those statutes and rules made applicable under this chapter and in the state-tribal education compact executed under section 2 of this act.

(3) Each school that is the subject of a state-tribal education compact must:

(a) Provide a curriculum and conduct an educational program that satisfies the requirements of RCW 28A.150.200 through 28A.150.240 and 28A.230.010 through 28A.230.195;

(b) Employ certificated instructional staff as required in RCW 28A.410.010, however such schools may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(c) Comply with the employee record check requirements in RCW 28A.400.303 and the mandatory termination and notification provisions of RCW 28A.400.320, 28A.400.330, 28A.405.470, and 28A.405.475;

(d) Comply with nondiscrimination laws;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance; and

(f) Be subject to and comply with legislation enacted after the effective date of this section governing the operation and management of schools that are the subject of a state-tribal education compact.

(4) No such school may engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Nothing in this chapter may limit or restrict any enrollment or school choice options otherwise available under Title 28A RCW.

NEW SECTION. Sec. 4. (1) A school that is the subject of a state-tribal education compact may not charge tuition except to the same extent as school districts may be permitted to do so with respect to out-of-state and adult students pursuant to chapter 28A.225 RCW, but may charge fees for participation in optional extracurricular events and activities.

(2) Such schools may not limit admission on any basis other than age group, grade level, or capacity and must otherwise enroll all students who apply.

(3) If capacity is insufficient to enroll all students who apply, a school that is the subject of a state-tribal education compact may prioritize the enrollment of tribal members and siblings of already enrolled students.

NEW SECTION. Sec. 5. (1) A school that is the subject of a state-tribal education compact must report student enrollment. Reporting must be done in the same manner and use the same definitions of enrolled students and annual average full-time equivalent enrollment as is required of school districts. The reporting requirements in this subsection are required for a school to receive state or federal funding that is allocated based on student characteristics.

(2) Funding for a school that is the subject of a state-tribal education compact shall be apportioned by the superintendent of public instruction according to the schedule established under RCW 28A.510.250, including general apportionment, special education, categorical, and other nonbasic education moneys. Allocations for certificated instructional staff must be based on the average staff mix ratio of the school, as calculated by the superintendent of public instruction using the statewide salary allocation schedule and related documents, conditions, and limitations established by the omnibus appropriations act. Allocations for classified staff and certificated administrative staff must be based on the salary allocations of the school district in which the school is located, subject to conditions and limitations established by the omnibus appropriations act. Nothing in this section requires a school that is the subject of a state-tribal education compact to use the statewide salary allocation schedule. Such a school is eligible to apply for state grants on the same basis as a school district.

(3) Any moneys received by a school that is the subject of a state-tribal education compact from any source that remain in the school's accounts at the end of any budget year must remain in the school's accounts for use by the school during subsequent budget years.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.642 RCW to read as follows:

Nothing in this chapter prohibits schools established under chapter 28A.--- RCW (the new chapter created in section 9 of this act) from:

(1) Implementing a policy of Indian preference in employment; or

(2) Prioritizing the admission of tribal members where capacity of the school's programs or facilities is not as large as demand.

Sec. 7. RCW 49.60.400 and 1999 c 3 s 1 are each amended to read as follows:

(1) The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

(2) This section applies only to action taken after December 3, 1998.

(3) This section does not affect any law or governmental action that does not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin.

(4) This section does not affect any otherwise lawful classification that:

(a) Is based on sex and is necessary for sexual privacy or medical or psychological treatment; or

(b) Is necessary for undercover law enforcement or for film, video, audio, or theatrical casting; or

(c) Provides for separate athletic teams for each sex.

(5) This section does not invalidate any court order or consent decree that is in force as of December 3, 1998.

(6) This section does not prohibit action that must be taken to establish or maintain eligibility for any federal program, if ineligibility would result in a loss of federal funds to the state.

(7) Nothing in this section prohibits schools established under chapter 28A.--- RCW (the new chapter created in section 9 of this act) from:

(a) Implementing a policy of Indian preference in employment; or

(b) Prioritizing the admission of tribal members where capacity of the school's programs or facilities is not as large as demand.

(8) For the purposes of this section, "state" includes, but is not necessarily limited to, the state itself, any city, county, public college or university, community college, school district, special district, or other political subdivision or governmental instrumentality of or within the state.

~~((8))~~ (9) The remedies available for violations of this section shall be the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, as are otherwise available for violations of Washington antidiscrimination law.

~~((9))~~ (10) This section shall be self-executing. If any part or parts of this section are found to be in conflict with federal law, the United States Constitution, or the Washington state Constitution, the section shall be implemented to the maximum extent that federal law, the United States Constitution, and the Washington state Constitution permit. Any provision held invalid shall be severable from the remaining portions of this section.

Sec. 8. RCW 84.52.0531 and 2012 1st sp.s. c 10 s 8 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be determined as follows:

(1) For excess levies for collection in calendar year 1997, the maximum dollar amount shall be calculated pursuant to the laws and rules in effect in November 1996.

(2) For excess levies for collection in calendar year 1998 and thereafter, the maximum dollar amount shall be the sum of (a) plus or minus (b), (c), and (d) of this subsection minus (e) of this subsection:

(a) The district's levy base as defined in subsections (3) and (4) of this section multiplied by the district's maximum levy percentage as defined in subsection ~~((6))~~ (7) of this section;

(b) For districts in a high/nonhigh relationship, the high school district's maximum levy amount shall be reduced and the nonhigh school district's maximum levy amount shall be increased by an amount equal to the estimated amount of the nonhigh payment due to the high school district under RCW 28A.545.030(3) and 28A.545.050 for the school year commencing the year of the levy;

(c) Except for nonhigh districts under (d) of this subsection, for districts in an interdistrict cooperative agreement, the nonresident school district's maximum levy amount shall be reduced and the resident school district's maximum levy amount shall be increased by an amount equal to the per pupil basic education allocation included in the nonresident district's levy base under subsection (3) of this section multiplied by:

(i) The number of full-time equivalent students served from the resident district in the prior school year; multiplied by:

(ii) The serving district's maximum levy percentage determined under subsection ~~((6))~~ (7) of this section; increased by:

(iii) The percent increase per full-time equivalent student as stated in the state basic education appropriation section of the biennial budget between the prior school year and the current school year divided by fifty-five percent;

(d) The levy bases of nonhigh districts participating in an innovation academy cooperative established under RCW 28A.340.080 shall be adjusted by the office of the superintendent of public instruction to reflect each district's proportional share of student enrollment in the cooperative;

(e) The district's maximum levy amount shall be reduced by the maximum amount of state matching funds for which the district is eligible under RCW 28A.500.010.

(3) For excess levies for collection in calendar year 2005 and thereafter, a district's levy base shall be the sum of allocations in (a) through (c) of this subsection received by the district for the prior school year and the amounts determined under subsection (4) of this section, including allocations for compensation increases, plus the sum of such allocations multiplied by the percent increase per full time equivalent student as stated in the state basic education appropriation section of the biennial budget between the prior school year and the current school year and divided by fifty-five percent. A district's levy base shall not include local school district property tax levies or other local revenues, or state and federal allocations not identified in (a) through (c) of this subsection.

(a) The district's basic education allocation as determined pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

(b) State and federal categorical allocations for the following programs:

(i) Pupil transportation;

(ii) Special education;

(iii) Education of highly capable students;

(iv) Compensatory education, including but not limited to learning assistance, migrant education, Indian education, refugee programs, and bilingual education;

(v) Food services; and

(vi) Statewide block grant programs; and

(c) Any other federal allocations for elementary and secondary school programs, including direct grants, other than federal impact aid funds and allocations in lieu of taxes.

(4) For levy collections in calendar years 2005 through 2017, in addition to the allocations included under subsection (3)(a) through (c) of this section, a district's levy base shall also include the following:

(a)(i) For levy collections in calendar year 2010, the difference between the allocation the district would have received in the current school year had RCW 84.52.068 not been amended by chapter 19, Laws of 2003 1st sp. sess. and the allocation the district received in the current school year pursuant to RCW 28A.505.220;

(ii) For levy collections in calendar years 2011 through 2017, the allocation rate the district would have received in the prior school year using the Initiative 728 rate multiplied by the full-time equivalent student enrollment used to calculate the Initiative 728 allocation for the prior school year; and

(b) The difference between the allocations the district would have received the prior school year using the Initiative 732 base and the allocations the district actually received the prior school year pursuant to RCW 28A.400.205.

(5) For levy collections in calendar years 2011 through 2017, in addition to the allocations included under subsections (3)(a) through (c) and (4)(a) and (b) of this section, a district's levy base shall also include the difference between an allocation of fifty-three and two-tenths certificated instructional staff units per thousand full-time

equivalent students in grades kindergarten through four enrolled in the prior school year and the allocation of certificated instructional staff units per thousand full-time equivalent students in grades kindergarten through four that the district actually received in the prior school year, except that the levy base for a school district whose allocation in the 2009-10 school year was less than fifty-three and two-tenths certificated instructional staff units per thousand full-time equivalent students in grades kindergarten through four shall include the difference between the allocation the district actually received in the 2009-10 school year and the allocation the district actually received in the prior school year.

(6) For levy collections beginning in calendar year 2014 and thereafter, in addition to the allocations included under subsections (3)(a) through (c), (4)(a) and (b), and (5) of this section, a district's levy base shall also include the funds allocated by the superintendent of public instruction under section 5 of this act to a school that is the subject of a state-tribal education compact and that formerly contracted with the school district to provide educational services through an interlocal agreement and received funding from the district.

(7)(a) A district's maximum levy percentage shall be twenty-four percent in 2010 and twenty-eight percent in 2011 through 2017 and twenty-four percent every year thereafter;

(b) For qualifying districts, in addition to the percentage in (a) of this subsection the grandfathered percentage determined as follows:

(i) For 1997, the difference between the district's 1993 maximum levy percentage and twenty percent; and

(ii) For 2011 through 2017, the percentage calculated as follows:

(A) Multiply the grandfathered percentage for the prior year times the district's levy base determined under subsection (3) of this section;

(B) Reduce the result of (b)(ii)(A) of this subsection by any levy reduction funds as defined in subsection ~~((7))~~ (8) of this section that are to be allocated to the district for the current school year;

(C) Divide the result of (b)(ii)(B) of this subsection by the district's levy base; and

(D) Take the greater of zero or the percentage calculated in (b)(ii)(C) of this subsection.

~~((7))~~ (8) "Levy reduction funds" shall mean increases in state funds from the prior school year for programs included under subsections (3) and (4) of this section: (a) That are not attributable to enrollment changes, compensation increases, or inflationary adjustments; and (b) that are or were specifically identified as levy reduction funds in the appropriations act. If levy reduction funds are dependent on formula factors which would not be finalized until after the start of the current school year, the superintendent of public instruction shall estimate the total amount of levy reduction funds by using prior school year data in place of current school year data. Levy reduction funds shall not include moneys received by school districts from cities or counties.

~~((8))~~ (9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Prior school year" means the most recent school year completed prior to the year in which the levies are to be collected.

(b) "Current school year" means the year immediately following the prior school year.

(c) "Initiative 728 rate" means the allocation rate at which the student achievement program would have been funded under chapter 3, Laws of 2001, if all annual adjustments to the initial 2001 allocation rate had been made in previous years and in each subsequent year as provided for under chapter 3, Laws of 2001.

(d) "Initiative 732 base" means the prior year's state allocation for annual salary cost-of-living increases for district employees in the state-funded salary base as it would have been calculated under chapter 4, Laws of 2001, if each annual cost-of-living increase allocation had been provided in previous years and in each subsequent year.

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~~((9))~~ (10) Funds collected from transportation vehicle fund tax levies shall not be subject to the levy limitations in this section.

~~((40))~~ (11) The superintendent of public instruction shall develop rules and inform school districts of the pertinent data necessary to carry out the provisions of this section.

~~((11))~~ (12) For calendar year 2009, the office of the superintendent of public instruction shall recalculate school district levy authority to reflect levy rates certified by school districts for calendar year 2009.

NEW SECTION. Sec. 9. Sections 1 through 5 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 10. Section 8 of this act expires January 1, 2018."

On page 1, line 1 of the title, after "schools;" strike the remainder of the title and insert "amending RCW 49.60.400 and 84.52.0531; adding a new section to chapter 28A.642 RCW; adding a new chapter to Title 28A RCW; and providing expiration dates."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives McCoy and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1134, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1134, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Hawkins, Holy, Klippert, Kristiansen, Nealey, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1216 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The department of health shall, using the procedures and standards set forth in chapter 48.47 RCW, conduct a sunrise review of the proposal, as set forth in House Bill No. 1216 (2013), requiring health carriers to include formulas necessary for the treatment of eosinophilia gastrointestinal associated disorders, regardless of the delivery method of the formula. The department shall report the results of the review no later than thirty days prior to the 2014 legislative session.

NEW SECTION. Sec. 2. Each carrier shall continue to apply a timely appeals and grievance process as outlined in RCW 48.43.530 to ensure medically necessary treatment is available. Expedited appeals must be completed when a delay in the appeal process could jeopardize the enrollees' life, health, or ability to regain maximum function."

On page 1, line 2 of the title, after "disorders;" strike the remainder of the title and insert "and creating new sections."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1216 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1216, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1216, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 5; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Holy, Klippert, Overstreet, Shea and Taylor.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE HOUSE BILL NO. 1216, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1277 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 64.04.130 and 1987 c 341 s 1 are each amended to read as follows:

A development right, easement, covenant, restriction, or other right, or any interest less than the fee simple, to protect, preserve, maintain, improve, restore, limit the future use of, or conserve for open space purposes, any land or improvement on the land, whether the right or interest be appurtenant or in gross, may be held or acquired by any state agency, federal agency, county, city, town, federally recognized Indian tribe, or metropolitan municipal corporation, nonprofit historic preservation corporation, or nonprofit nature conservancy corporation. Any such right or interest (~~shall~~) constitutes and (~~be~~) is classified as real property. All instruments for the conveyance thereof (~~shall~~) must be substantially in the form required by law for the conveyance of any land or other real property.

~~((As used in this section,))~~ The definitions in this section apply throughout this section unless the context clearly requires otherwise.

(1) "Nonprofit nature conservancy corporation" means an organization which qualifies as being tax exempt under 26 U.S.C. section 501(c)(3) (of the United States Internal Revenue Code of 1954, as amended) as it existed on June 25, 1976, and which has as one of its principal purposes the conducting or facilitating of scientific research; the conserving of natural resources, including but not limited to biological resources, for the general public; or the conserving of natural areas including but not limited to wildlife or plant habitat.

~~((As used in this section,))~~ (2) "Nonprofit historic preservation corporation" means an organization which qualifies as being tax exempt under 26 U.S.C. section 501(c)(3) of the United States Internal Revenue Code of 1954, as amended, and which has as one of its principal purposes the conducting or facilitating of historic preservation activities within the state, including conservation or preservation of historic sites, districts, buildings, and artifacts."

On page 1, line 1 of the title, after "easements;" strike the remainder of the title and insert "and amending RCW 64.04.130."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1277 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Sawyer and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1277, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1277, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 73; Nays, 21; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Hargrove, Harris, Hawkins, Holy, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Scott, Shea, Short, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

HOUSE BILL NO. 1277, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes there are many state agencies and private organizations that might be called on to provide services to victims of sex trafficking. Victims of human trafficking are often in need of services such as emergency medical attention, food and shelter, vocational and English language training, mental health counseling, and legal support. The state intends to improve the response of state, local, and private entities to incidents of trafficking of humans. Victims would be better served if there is an established, coordinated system of identifying the needs of sex trafficking victims, training of service delivery agencies and staff, timely and appropriate delivery of services, and better investigations and prosecutions of trafficking.

Leadership in providing services to victims of sex trafficking also extends beyond government efforts and is grounded in the work of highly dedicated individuals and community-based groups. Without these efforts the struggle against human trafficking will be very difficult to win. The legislature, therefore, finds that such efforts merit regular public recognition and appreciation. Such recognition and appreciation will encourage the efforts of all persons to end sex trafficking, and provide the public with information and education about the necessity of its involvement in this struggle.

NEW SECTION. Sec. 2. A new section is added to chapter 43.280 RCW to read as follows:

(1) The statewide coordinating committee on sex trafficking is established to address the issues of sex trafficking, to examine the practices of local and regional entities involved in addressing sex trafficking, and to develop a statewide plan to address sex trafficking.

(2) The committee is administered by the department of commerce and consists of the following members:

(a) Two members of the house of representatives, one from each caucus, and two members of the senate, one from each caucus, to be appointed by the speaker of the house of representatives and the president of the senate, respectively;

(b) A representative of the Washington attorney general's office;

(c) The president or corporate executive officer of the center for children and youth justice or his or her designee;

(d) The secretary of the children's administration or his or her designee;

(e) The secretary of the juvenile rehabilitation administration or his or her designee;

(f) The superintendent of public instruction or his or her designee;

(g) A representative of the administrative office of the courts appointed by the administrative office of the courts;

(h) The executive director of the Washington association of sheriffs and police chiefs or his or her designee;

(i) The executive director of the Washington state criminal justice training commission or his or her designee;

(j) Representatives of community advocacy groups that work to address the issues of human trafficking, to be appointed by the department of commerce's office of crime victims advocacy;

(k) A representative of the Washington association of prosecuting attorneys appointed by the association;

(l) Representatives of community service providers that serve victims of human trafficking, to be appointed by the department of commerce's office of crime victims advocacy;

(m) The executive director of Washington engage or his or her designee;

(n) A representative from shared hope international or his or her designee;

(o) The executive director of the Washington coalition of crime victim advocates or his or her designee;

(p) The executive director of the Washington coalition of sexual assault programs or his or her designee;

(q) The executive director of the Washington state coalition against domestic violence or his or her designee;

(r) The executive director of the Washington association of cities or his or her designee;

(s) The executive director of the Washington association of counties or his or her designee; and

(t) The director or a representative from the crime victims compensation program.

(3) The duties of the committee include, but are not limited to:

(a) Gathering and assessing service practices from diverse sources regarding service demand and delivery;

(b) Analyzing data regarding the implementation of sex trafficking legislation passed in recent years by the legislature, including reports submitted to the department of commerce pursuant to RCW 9.68A.105, 9A.88.120, and 9A.88.140, and assessing the efficacy of such legislation in addressing sex trafficking, as well as any obstacles to the impact of legislation on the commercial sex trade;

(c) Receiving and reviewing reports, recommendations, and statewide protocols as implemented in the pilot sites selected by the center for children and youth justice regarding commercially sexually exploited youth submitted to the committee by organizations that coordinate local community response practices and regional entities concerned with commercially sexually exploited youth; and

(d) Gathering and reviewing existing data, research, and literature to help shape a plan of action to address human trafficking in Washington to include:

(i) Strategies for Washington to undertake to end sex trafficking; and

(ii) Necessary data collection improvements.

(4) The committee shall meet twice and, by December 2014, produce a report on its activities, together with a statewide plan to

address sex trafficking in Washington, to the governor's office and the legislature.

(5) All expenses of the committee shall come from the prostitution prevention and intervention account created in RCW 43.63A.740.

(6) The members of the committee shall serve without compensation, but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, within available resources.

(7) The committee expires June 30, 2015.

Sec. 3. RCW 43.63A.740 and 2010 c 289 s 18 are each amended to read as follows:

The prostitution prevention and intervention account is created in the state treasury. ~~((All designated receipts from fees under RCW 9.68A.105 and 9A.88.120 and fines collected under RCW 9A.88.140 shall be deposited into the account.))~~ Expenditures from the account may be used in the following order of priority:

(1) Funding the statewide coordinating committee on sex trafficking;

(2) Programs that provide mental health and substance abuse counseling, parenting skills training, housing relief, education, and vocational training for youth who have been diverted for a prostitution or prostitution loitering offense pursuant to RCW 13.40.213;

~~((2))~~ (3) Funding for services provided to sexually exploited children as defined in RCW 13.32A.030 in secure and semi-secure crisis residential centers with access to staff trained to meet their specific needs;

~~((3))~~ (4) Funding for services specified in RCW 74.14B.060 and 74.14B.070 for sexually exploited children; and

~~((4))~~ (5) Funding the grant program to enhance prostitution prevention and intervention services under RCW 43.63A.720.

Sec. 4. RCW 9.68A.105 and 2012 c 134 s 4 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 9.68A.100, 9.68A.101, and 9.68A.102, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9.68A.100, 9.68A.101, or 9.68A.102, or a comparable county or municipal ordinance shall be assessed a five thousand dollar fee.

(b) The court may not reduce, waive, or suspend payment of all or part of the fee assessed unless it finds, on the record, that the person does not have the ability to pay in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(c) When a minor has been adjudicated a juvenile offender or has entered into a statutory or nonstatutory diversion agreement for an offense which, if committed by an adult, would constitute a violation of RCW 9.68A.100, 9.68A.101, or 9.68A.102, or a comparable county or municipal ordinance, the court shall assess the fee under (a) of this subsection. The court may not reduce, waive, or suspend payment of all or part of the fee assessed unless it finds, on the record, that the minor does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(2) Fees assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(a) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative

services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(b) Two percent of the revenue from fees imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(c) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(3) For the purposes of this section:

(a) "Statutory or nonstatutory diversion agreement" means an agreement under RCW 13.40.080 or any written agreement between a person accused of an offense listed in subsection (1) of this section and a court, county or city prosecutor, or designee thereof, whereby the person agrees to fulfill certain conditions in lieu of prosecution.

(b) "Deferred sentence" means a sentence that will not be carried out if the defendant meets certain requirements, such as complying with the conditions of probation.

Sec. 5. RCW 9A.88.120 and 2012 c 134 s 3 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 9A.88.010 and 9A.88.030, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.010, 9A.88.030, or comparable county or municipal ordinances shall be assessed a fifty dollar fee.

(b) In addition to penalties set forth in RCW 9A.88.090, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.090 or comparable county or municipal ordinances shall be assessed a fee in the amount of:

(i) One thousand five hundred dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Two thousand five hundred dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Five thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(c) In addition to penalties set forth in RCW 9A.88.110, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.110 or a comparable county or municipal ordinance shall be assessed a fee in the amount of:

(i) One thousand five hundred dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Two thousand five hundred dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Five thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(d) In addition to penalties set forth in RCW 9A.88.070 and 9A.88.080, a person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for violating RCW 9A.88.070, 9A.88.080, or comparable county or municipal ordinances shall be assessed a fee in the amount of:

(i) Three thousand dollars if the defendant has no prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense;

(ii) Six thousand dollars if the defendant has one prior conviction, deferred sentence, deferred prosecution, or statutory or nonstatutory diversion agreement for this offense; and

(iii) Ten thousand dollars if the defendant has two or more prior convictions, deferred sentences, deferred prosecutions, or statutory or nonstatutory diversion agreements for this offense.

(2) When a minor has been adjudicated a juvenile offender or has entered into a statutory or nonstatutory diversion agreement for an offense which, if committed by an adult, would constitute a violation under this chapter or comparable county or municipal ordinances, the court shall assess the fee as specified under subsection (1) of this section.

(3) The court shall not reduce, waive, or suspend payment of all or part of the assessed fee in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(a) A superior court may, as described in RCW 9.94A.760, set a sum that the offender is required to pay on a monthly basis towards satisfying the fee imposed in this section.

(b) A district or municipal court may enter into a payment plan with the defendant, in which the fee assessed in this section is paid through scheduled periodic payments. The court may assess the defendant a reasonable fee for administrative services related to the operation of the payment plan.

(4) Fees assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(a) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(b) Two percent of the revenue from fees imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(c) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(5) For the purposes of this section:

(a) "Statutory or nonstatutory diversion agreement" means an agreement under RCW 13.40.080 or any written agreement between a person accused of an offense listed in subsection (1) of this section and a court, county, or city prosecutor, or designee thereof, whereby the person agrees to fulfill certain conditions in lieu of prosecution.

(b) "Deferred sentence" means a sentence that will not be carried out if the defendant meets certain requirements, such as complying with the conditions of probation.

Sec. 6. RCW 9A.88.140 and 2010 c 289 s 12 are each amended to read as follows:

(1)(a) Upon an arrest for a suspected violation of patronizing a prostitute, promoting prostitution in the first degree, promoting prostitution in the second degree, promoting travel for prostitution, the arresting law enforcement officer may impound the person's vehicle if (i) the motor vehicle was used in the commission of the crime; (ii) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465; and (iii) either (A) the person arrested has previously been convicted of one of the

offenses listed in this subsection or (B) the offense was committed within an area designated under (b) of this subsection.

(b) A local governing authority may designate areas within which vehicles are subject to impoundment under this section regardless of whether the person arrested has previously been convicted of any of the offenses listed in (a) of this subsection.

(i) The designation must be based on evidence indicating that the area has a disproportionately higher number of arrests for the offenses listed in (a) of this subsection as compared to other areas within the same jurisdiction.

(ii) The local governing authority shall post signs at the boundaries of the designated area to indicate that the area has been designated under this subsection.

(2) Upon an arrest for a suspected violation of commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor, the arresting law enforcement officer shall impound the person's vehicle if (a) the motor vehicle was used in the commission of the crime; and (b) the person arrested is the owner of the vehicle or the vehicle is a rental car as defined in RCW 46.04.465.

(3) Impoundments performed under this section shall be in accordance with chapter 46.55 RCW and the impoundment order must clearly state "prostitution hold."

(4)(a) Prior to redeeming the impounded vehicle, and in addition to all applicable impoundment, towing, and storage fees paid to the towing company under chapter 46.55 RCW, the owner of the impounded vehicle must pay a fine to the impounding agency. The fine shall be five hundred dollars for the offenses specified in subsection (1) of this section, or two thousand five hundred dollars for the offenses specified in subsection (2) of this section. ~~((The fine shall be deposited in the prostitution prevention and intervention account established under RCW 43.63A.740.))~~

(b) Upon receipt of the fine paid under (a) of this subsection, the impounding agency shall issue a written receipt to the owner of the impounded vehicle.

(c) Fines assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fines must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(i) At least fifty percent of the revenue from fines imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services for victims, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(ii) Two percent of the revenue from fines imposed under this section shall be remitted quarterly to the department of commerce, together with a report detailing the fees assessed, the revenue received, and how that revenue was spent.

(iii) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(5)(a) In order to redeem a vehicle impounded under this section, the owner must provide the towing company with the written receipt issued under subsection (4)(b) of this section.

(b) The written receipt issued under subsection (4)(b) of this section authorizes the towing company to release the impounded vehicle upon payment of all impoundment, towing, and storage fees.

(c) A towing company that relies on a forged receipt to release a vehicle impounded under this section is not liable to the impounding authority for any unpaid fine under subsection (4)(a) of this section.

(6)(a) In any proceeding under chapter 46.55 RCW to contest the validity of an impoundment under this section where the claimant substantially prevails, the claimant is entitled to a full refund of the impoundment, towing, and storage fees paid under chapter 46.55 RCW and the five hundred dollar fine paid under subsection (4) of this section.

(b) If the person is found not guilty at trial for a crime listed under subsection (1) of this section, the person is entitled to a full refund of the impoundment, towing, and storage fees paid under chapter 46.55 RCW and the fine paid under subsection (4) of this section.

(c) All refunds made under this section shall be paid by the impounding agency.

(d) Prior to receiving any refund under this section, the claimant must provide proof of payment.

NEW SECTION. Sec. 7. A new section is added to chapter 43.280 RCW to read as follows:

(1) The department of commerce shall prepare and submit an annual report to the legislature on the amount of revenue collected by local jurisdictions under RCW 9.68A.105, 9A.88.120, or 9A.88.140 and the expenditure of that revenue.

(2) Any funds remitted to the department of commerce pursuant to RCW 9.68A.105, 9A.88.120, or 9A.88.140 shall be spent on the fulfillment of the duties described in subsection (1) of this section. Any remaining funds may be spent on the administration of grants for services for victims of the commercial sex trade, consistent with this chapter."

On page 1, line 1 of the title, after "trade;" strike the remainder of the title and insert "amending RCW 43.63A.740, 9.68A.105, 9A.88.120, and 9A.88.140; adding new sections to chapter 43.280 RCW; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1291, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1291, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383 with the following amendment:

On page 20, line 1, after "the" insert "Jennifer Paulson"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1383, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1383, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1394 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 50.24.020 and 1983 1st ex.s. c 23 s 14 are each amended to read as follows:

The commissioner may compromise any claim for contributions, interest, or penalties due and owing from an employer, and any amount owed by an individual because of benefit overpayments (~~whether reduced to judgment or otherwise~~) existing or arising under this title in any case where collection of the full ~~(claim, in the case of contributions, interest, or penalties, would result in the insolvency of the employing unit or individual from whom such contributions, interest, or penalties are claimed, and any case where collection of the full amount of benefit overpayments made to an individual)~~ amount due and owing, whether reduced to judgment or otherwise, would be against equity and good conscience.

Whenever a compromise is made by the commissioner in the case of a claim for contributions, interest, or penalties, whether reduced to judgment or otherwise, there shall be placed on file in the office of the unemployment compensation division a statement of the amount of contributions, interest, and penalties imposed by law and claimed due, attorneys' fees and costs, if any, a complete record of the compromise agreement, and the amount actually paid in accordance with the terms of the compromise agreement. Whenever a compromise is made by the commissioner in the case of a claim of a benefit overpayment, whether reduced to judgment or otherwise, there shall be placed on file in the office of the unemployment compensation division a statement of the amount of the benefit overpayment, attorneys' fees and costs, if any, a complete record of the compromise agreement, and the amount actually paid in accordance with the terms of the compromise agreement.

If any such compromise is accepted by the commissioner, within such time as may be stated in the compromise or agreed to, such compromise shall be final and conclusive and except upon showing of fraud or malfeasance or misrepresentation of a material fact the case shall not be reopened as to the matters agreed upon. In any suit, action, or proceeding, such agreement or any determination, collection, payment, adjustment, refund, or credit made in accordance therewith shall not be annulled, modified, set aside, or disregarded.

NEW SECTION. Sec. 2. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 5. Section 1 of this act applies retroactively to January 1, 2013."

On page 1, line 2 of the title, after "authority;" strike the remainder of the title and insert "amending RCW 50.24.020; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1394 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Reykdal and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1394, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1394, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED HOUSE BILL NO. 1394, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432 with the following amendment:

On page 2, after line 35, insert the following:
"(4) Subsections (2) and (3) of this section do not preclude a county from increasing the levy amount in subsection (1) of this section to an amount that is greater than the change in the regular county levy."

On page 4, after line 26, insert the following:
"(6) Subsections (2), (4), and (5) of this section do not preclude a county from increasing the levy amount in subsection (1) of this section to an amount that is greater than the change in the regular county levy."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stanford and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1432, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1432, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1541 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.210.260 and 2012 c 16 s 1 are each amended to read as follows:

Public school districts and private schools which conduct any of grades kindergarten through the twelfth grade may provide for the administration of oral medication, topical medication, eye drops, ((☞)) ear drops, or nasal spray, of any nature to students who are in the custody of the school district or school at the time of administration, but are not required to do so by this section, subject to the following conditions:

(1) The board of directors of the public school district or the governing board of the private school or, if none, the chief administrator of the private school shall adopt policies which address the designation of employees who may administer oral medications, topical medications, eye drops, ~~((™))~~ ear drops, or nasal spray to students, the acquisition of parent requests and instructions, and the acquisition of requests from licensed health professionals prescribing within the scope of their prescriptive authority and instructions regarding students who require medication for more than fifteen consecutive school days, the identification of the medication to be administered, the means of safekeeping medications with special attention given to the safeguarding of legend drugs as defined in chapter 69.41 RCW, and the means of maintaining a record of the administration of such medication;

(2) The board of directors shall seek advice from one or more licensed physicians or nurses in the course of developing the foregoing policies;

(3) The public school district or private school is in receipt of a written, current and unexpired request from a parent, or a legal guardian, or other person having legal control over the student to administer the medication to the student;

(4) The public school district or the private school is in receipt of (a) a written, current and unexpired request from a licensed health professional prescribing within the scope of his or her prescriptive authority for administration of the medication, as there exists a valid health reason which makes administration of such medication advisable during the hours when school is in session or the hours in which the student is under the supervision of school officials, and (b) written, current and unexpired instructions from such licensed health professional prescribing within the scope of his or her prescriptive authority regarding the administration of prescribed medication to students who require medication for more than fifteen consecutive workdays;

(5) The medication is administered by an employee designated by or pursuant to the policies adopted pursuant to subsection (1) of this section and in substantial compliance with the prescription of a licensed health professional prescribing within the scope of his or her prescriptive authority or the written instructions provided pursuant to subsection (4) of this section. If a school nurse is on the premises, a nasal spray that is a legend drug or a controlled substance must be administered by the school nurse. If no school nurse is on the premises, a nasal spray that is a legend drug or a controlled substance may be administered by a trained school employee or parent-designated adult who is not a school nurse. The board of directors shall allow school personnel, who have received appropriate training and volunteered for such training, to administer a nasal spray that is a legend drug or a controlled substance. After a school employee who is not a school nurse administers a nasal spray that is a legend drug or a controlled substance, the employee shall summon emergency medical assistance as soon as practicable;

(6) The medication is first examined by the employee administering the same to determine in his or her judgment that it appears to be in the original container and to be properly labeled; and

(7) The board of directors shall designate a professional person licensed pursuant to chapter 18.71 RCW or chapter 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, to delegate to, train, and supervise the designated school district personnel in proper medication procedures.

(8)(a) For the purposes of this section, "parent-designated adult" means a volunteer, who may be a school district employee, who receives additional training from a health care professional or expert in epileptic seizure care selected by the parents, and who provides care for the child consistent with the individual health plan.

(b) To be eligible to be a parent-designated adult, a school district employee not licensed under chapter 18.79 RCW must file, without coercion by the employer, a voluntary written, current, and unexpired

letter of intent stating the employee's willingness to be a parent-designated adult. If a school employee who is not licensed under chapter 18.79 RCW chooses not to file a letter under this section, the employee shall not be subject to any employer reprisal or disciplinary action for refusing to file a letter.

(9) The board of directors shall designate a professional person licensed under chapter 18.71, 18.57, or 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, to consult and coordinate with the student's parents and health care provider, and train and supervise the appropriate school district personnel in proper procedures for care for students with epilepsy to ensure a safe, therapeutic learning environment. Training may also be provided by an epilepsy educator who is nationally certified. Parent-designated adults who are school employees are required to receive the training provided under this subsection. Parent-designated adults who are not school employees must show evidence of comparable training. The parent-designated adult must also receive additional training as established in subsection (8)(a) of this section for the additional care the parents have authorized the parent-designated adult to provide. The professional person designated under this subsection is not responsible for the supervision of the parent-designated adult for those procedures that are authorized by the parents.

Sec. 2. RCW 28A.210.270 and 2012 c 16 s 2 are each amended to read as follows:

(1) In the event a school employee administers oral medication, topical medication, eye drops, ~~((™))~~ ear drops, or nasal spray to a student pursuant to RCW 28A.210.260 in substantial compliance with the prescription of the student's licensed health professional prescribing within the scope of the professional's prescriptive authority or the written instructions provided pursuant to RCW 28A.210.260(4), and the other conditions set forth in RCW 28A.210.260 have been substantially complied with, then the employee, the employee's school district or school of employment, and the members of the governing board and chief administrator thereof shall not be liable in any criminal action or for civil damages in their individual or marital or governmental or corporate or other capacities as a result of the administration of the medication.

(2) The administration of oral medication, topical medication, eye drops, ~~((™))~~ ear drops, or nasal spray to any student pursuant to RCW 28A.210.260 may be discontinued by a public school district or private school and the school district or school, its employees, its chief administrator, and members of its governing board shall not be liable in any criminal action or for civil damages in their governmental or corporate or individual or marital or other capacities as a result of the discontinuance of such administration: PROVIDED, That the chief administrator of the public school district or private school, or his or her designee, has first provided actual notice orally or in writing in advance of the date of discontinuance to a parent or legal guardian of the student or other person having legal control over the student."

On page 1, line 2 of the title, after "spray;" strike the remainder of the title and insert "and amending RCW 28A.210.260 and 28A.210.270."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1541 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Klippert and Cody spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1541, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1541, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE HOUSE BILL NO. 1541, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1547 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.215.010 and 2011 c 295 s 3 and 2011 c 78 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child day care provider who regularly provides child day care and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental

support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (~~((2)(a))~~), even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools or kindergartens that are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) ~~((Any agency having been in operation in this state ten years before June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;)) Any entity that provides recreational or educational programming for school-aged children only and the entity meets all of the following requirements:~~

(i) The entity utilizes a drop-in model for programming, where children are able to attend during any or all program hours without a formal reservation;

(ii) The entity does not assume responsibility in lieu of the parent, unless for coordinated transportation;

(iii) The entity is a local affiliate of a national nonprofit; and
(iv) The entity is in compliance with all safety and quality standards set by the associated national agency;

(j) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) An agency that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

(8) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

(9) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

(10) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

(11) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(12) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency."

On page 1, line 2 of the title, after "children;" strike the remainder of the title and insert "and reenacting and amending RCW 43.215.010."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1547 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Walsh and Freeman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1547, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1547, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

HOUSE BILL NO. 1547, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 with the following amendment:

On page 3, beginning on line 4, strike all of subsection (3)(c) and insert the following:

"(c) A county, city, or town with an impact fee deferral process on or before December 1, 2013, is exempt from the requirements of this subsection (3) if the deferral process, which may be amended in a manner consistent with this subsection (3), delays all impact fees and remains in effect after December 1, 2013."

On page 7, beginning on line 18, after "area" strike all material through "~~36.70A.030(15))~~" on line 19 and insert "as defined by the local government according to RCW 36.70A.030(15)"

On page 7, beginning on line 22, after "area" strike all material through "~~36.70A.030(15))~~" on line 23 and insert "as defined by the local government according to RCW 36.70A.030(15)"

On page 7, beginning on line 26, after "sprawl" strike all material through "36.70A.030" on line 27

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Liias and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1652, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, as amended by the Senate, and the

bill passed the House by the following vote: Yeas, 83; Nays, 11; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Dunshee, Maxwell, McCoy, Morrell, Ormsby, Reykdal, Riccelli, Ryu and Stonier.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1808 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 69.50 RCW to read as follows:

(1) Upon finding one ounce or less of marijuana inadvertently left at a retail store holding a pharmacy license, the store manager or employee must promptly notify the local law enforcement agency. After notification to the local law enforcement agency, the store manager or employee must properly dispose of the marijuana.

(2) For the purposes of this section, "properly dispose" means ensuring that the product is destroyed or rendered incapable of use by another person."

On page 1, line 3 of the title, after "license;" strike the remainder of the title and insert "and adding a new section to chapter 69.50 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1808 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Nealey and Wylie spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1808, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1808, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED HOUSE BILL NO. 1808, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, as amended by the Senate, passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1134, as amended by the Senate, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1134, as amended by the Senate, on reconsideration, and the bill passed the House by the following vote: Yeas, 82; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Hawkins, Holy, Klippert, Kristiansen, Nealey, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134, as amended by the Senate, on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5152, by Senate Committee on Transportation (originally sponsored by Senators Eide, King, Hobbs, Fain, Hatfield, Delvin, Murray, Frockt, Conway, Kohl-Welles and Shin)

Creating Seattle Sounders FC and Seattle Seahawks special license plates.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was not adopted. (For Committee amendment, see Journal, Day 72, March 26, 2013).

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maxwell and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5152.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5152 and the bill passed the House by the following vote: Yeas, 76; Nays, 18; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Farrell, Harris, Hawkins, Holy, Kretz, Kristiansen, Lias, Nealey, Overstreet, Pike, Schmick, Scott, Shea, Short, Stanford, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hope and Roberts.

SUBSTITUTE SENATE BILL NO. 5152 having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1287, by Representatives Appleton, Dahlquist, Hurst, McCoy, Ryu, Santos and Pollet

Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe.

The bill was read the second time.

With the consent of the house, amendments (460), (461) and (234) were withdrawn.

Representative Appleton moved the adoption of amendment (340).

On page 8, after line 9, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 52.30 RCW to read as follows:

"(1) When exempt tribal property is located within the boundaries of a fire protection district or a regional fire protection service authority, the fire protection district or authority is authorized to contract with the tribe for compensation for providing fire protection services in an amount and under such terms as are mutually agreed upon by the fire protection district or authority and the tribe.

(2) For the purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Exempt tribal property" means property that is owned exclusively by a federally recognized Indian tribe and that is exempt from taxation under RCW 84.36.010;

(b) "Regional fire protection service authority" or "authority" has the same meaning as provided in RCW 52.26.020."

Correct the title.

Representatives Appleton and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (340) was adopted.

Representative Manweller moved the adoption of amendment (459).

On page 8, after line 9, insert the following:

"NEW SECTION. Sec. 6. This act expires on July 1, 2023."

Correct the title.

Representatives Manweller and Carlyle spoke in favor of the adoption of the amendment.

Amendment (459) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Appleton, Dahlquist and Hurst spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Fey was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1287.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1287, and the bill passed the House by the following vote: Yeas, 64; Nays, 29; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liiias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Buys, Chandler, Condotta, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Takko, Taylor, Vick and Wilcox.

Excused: Representatives Crouse, DeBolt, Fey, Hope and Roberts.

ENGROSSED HOUSE BILL NO. 1287, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1421, by Representatives Tharinger and Nealey

Protecting the state's interest in collecting deferred property taxes.

The bill was read the second time.

Representative Tharinger moved the adoption of amendment (248).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35.49.160 and 1965 c 7 s 35.49.160 are each amended to read as follows:

Whenever property struck off to or bid in by a county at a sale for general taxes is subsequently sold by the county, the proceeds of the sale ~~((shall first be applied to discharge in full the lien or liens for general taxes for which property was sold; the remainder, or such portion thereof as may be necessary, shall be paid to the city or town to discharge all local improvement assessment liens against the property; and the surplus, if any, shall))~~ must be applied as follows:

(1) First, to reimburse the county for the costs of foreclosure and sale as defined in RCW 36.35.110;

(2) Any remaining proceeds must next be applied to pay any amounts deferred under chapter 84.37 or 84.38 RCW on the property, including accrued interest, and outstanding at the time the county acquired the property by tax deed;

(3) Any remaining proceeds must next be applied to discharge in full the lien or liens for general taxes for which the property was sold;

(4) Any remaining proceeds must be paid to the city or town to discharge all local improvement assessment liens against the property; and

(5) Any surplus proceeds must be distributed among the proper county funds.

Sec. 2. RCW 36.35.110 and 1961 c 15 s 84.64.230 are each amended to read as follows:

(1) No claims ~~((shall ever be))~~ are allowed against the county from any municipality, school district, road district or other taxing district for taxes levied on property acquired by the county by tax deed under the provisions of this chapter, but all taxes ~~((shall))~~ must at the time of deeding ~~((said))~~ the property be thereby canceled~~((: PROVIDED, That))~~. However, the proceeds of any sale of any property acquired by the county by tax deed ~~((shall be))~~ must first be applied to reimburse the county for the costs of foreclosure and sale. The

remainder of the proceeds, if any, must be applied to pay any amounts deferred under chapter 84.37 or 84.38 RCW on the property, including accrued interest, and outstanding at the time the county acquired the property by tax deed. The remainder of the proceeds, if any, must be justly apportioned to the various funds existing at the date of the sale, in the territory in which such property is located, according to the tax levies of the year last in process of collection. (2) For purposes of this section, "costs of foreclosure and sale" means those costs of foreclosing on the property that, when collected, are subject to RCW 84.56.020(9), and the direct costs incurred by the county in selling the property.

Sec. 3. RCW 36.35.140 and 1961 c 15 s 84.64.310 are each amended to read as follows:

The board of county commissioners of any county may, pending sale of any county property acquired by foreclosure of delinquent taxes or amounts deferred under chapter 84.37 or 84.38 RCW, rent any portion thereof on a tenancy from month to month. From the proceeds of the rentals the board of county commissioners ~~((shall))~~ must first pay all expense in management of said property and in repairing, maintaining and insuring the improvements thereon~~((and))~~. The balance of said proceeds ~~((shall))~~ must first be paid to reimburse the county for the costs of foreclosure and sale as defined in RCW 36.35.110. The remainder of the proceeds, if any, must be paid to the department of revenue in the amount of any taxes deferred under chapter 84.37 or 84.38 RCW on the property, including accrued interest, outstanding at the time the county acquired the property by tax deed, and then to the various taxing units interested in the taxes levied against said property in the same proportion as the current tax levies of the taxing units having levies against said property.

Sec. 4. RCW 36.35.190 and 2009 c 549 s 4076 are each amended to read as follows:

(1) Any person, firm or corporation who or which may have been entitled to redeem the property involved prior to the issuance of the treasurer's deed to the county, and his or her or its successor in interest, ~~((shall have))~~ has the right, at any time after the commencement of, and prior to the judgment in the action authorized herein, to redeem such property by paying to the county treasurer:

(a) The amount of any taxes deferred under chapter 84.37 or 84.38 RCW on the property, including accrued interest, outstanding at the time the county acquired the property by tax deed;

(b) The amount of the taxes for which the property was sold to the county, and the amount of any other general taxes which may have accrued prior to the issuance of said treasurer's deed, together with interest on all such taxes from the date of delinquency thereof, respectively, at the rate of twelve percent per annum~~((and by paying))~~;

(c) For the benefit of the assessment district concerned the amount of principal, penalty and interest of all special assessments, if any, which ~~((shall))~~ have been levied against such property ~~((and by paying))~~; and

(d) Such proportional part of the costs of the tax or tax deferral foreclosure proceedings and of the action herein authorized as the county treasurer ~~((shall))~~ determines.

(2) Upon redemption of any property before judgment as herein provided, the county treasurer ~~((shall))~~ must issue to the redemptioner a certificate specifying the amount of the taxes, including amounts deferred under chapters 84.37 and 84.38 RCW, special assessments, penalty, interest and costs charged describing the land and stating that the taxes, including any applicable deferred taxes, special assessments, penalty, interest and costs specified have been fully paid, and the liens thereof discharged. Such certificate ~~((shall))~~ must clear the land described therein from any claim of the county based on the treasurer's deed previously issued in the tax or tax deferral foreclosure proceedings.

Sec. 5. RCW 36.35.220 and 2009 c 549 s 4077 are each amended to read as follows:

Any person filing a statement in such action ~~((shall))~~ must pay the clerk of the court an appearance fee in the amount required by the county for appearances in civil actions, and ~~((shall be))~~ is required to tender the amount of all taxes, including any amounts deferred under chapter 84.37 or 84.38 RCW, interest and costs charged against the real property to which he or she lays claim, and no further costs in such action ~~((shall))~~ may be required or recovered.

Sec. 6. RCW 36.35.250 and 1998 c 106 s 19 are each amended to read as follows:

Nothing in RCW 36.35.160 through 36.35.270 contained ~~((shall))~~ may be construed to deprive any city, town, or other unit of local government that imposed special assessments on the property by including the property in a local improvement or special assessment district of its right to reimbursement for special assessments out of any surplus over and above the taxes, including amounts deferred under chapters 84.37 and 84.38 RCW, interest and costs involved.

Sec. 7. RCW 84.37.070 and 2010 c 161 s 1167 are each amended to read as follows:

Whenever a person's special assessment or real property tax obligation, or both, is deferred under this chapter, the amount deferred and required to be paid pursuant to RCW 84.38.120 ~~((shall))~~ becomes a lien in favor of the state upon his or her property and ~~((shall have))~~ has priority as provided in chapters 35.49, 35.50, 36.35, and 84.60 RCW ~~((PROVIDED, That))~~. However, the interest of a mortgage or purchase contract holder who requires an accumulation of reserves out of which real estate taxes are paid ~~((shall have))~~ has priority to said deferred lien. This lien may accumulate up to forty percent of the amount of the claimant's equity value in ~~((said))~~ the property and the rate of interest ~~((shall))~~ must be an average of the federal short-term rate as defined in 26 U.S.C. Sec. 1274(d) plus two percentage points. The rate set for each new year ~~((shall be))~~ is computed by taking an arithmetical average to the nearest percentage point of the federal short-term rate, compounded annually. That average ~~((shall))~~ must be calculated using the rates from four months: January, April, and July of the calendar year immediately preceding the new year, and October of the previous preceding year. The interest ~~((shall be))~~ is calculated from the time it could have been paid before delinquency until ~~((said))~~ such obligation is paid or the date that the obligation is charged off as finally uncollectible. In the case of a mobile home, the department of licensing ~~((shall))~~ must show the state's lien on the certificate of title for the mobile home. In the case of all other property, the department of revenue ~~((shall))~~ must file a notice of the deferral with the county recorder or auditor.

Sec. 8. RCW 84.38.100 and 2010 c 161 s 1168 are each amended to read as follows:

Whenever a person's special assessment and/or real property tax obligation is deferred under the provisions of this chapter, the amount deferred and required to be paid pursuant to RCW 84.38.120 ~~((shall))~~ becomes a lien in favor of the state upon his or her property and ~~((shall have))~~ has priority as provided in chapters 35.49, 35.50, 36.35, and 84.60 RCW ~~((PROVIDED, That))~~. However, the interest of a mortgage or purchase contract holder who is required to cosign a declaration of deferral under RCW 84.38.090, ~~((shall have))~~ has priority to ~~((said))~~ such deferred lien. This lien may accumulate up to eighty percent of the amount of the claimant's equity value in ~~((said))~~ the property and ~~((shall))~~ must bear interest at the rate of five percent per year from the time it could have been paid before delinquency until said obligation is paid ~~((PROVIDED, That))~~. However, when taxes are deferred as provided in RCW 84.64.050, the amount ~~((shall))~~ must bear interest at the rate of five percent per year from the date the declaration is filed until the obligation is paid or the date that the obligation is charged off as finally uncollectible. In the case of a mobile home, the department of licensing ~~((shall))~~ must show the state's lien on the certificate of title for the mobile home. In the case of all other property, the department of revenue ~~((shall))~~ must file a notice of the deferral with the county recorder or auditor.

Sec. 9. RCW 84.38.140 and 2001 c 299 s 18 are each amended to read as follows:

(1) The department ~~((shall))~~ must collect all the amounts deferred together with interest under this chapter. However, in the event that the department is unable to collect an amount deferred together with interest, that amount deferred together with interest ~~((shall))~~ must be collected by the county treasurer in the manner provided for in chapter 84.56 RCW. For purposes of collection of deferred taxes, the provisions of chapters 84.56, 84.60, and 84.64 RCW ~~((shall be))~~ are applicable.

(2) When any deferred special assessment and/or real property taxes together with interest are collected the moneys ~~((shall))~~ must be deposited in the state general fund.

(3) The department may charge off as finally uncollectible any amount deferred under this chapter or chapter 84.37 RCW, including accrued interest, if the department is satisfied that there are no cost-effective means of collecting the amount due.

Sec. 10. RCW 84.60.010 and 1969 ex.s. c 251 s 1 are each amended to read as follows:

All taxes and levies which may hereafter be lawfully imposed or assessed ~~((shall be and they))~~ are ~~((hereby))~~ declared to be a lien respectively upon the real and personal property upon which they may hereafter be imposed or assessed, which liens ~~((shall))~~ include all charges and expenses of and concerning the ~~((said))~~ taxes which, by the provisions of this title, are directed to be made. The ~~((said))~~ lien ~~((shall have))~~ has priority to and ~~((shall))~~ must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which ~~((said))~~ the real and personal property may become charged or liable, except that the lien is of equal rank with liens for amounts deferred under chapter 84.37 or 84.38 RCW.

NEW SECTION. Sec. 11. A new section is added to chapter 84.64 RCW to read as follows:

Unless the context clearly requires otherwise, for purposes of this chapter:

(1) "Interest" means interest and penalties; and

(2) "Taxes;" "taxes, interest and costs;" and "taxes, interest, or costs" include any assessments and amounts deferred under chapters 84.37 and 84.38 RCW, where such assessments and deferred amounts are included in a certificate of delinquency by the county treasurer.

Sec. 12. RCW 84.64.050 and 1999 c 18 s 7 are each amended to read as follows:

(1) After the expiration of three years from the date of delinquency, when any property remains on the tax rolls for which no certificate of delinquency has been issued, the county treasurer ~~((shall))~~ must proceed to issue certificates of delinquency on the property to the county for all years' taxes, interest, and costs ~~((PROVIDED, That))~~. However, the county treasurer, with the consent of the county legislative authority, may elect to issue a certificate for fewer than all years' taxes, interest, and costs to a minimum of the taxes, interest, and costs for the earliest year.

(2) Certificates of delinquency ~~((shall be))~~ are prima facie evidence that:

~~((1))~~ (a) The property described was subject to taxation at the time the same was assessed;

~~((2))~~ (b) The property was assessed as required by law;

~~((3))~~ (c) The taxes or assessments were not paid at any time before the issuance of the certificate;

~~((4))~~ (d) Such certificate ~~((shall have))~~ has the same force and effect as a lis pendens required under chapter 4.28 RCW.

(3) The county treasurer may include in the certificate of delinquency any assessments which are due on the property and are the responsibility of the county treasurer to collect. ~~((For purposes of this chapter, "taxes, interest, and costs" include any assessments which are so included by the county treasurer, and "interest" means interest and penalties unless the context requires otherwise.))~~ However, if the

department of revenue has previously notified the county treasurer in writing that the property has a lien on it for deferred property taxes, the county treasurer must include in the certificate of delinquency any amounts deferred under chapters 84.37 and 84.38 RCW that remain unpaid, including accrued interest and costs.

(4) The treasurer (~~shall~~) must file the certificates when completed with the clerk of the court at no cost to the treasurer, and the treasurer (~~shall~~) must thereupon, with legal assistance from the county prosecuting attorney, proceed to foreclose in the name of the county, the tax liens embraced in such certificates. Notice and summons must be served or notice given in a manner reasonably calculated to inform the owner or owners, and any person having a recorded interest in or lien of record upon the property, of the foreclosure action to appear within thirty days after service of such notice and defend such action or pay the amount due. Either (a) personal service upon the owner or owners and any person having a recorded interest in or lien of record upon the property, or (b) publication once in a newspaper of general circulation, which is circulated in the area of the property and mailing of notice by certified mail to the owner or owners and any person having a recorded interest in or lien of record upon the property, or, if a mailing address is unavailable, personal service upon the occupant of the property, if any, is sufficient. If such notice is returned as unclaimed, the treasurer (~~shall~~) must send notice by regular first-class mail. The notice (~~shall~~) must include the legal description on the tax rolls, the year or years for which assessed, the amount of tax and interest due, and the name of owner, or reputed owner, if known, and the notice must include the local street address, if any, for informational purposes only. The certificates of delinquency issued to the county may be issued in one general certificate in book form including all property, and the proceedings to foreclose the liens against the property may be brought in one action and all persons interested in any of the property involved in the proceedings may be made codefendants in the action, and if unknown may be therein named as unknown owners, and the publication of such notice (~~shall be~~) is sufficient service thereof on all persons interested in the property described therein, except as provided above. The person or persons whose name or names appear on the treasurer's rolls as the owner or owners of the property (~~shall~~) must be considered and treated as the owner or owners of the property for the purpose of this section, and if upon the treasurer's rolls it appears that the owner or owners of the property are unknown, then the property (~~shall~~) must be proceeded against, as belonging to an unknown owner or owners, as the case may be, and all persons owning or claiming to own, or having or claiming to have an interest therein, are hereby required to take notice of the proceedings and of any and all steps thereunder (~~PROVIDED, That~~), However, prior to the sale of the property, the treasurer (~~shall~~) must order or conduct a title search of the property to be sold to determine the legal description of the property to be sold and the record title holder, and if the record title holder or holders differ from the person or persons whose name or names appear on the treasurer's rolls as the owner or owners, the record title holder or holders (~~shall~~) must be considered and treated as the owner or owners of the property for the purpose of this section, and (~~shall be~~) are entitled to the notice provided for in this section. Such title search (~~shall~~) must be included in the costs of foreclosure.

(5) If the title search required by subsection (4) of this section reveals a lien in favor of the state for deferred taxes on the property under RCW 84.37.070 or 84.38.100 and such deferred taxes are not already included in the certificate of delinquency, the county treasurer must issue an amended certificate of delinquency on the property to include the outstanding amount of deferred taxes, including accrued interest. The amended certificate of delinquency must be filed with the clerk of the court as provided in subsection (4) of this section.

(6) The county treasurer (~~shall~~) may not sell property (~~which~~) that is eligible for deferral of taxes under chapter 84.38 RCW but

(~~shall~~) must require the owner of the property to file a declaration to defer taxes under chapter 84.38 RCW."

Correct the title.

Representatives Tharinger and Nealey spoke in favor of the adoption of the amendment.

Amendment (248) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1421.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Fey, Hope and Roberts.

ENGROSSED HOUSE BILL NO. 1421, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1437, by Representatives Reykdal, Blake, Haigh, Orcutt, Lytton, Van De Wege and Zeiger

Concerning small farms under the current use property tax program for farm and agricultural lands.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1437 was substituted for House Bill No. 1437 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1437 was read the second time.

Representative Nealey moved the adoption of amendment (265).

Beginning on page 4, line 28, after "(h)" strike all material through "chapter" on page 5, line 11 and insert "The land on which housing for employees and the principal place of residence of the farm operator or owner of land classified pursuant to (b), (c), (d), or (g) of this subsection is sited, if such land also meets the following requirements:

(i) The housing or residence is located within a county west of the crest of the Cascade mountains, with a population between two hundred fifty thousand and four hundred thousand, adjacent to a county with a population between seventy-five thousand and one hundred thousand;

(ii) The housing or residence is on or contiguous to the classified parcel;

(iii) The use of the housing or the residence is integral to the use of the classified land for agricultural purposes; and

(iv) For classified parcels that are ten acres or less, the classified land produced a gross income of ten thousand dollars or more per year for three of the five calendar years preceding the date of application of classification under this chapter"

On page 6, line 32, after "RCW 84.34.020(2)" strike "(f)" and insert "(h)"

Representatives Nealey and Carlyle spoke in favor of the adoption of the amendment.

Amendment (265) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Reykdal, Nealey and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1437.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1437, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Liias.

Excused: Representatives Crouse, DeBolt, Fey, Hope and Roberts.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1437, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1634, by Representatives Warnick and Manweller

Including the value of solar, biomass, and geothermal facilities in the property tax levy limit calculation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Warnick and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1634.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1634, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Fey, Hope and Roberts.

HOUSE BILL NO. 1634, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1021
 HOUSE BILL NO. 1036
 SUBSTITUTE HOUSE BILL NO. 1180
 SUBSTITUTE HOUSE BILL NO. 1200
 HOUSE BILL NO. 1203
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247
 SUBSTITUTE HOUSE BILL NO. 1256
 SUBSTITUTE HOUSE BILL NO. 1261
 SUBSTITUTE HOUSE BILL NO. 1270
 SUBSTITUTE HOUSE BILL NO. 1271
 HOUSE BILL NO. 1330
 SUBSTITUTE HOUSE BILL NO. 1370

SUBSTITUTE HOUSE BILL NO. 1397
SUBSTITUTE HOUSE BILL NO. 1422
HOUSE BILL NO. 1447
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480
SUBSTITUTE HOUSE BILL NO. 1498
SUBSTITUTE HOUSE BILL NO. 1499
HOUSE BILL NO. 1534
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717
HOUSE BILL NO. 1738
SUBSTITUTE HOUSE BILL NO. 1812
HOUSE BILL NO. 1003
SUBSTITUTE HOUSE BILL NO. 1009
SUBSTITUTE HOUSE BILL NO. 1012
HOUSE BILL NO. 1045
HOUSE BILL NO. 1065
SUBSTITUTE HOUSE BILL NO. 1071
SUBSTITUTE HOUSE BILL NO. 1075
HOUSE BILL NO. 1149
HOUSE BILL NO. 1218
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1381
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1403
SUBSTITUTE HOUSE BILL NO. 1420
SUBSTITUTE HOUSE BILL NO. 1456
HOUSE BILL NO. 1468
SUBSTITUTE HOUSE BILL NO. 1568
HOUSE BILL NO. 1576
SUBSTITUTE HOUSE BILL NO. 1613
SUBSTITUTE HOUSE BILL NO. 1617
SUBSTITUTE HOUSE BILL NO. 1629
HOUSE BILL NO. 1644
HOUSE BILL NO. 1683
SUBSTITUTE HOUSE BILL NO. 1822
HOUSE BILL NO. 1863
SUBSTITUTE HOUSE BILL NO. 1868
ENGROSSED HOUSE BILL NO. 1887
SENATE BILL NO. 5052
SUBSTITUTE SENATE BILL NO. 5182
SUBSTITUTE SENATE BILL NO. 5195
SUBSTITUTE SENATE BILL NO. 5263
SUBSTITUTE SENATE BILL NO. 5264
SENATE BILL NO. 5297
SENATE BILL NO. 5411
SUBSTITUTE SENATE BILL NO. 5416
SENATE BILL NO. 5476
ENGROSSED SENATE BILL NO. 5603
ENGROSSED SUBSTITUTE SENATE BILL NO. 5669
ENGROSSED SUBSTITUTE SENATE BILL NO. 5681
SUBSTITUTE SENATE BILL NO. 5702
SENATE BILL NO. 5715

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., April 19, 2013, the 96th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

NINETY SIXTH DAY

House Chamber, Olympia, Friday, April 19, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Ormsby presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4648, by Representatives Springer, Haler, Fagan, Buys, Reykdal, Magendanz, Liias, Upthegrove, Johnson, MacEwen, Short, DeBolt, Smith, Walsh, Pike, Seaquist, Holy, Angel, Schmick, Warnick, Nealey, and Alexander

WHEREAS, Don C. Brunell has honorably served the Association of Washington Business, the fourth largest state chamber of commerce in the U.S., for nearly 30 years; and

WHEREAS, A proud Montana native, Don Brunell came to the Evergreen State in 1978 through his work with the forest products company, Crown Zellerbach Corp., combining his love of the outdoors with his interests in politics and business; and

WHEREAS, In 1981, Don was appointed to the Association of Washington Business Executive Committee and chaired the Association's Natural Resources and Environment Council until 1985; and

WHEREAS, In 1986, Don was appointed vice chairman of government affairs for AWB, and, a year later, president of AWB, and in the time since, has grown the organization from under 1,000 members to what is now the state's largest business advocacy organization with more than 8,000 private employers of all industry and sizes; and

WHEREAS, Under Don Brunell's 28 years of leadership, the Association of Washington Business has been designated as the state's manufacturing association by the National Association of Manufacturing and twice recognized by the U.S. Chamber of Commerce as an Accredited Chamber with Distinction, and is currently just one of four state chambers "accredited with distinction"; and

WHEREAS, Through his extensive work with Washington Business Week and the Don C. Brunell Scholarship, Don Brunell has helped encourage generations of high school students with an interest in business to achieve their entrepreneurial goals; and

WHEREAS, In his role as AWB President, Don Brunell has had the honor of working with five Washington governors, including Governors Gardner, Lowry, Locke, Gregoire, and Inslee, as well as the leaderships of Speakers Ehlers, King, Ebersole, Ballard, and Chopp; and

WHEREAS, Each Christmas since 1988, the holidays for many rural families in Washington have been a bit brighter - and the Legislative Building a bit more festive - since Don Brunell founded the Holiday Kids' Tree Program, raising hundreds of thousands of dollars for needy families around the state and establishing the community tradition of a tree lighting each December in the state capitol; and

WHEREAS, Don Brunell has, throughout his distinguished career, maintained his strong belief in family, as evidenced by his marriage of 42 years to wife Jeri, children Jennifer, Carey, Erin, Don, Dan, and Colleen, and 14 grandchildren; and

WHEREAS, Don Brunell has also remained committed to those serving in the U.S. armed forces, himself a veteran with 23 years of service in the U.S. Army, Montana and Washington Army National Guard, and U.S. Army Reserve as a special forces, infantry, and public affairs officer; and

WHEREAS, Don Brunell will retire from AWB in January 2014, making this his last legislative session as president of the state's largest and oldest business association;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Don C. Brunell for his long-time commitment to the legislative process and to the free enterprise system we enjoy in this nation and great state of Washington; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Don Brunell, president of the Association of Washington Business.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4648.

HOUSE RESOLUTION NO. 4648 was adopted.

HOUSE RESOLUTION NO. 2013-4649, by Representative Kristiansen

WHEREAS, Damascus Lodge No. 199, established in 1913, marks 100 years of service this year; and

WHEREAS, The Lodge is the oldest continuously operating civic organization in the community; and

WHEREAS, On September 11, 1912, a petition for a new Lodge bearing 16 signatures was sponsored by Arlington Lodge No. 129 with Worshipful Brother A.H. Moll as Master and Albert E. Underwood as Secretary; and

WHEREAS, The petition for charter, dated June 2, 1913, was granted on June 11, 1913, by Most Worshipful Brother Frank M. McCandless, Grand Master; and

WHEREAS, The Lodge supports the Granite Falls Historical Society; and

WHEREAS, The Lodge collects canned goods and other items for the Granite Falls Food Bank; and

WHEREAS, The Lodge supports the Granite Falls Little League; and

WHEREAS, The Lodge sponsors the Bikes for Books program in Mountain Way and Monte Cristo Elementary Schools; and

WHEREAS, The Lodge recognizes the ten highest performing students of junior status from Granite Falls High School with a dinner, presentation of certificates, and eligibility for their annual lodge scholarship; and

WHEREAS, The Lodge organizes fund-raiser pancake breakfasts four times per year for their Bikes for Books and high school scholarship programs; and

WHEREAS, The Lodge has held the charter for Cub Pack 28 for over seventy-five years and Scout Troop 28 for over fifty years; and

WHEREAS, The Lodge supports the local Masonic Park, a 245-acre parcel outside of Granite Falls, and has provided help with logging fallen timber for sale to benefit the park, cleared debris during storms, and assisted where needed; and

WHEREAS, As Freemasonry is an international fraternal organization, the Lodge assists brothers from across the globe when called upon;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State House of Representatives honor the Damascus Lodge No. 199 on its one hundredth birthday and encourage all citizens to join in this special observance.

The Speaker (Representative Ormsby presiding) stated the question before the House to be adoption of House Resolution No. 4649.

HOUSE RESOLUTION NO. 4649 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2053 by Representative Takko

AN ACT Relating to smoke detection devices; and amending RCW 43.44.110.

Referred to Committee on Local Government.

HB 2054 by Representative Morris

AN ACT Relating to stimulating economic development by increasing the amount of high-risk capital in Washington state; amending RCW 21.20.320; reenacting and amending RCW 21.20.005; adding new sections to chapter 21.20 RCW; and creating a new section.

Referred to Committee on Business & Financial Services.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1:30 p.m., April 22, 2013, the 99th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - REGULAR SESSION

NINETY NINTH DAY

House Chamber, Olympia, Monday, April 22, 2013

April 19, 2013

The House was called to order at 1:30 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Madison Littleton and Erick Roth. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Yohanna Kinberg, Temple B'Nai Torah, Bellevue, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

MESSAGES FROM THE SENATE

April 19, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5897
SENATE BILL NO. 5904

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2013

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1003
SUBSTITUTE HOUSE BILL NO. 1009
SUBSTITUTE HOUSE BILL NO. 1012
HOUSE BILL NO. 1045
HOUSE BILL NO. 1065
SUBSTITUTE HOUSE BILL NO. 1071
SUBSTITUTE HOUSE BILL NO. 1075
HOUSE BILL NO. 1149
HOUSE BILL NO. 1218
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1381
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1403
SUBSTITUTE HOUSE BILL NO. 1420
SUBSTITUTE HOUSE BILL NO. 1456
HOUSE BILL NO. 1468
SUBSTITUTE HOUSE BILL NO. 1568
HOUSE BILL NO. 1576
SUBSTITUTE HOUSE BILL NO. 1613
SUBSTITUTE HOUSE BILL NO. 1617
SUBSTITUTE HOUSE BILL NO. 1629
HOUSE BILL NO. 1644
HOUSE BILL NO. 1683
SUBSTITUTE HOUSE BILL NO. 1822
HOUSE BILL NO. 1863
SUBSTITUTE HOUSE BILL NO. 1868
ENGROSSED HOUSE BILL NO. 1887

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1021
HOUSE BILL NO. 1036
SUBSTITUTE HOUSE BILL NO. 1180
SUBSTITUTE HOUSE BILL NO. 1200
HOUSE BILL NO. 1203
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247
SUBSTITUTE HOUSE BILL NO. 1256
SUBSTITUTE HOUSE BILL NO. 1261
SUBSTITUTE HOUSE BILL NO. 1270
SUBSTITUTE HOUSE BILL NO. 1271
HOUSE BILL NO. 1330
SUBSTITUTE HOUSE BILL NO. 1370
SUBSTITUTE HOUSE BILL NO. 1397
SUBSTITUTE HOUSE BILL NO. 1422
HOUSE BILL NO. 1447
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480
SUBSTITUTE HOUSE BILL NO. 1498
SUBSTITUTE HOUSE BILL NO. 1499
HOUSE BILL NO. 1534
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717
HOUSE BILL NO. 1738
SUBSTITUTE HOUSE BILL NO. 1812

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2013

MR. SPEAKER: The President has signed SUBSTITUTE SENATE BILL NO. 5152 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5024
ENGROSSED SUBSTITUTE SENATE BILL NO. 5785
ENGROSSED SUBSTITUTE SENATE BILL NO. 5857

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 19, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5002
SUBSTITUTE SENATE BILL NO. 5022
SENATE BILL NO. 5050
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078
SENATE BILL NO. 5161
SECOND SUBSTITUTE SENATE BILL NO. 5197
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329
SENATE BILL NO. 5355
SENATE BILL NO. 5359
SUBSTITUTE SENATE BILL NO. 5434
SUBSTITUTE SENATE BILL NO. 5565

SUBSTITUTE SENATE BILL NO. 5591
SENATE BILL NO. 5809

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2055 by Representatives Rodne, Morris, Smith, Pedersen, Nealey, Goodman, Orwall, Fagan, Johnson, Harris, Hansen, Moeller, Warnick, Jinkins, Roberts, Kirby, Ross, Pollet and Morrell

AN ACT Relating to recovering costs in consumer protection actions; and amending RCW 19.86.080 and 19.270.060.

Referred to Committee on Judiciary.

SSB 5897 by Senate Committee on Ways & Means (originally sponsored by Senator Pearson)

AN ACT Relating to state parks; amending RCW 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.005, 79A.70.010, 79A.70.020, 79A.70.030, 79A.70.040, 79A.80.020, 79A.80.030, 79A.80.080, 79A.05.025, 79A.05.175, 79A.05.178, 82.19.040, 70.93.180, and 79A.05.215; reenacting and amending RCW 79A.05.030; adding a new section to chapter 79A.80 RCW; adding new sections to chapter 79A.05 RCW; creating a new section; repealing RCW 79A.70.050; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5904 by Senators Hill, Hargrove, Litzow and Billig

AN ACT Relating to high quality early learning; reenacting and amending RCW 43.215.405; adding new sections to chapter 43.215 RCW; creating new sections; and recodifying RCW 43.215.141 and 43.215.142.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed SHB 1130 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.55.120 and 2009 c 387 s 3 are each amended to read as follows:

(1)(a) Vehicles or other items of personal property registered or titled with the department that are impounded by registered tow truck operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140 may be redeemed only (~~under the following circumstances~~) by the following persons or entities:

~~((a) Only)~~ (i) The legal owner(ers);

(ii) The registered owner(ers);

~~(iii) A person authorized in writing by the registered owner (~~or the vehicle's insurer~~);~~

(iv) The vehicle's insurer or a vendor working on behalf of the vehicle's insurer;

~~(v) A third-party insurer that has a duty to repair or replace the vehicle, has obtained consent from the registered owner or the owner's agent to move the vehicle, and has documented that consent in the insurer's claim file, or a vendor working on behalf of a third-party insurer that has received such consent; provided, however, that at all times the registered owner must be granted access to the vehicle. For the purposes of this subsection, "owner's agent" means the legal owner of the vehicle, a driver in possession of the vehicle with the registered owner's permission, or an adult member of the registered owner's family;~~

~~(vi) A person who is determined and verified by the operator to have the permission of the registered owner of the vehicle or other item of personal property registered or titled with the department(~~or one~~); or~~

~~(vii) A person who has purchased a vehicle or item of personal property registered or titled with the department from the registered owner who produces proof of ownership or written authorization and signs a receipt therefor(~~or may redeem an impounded vehicle or items of personal property registered or titled with the department~~).~~

(b) In addition, a vehicle impounded because the operator is in violation of RCW 46.20.342(1)(c) shall not be released until a person eligible to redeem it under (a) of this subsection (~~((1)(a))~~) satisfies the requirements of (~~((e))~~) (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency. If the department's records show that the operator has been convicted of a violation of RCW 46.20.342 or a similar local ordinance within the past five years, the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. A vehicle impounded because the operator is arrested for a violation of RCW 46.20.342 may be released only pursuant to a written order from the agency that ordered the vehicle impounded or from the court having jurisdiction. An agency shall issue a written order to release pursuant to a provision of an applicable state agency rule or local ordinance authorizing release on the basis of the following:

(i) Economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record; or

(ii) The owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this subsection or RCW 46.55.113(3).

In order to avoid discriminatory application, other than for the reasons for release set forth in (~~((a))~~) (b)(i) and (ii) of this subsection, an agency shall, under a provision of an applicable state agency rule or local ordinance, deny release in all other circumstances without discretion.

If a vehicle is impounded because the operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. However, if the department's records show that the operator has been convicted of a violation of RCW 46.20.342(1) (a) or (b) or a similar local ordinance within the past five years, the

vehicle may be held at the written direction of the agency ordering the vehicle impounded for up to sixty days, and for up to ninety days if the operator has two or more such prior offenses. If a vehicle is impounded because the operator is arrested for a violation of RCW 46.20.342, the vehicle may not be released until a person eligible to redeem it under (a) of this subsection (~~((f))~~) satisfies the requirements of (~~((e))~~) (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency.

~~((b))~~ (c) If the vehicle is directed to be held for a suspended license impound, a person who desires to redeem the vehicle at the end of the period of impound shall within five days of the impound at the request of the tow truck operator pay a security deposit to the tow truck operator of not more than one-half of the applicable impound storage rate for each day of the proposed suspended license impound. The tow truck operator shall credit this amount against the final bill for removal, towing, and storage upon redemption. The tow truck operator may accept other sufficient security in lieu of the security deposit. If the person desiring to redeem the vehicle does not pay the security deposit or provide other security acceptable to the tow truck operator, the tow truck operator may process and sell at auction the vehicle as an abandoned vehicle within the normal time limits set out in RCW 46.55.130(1). The security deposit required by this section may be paid and must be accepted at any time up to twenty-four hours before the beginning of the auction to sell the vehicle as abandoned. The registered owner is not eligible to purchase the vehicle at the auction, and the tow truck operator shall sell the vehicle to the highest bidder who is not the registered owner.

~~((e))~~ (d) Notwithstanding ~~((b))~~ (c) of this subsection, a rental car business may immediately redeem a rental vehicle it owns by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound.

~~((d))~~ (e) Notwithstanding ~~((b))~~ (c) of this subsection, a motor vehicle dealer or lender with a perfected security interest in the vehicle may redeem or lawfully repossess a vehicle immediately by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound. A motor vehicle dealer or lender with a perfected security interest in the vehicle may not knowingly and intentionally engage in collusion with a registered owner to repossess and then return or resell a vehicle to the registered owner in an attempt to avoid a suspended license impound. However, this provision does not preclude a vehicle dealer or a lender with a perfected security interest in the vehicle from repossessing the vehicle and then selling, leasing, or otherwise disposing of it in accordance with chapter 62A.9A RCW, including providing redemption rights to the debtor under RCW 62A.9A-623. If the debtor is the registered owner of the vehicle, the debtor's right to redeem the vehicle under chapter 62A.9A RCW is conditioned upon the debtor obtaining and providing proof from the impounding authority or court having jurisdiction that any fines, penalties, and forfeitures owed by the registered owner, as a result of the suspended license impound, have been paid, and proof of the payment must be tendered to the vehicle dealer or lender at the time the debtor tenders all other obligations required to redeem the vehicle. Vehicle dealers or lenders are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.

~~((e))~~ (f) The vehicle or other item of personal property registered or titled with the department shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such vehicle, with credit being given for the amount of any security deposit paid under ~~((b))~~ (c) of this subsection. In addition, if a vehicle is impounded because the operator was arrested for a violation of RCW 46.20.342

or 46.20.345 and was being operated by the registered owner when it was impounded under local ordinance or agency rule, it must not be released to any person until the registered owner establishes with the agency that ordered the vehicle impounded or the court having jurisdiction that any penalties, fines, or forfeitures owed by him or her have been satisfied. Registered tow truck operators are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound. Commercially reasonable tender shall include, without limitation, cash, major bank credit cards issued by financial institutions, or personal checks drawn on Washington state branches of financial institutions if accompanied by two pieces of valid identification, one of which may be required by the operator to have a photograph. If the towing firm cannot determine through the customer's bank or a check verification service that the presented check would be paid by the bank or guaranteed by the service, the towing firm may refuse to accept the check. Any person who stops payment on a personal check or credit card, or does not make restitution within ten days from the date a check becomes insufficient due to lack of funds, to a towing firm that has provided a service pursuant to this section or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

(2)(a) The registered tow truck operator shall give to each person who seeks to redeem an impounded vehicle, or item of personal property registered or titled with the department, written notice of the right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, the name of the person or agency authorizing the impound, and a copy of the towing and storage invoice. The registered tow truck operator shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(b) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district or municipal court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. The district court has jurisdiction to determine the issues involving all impoundments including those authorized by the state or its agents. The municipal court has jurisdiction to determine the issues involving impoundments authorized by agents of the municipality. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the appropriate court within ten days of the date the opportunity was provided for in ~~((subsection (2))~~(a) of this subsection and more than five days before the date of the auction. At the time of the filing of the hearing request, the petitioner shall pay to the court clerk a filing fee in the same amount required for the filing of a suit in district court. If the hearing request is not received by the court within the ten-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The court, within five days after the request for a hearing, shall notify the registered tow truck operator, the person requesting the hearing if not the owner, the registered and legal owners of the vehicle or other item of personal property registered or titled with the department, and the person or agency authorizing the impound in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper. The court may consider a written report made under oath by the officer who authorized the impoundment in lieu of the officer's personal appearance at the hearing.

(c) At the conclusion of the hearing, the court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the posted rates, and who is responsible for payment of the fees. The court may not adjust fees or charges that are in compliance with the posted or contracted rates.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs shall be assessed against the person or persons requesting the hearing, unless the operator did not have a signed and valid impoundment authorization from a private property owner or an authorized agent.

(e) If the impoundment is determined to be in violation of this chapter, then the registered and legal owners of the vehicle or other item of personal property registered or titled with the department shall bear no impoundment, towing, or storage fees, and any security shall be returned or discharged as appropriate, and the person or agency who authorized the impoundment shall be liable for any towing, storage, or other impoundment fees permitted under this chapter. The court shall enter judgment in favor of the registered tow truck operator against the person or agency authorizing the impound for the impoundment, towing, and storage fees paid. In addition, the court shall enter judgment in favor of the registered and legal owners of the vehicle, or other item of personal property registered or titled with the department, for the amount of the filing fee required by law for the impound hearing petition as well as reasonable damages for loss of the use of the vehicle during the time the same was impounded against the person or agency authorizing the impound. However, if an impoundment arising from an alleged violation of RCW 46.20.342 or 46.20.345 is determined to be in violation of this chapter, then the law enforcement officer directing the impoundment and the government employing the officer are not liable for damages if the officer relied in good faith and without gross negligence on the records of the department in ascertaining that the operator of the vehicle had a suspended or revoked driver's license. If any judgment entered is not paid within fifteen days of notice in writing of its entry, the court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment may be made by registered or certified mail, and proof of mailing may be made by affidavit of the party mailing the notice. Notice of the entry of the judgment shall read essentially as follows:

TO:

YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the Court located at in the sum of \$., in an action entitled, Case No. YOU ARE FURTHER NOTIFIED that attorneys fees and costs will be awarded against you under RCW . . . if the judgment is not paid within 15 days of the date of this notice.

DATED this day of, (year) . . .

Signature
Typed name

and address

of party mailing

notice

(4) Any impounded abandoned vehicle or item of personal property registered or titled with the department that is not redeemed within fifteen days of mailing of the notice of custody and sale as required by RCW 46.55.110(3) shall be sold at public auction in accordance with all the provisions and subject to all the conditions of RCW 46.55.130. A vehicle or item of personal property registered or titled with the department may be redeemed at any time before the start of the auction upon payment of the applicable towing and storage fees."

On page 1, line 1 of the title, after "vehicles;" strike the remainder of the title and insert "and amending RCW 46.55.120."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to Substitute House Bill No. 1130 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed House Bill No. 1471 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 2. RCW 43.70.056 and 2010 c 113 s 1 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Health care-associated infection" means a localized or systemic condition that results from adverse reaction to the presence of an infectious agent or its toxins and that was not present or incubating at the time of admission to the hospital.

(b) "Hospital" means a health care facility licensed under chapter 70.41 RCW.

(2)(a) A hospital shall collect data related to health care-associated infections as required under this subsection (2) on the following:

(i) ~~((Beginning July 1, 2008, central line-associated bloodstream infection in the intensive care unit;~~

~~(ii) Beginning January 1, 2009, ventilator-associated pneumonia; and~~

~~(iii) Beginning January 1, 2010,)) Central line-associated bloodstream infection in all hospital inpatient areas where patients normally reside at least twenty-four hours;~~

~~(ii) Surgical site infection for the following procedures:~~

(A) Deep sternal wound for cardiac surgery, including coronary artery bypass graft;

(B) Total hip and knee replacement surgery; and

(C) ~~((Hysterectomy, abdominal and vaginal.~~

~~(b)(i) Except as required under (b)(ii) and (c) of this subsection,)) Colon and abdominal hysterectomy procedures.~~

~~(b) The department shall, by rule, delete, add, or modify categories of reporting when the department determines that doing so is necessary to align state reporting with the reporting categories of the centers for medicare and medicaid services. The department shall begin rule making forty-five calendar days, or as soon as practicable,~~

after the centers for medicare and medicaid services adopts changes to reporting requirements.

~~—(c) A hospital must routinely collect and submit the data required to be collected under (a) and (b) of this subsection to the national healthcare safety network of the United States centers for disease control and prevention in accordance with national healthcare safety network definitions, methods, requirements, and procedures.~~

~~((ii) Until the national health care safety network releases a revised module that successfully interfaces with a majority of computer systems of Washington hospitals required to report data under (a)(iii) of this subsection or three years, whichever occurs sooner, a hospital shall monthly submit the data required to be collected under (a)(iii) of this subsection to the Washington state hospital association's quality benchmarking system instead of the national health care safety network. The department shall not include data reported to the quality benchmarking system in reports published under subsection (3)(d) of this section. The data the hospital submits to the quality benchmarking system under (b)(ii) of this subsection:~~

~~—(A) Must include the number of infections and the total number of surgeries performed for each type of surgery; and~~

~~—(B) Must be the basis for a report developed by the Washington state hospital association and published on its web site that compares the health care-associated infection rates for surgical site infections at individual hospitals in the state using the data reported in the previous calendar year pursuant to this subsection. The report must be published on December 1, 2010, and every year thereafter until data is again reported to the national health care safety network.~~

~~—(c)(i) With respect to any of the health care-associated infection measures for which reporting is required under (a) of this subsection, the department must, by rule, require hospitals to collect and submit the data to the centers for medicare and medicaid services according to the definitions, methods, requirements, and procedures of the hospital compare program, or its successor, instead of to the national healthcare safety network, if the department determines that:~~

~~—(A) The measure is available for reporting under the hospital compare program, or its successor, under substantially the same definition; and~~

~~—(B) Reporting under this subsection (2)(c) will provide substantially the same information to the public.~~

~~—(ii) If the department determines that reporting of a measure must be conducted under this subsection (2)(c), the department must adopt rules to implement such reporting. The department's rules must require reporting to the centers for medicare and medicaid services as soon as practicable, but not more than one hundred twenty days, after the centers for medicare and medicaid services allow hospitals to report the respective measure to the hospital compare program, or its successor. However, if the centers for medicare and medicaid services allow infection rates to be reported using the centers for disease control and prevention's national healthcare safety network, the department's rules must require reporting that reduces the burden of data reporting and minimizes changes that hospitals must make to accommodate requirements for reporting.) If the centers for medicare and medicaid services changes reporting from the national healthcare safety network to another database or through another process, the department shall review the new reporting database or process and consider whether it aligns with the purposes of this section.~~

~~(d) Data collection and submission required under this subsection (2) must be overseen by a qualified individual with the appropriate level of skill and knowledge to oversee data collection and submission.~~

~~(e)(i) A hospital must release to the department, or grant the department access to, its hospital-specific information contained in the reports submitted under this subsection (2), as requested by the department consistent with RCW 70.02.050.~~

~~(ii) The hospital reports obtained by the department under this subsection (2), and any of the information contained in them, are not~~

subject to discovery by subpoena or admissible as evidence in a civil proceeding, and are not subject to public disclosure as provided in RCW 42.56.360.

(3) The department shall:

(a) Provide oversight of the health care-associated infection reporting program established in this section;

~~(b) By January 1, ((2011)) 2014, and biennially thereafter, submit a report to the appropriate committees of the legislature ((based on the recommendations of the advisory committee established in subsection (5) of this section for additional reporting requirements related to health care-associated infections, considering the methodologies and practices of the United States centers for disease control and prevention, the centers for medicare and medicaid services, the joint commission, the national quality forum, the institute for healthcare improvement, and other relevant organizations)) that contains: (i) Categories of reporting currently required of hospitals under subsection (2)(a) of this section; (ii) categories of reporting the department plans to add, delete, or modify by rule; and (iii) a description of the evaluation process used under (f) of this subsection;~~

~~(c) ((Delete, by rule, the reporting of categories that the department determines are no longer necessary to protect public health and safety;~~

~~—(d)) By December 1, 2016, report to the appropriate committees of the legislature with an update on the categories of reporting required under subsection (2)(a) of this section, any plans for federal reporting requirements on the categories, and recommendations for an expiration of the reporting requirements;~~

~~(d) By rule, delete, add, or modify categories of reporting when the department determines that it is necessary to align state reporting with the reporting categories of the centers for medicare and medicaid services. The department shall begin rule making forty-five calendar days, or as soon as practicable, after the centers for medicare and medicaid services adopts changes to reporting requirements;~~

~~(e) By December 1, 2009, and by each December 1st thereafter, prepare and publish a report on the department's web site that compares the health care-associated infection rates at individual hospitals in the state using the data reported in the previous calendar year pursuant to subsection (2) of this section. The department may update the reports quarterly. In developing a methodology for the report and determining its contents, the department shall consider the recommendations of the advisory committee established in subsection (5) of this section. The report is subject to the following:~~

~~(i) The report must disclose data in a format that does not release health information about any individual patient; and~~

~~(ii) The report must not include data if the department determines that a data set is too small or possesses other characteristics that make it otherwise unrepresentative of a hospital's particular ability to achieve a specific outcome; ((and~~

~~—(e)) (f) Evaluate, on a regular basis, the quality and accuracy of health care-associated infection reporting required under subsection (2) of this section and the data collection, analysis, and reporting methodologies; and~~

~~(g) Provide assistance to hospitals with the reporting requirements of this chapter including definitions of required reporting elements.~~

~~(4) The department may respond to requests for data and other information from the data required to be reported under subsection (2) of this section, at the requestor's expense, for special studies and analysis consistent with requirements for confidentiality of patient records.~~

~~(5)(a) The department shall establish an advisory committee which may include members representing infection control professionals and epidemiologists, licensed health care providers, nursing staff, organizations that represent health care providers and facilities, health maintenance organizations, health care payers and consumers, and the department. The advisory committee shall make recommendations to assist the department in carrying out its~~

responsibilities under this section, including making recommendations on allowing a hospital to review and verify data to be released in the report and on excluding from the report selected data from certified critical access hospitals. (~~Annually, beginning January 1, 2011, the advisory committee shall also make a recommendation to the department as to whether current science supports expanding presurgical screening for methicillin-resistant staphylococcus aureus prior to open chest cardiac, total hip, and total knee elective surgeries.-~~)

(b) In developing its recommendations, the advisory committee shall consider methodologies and practices related to health care-associated infections of the United States centers for disease control and prevention, the centers for medicare and medicaid services, the joint commission, the national quality forum, the institute for healthcare improvement, and other relevant organizations.

(6) The department shall adopt rules as necessary to carry out its responsibilities under this section."

On page 1, line 2 of the title, after "reporting;" strike the remainder of the title and insert "and amending RCW 43.70.056."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

There being no objection, the House advanced to the seventh order of business.

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to House Bill No. 1471 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed Engrossed Substitute House Bill No. 1552 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 3.** RCW 9A.48.100 and 1984 c 273 s 4 are each amended to read as follows:

For the purposes of RCW 9A.48.070 through 9A.48.090 inclusive:

(1) "Physical damage", in addition to its ordinary meaning, shall include the total or partial alteration, damage, obliteration, or erasure of records, information, data, computer programs, or their computer representations, which are recorded for use in computers or the impairment, interruption, or interference with the use of such records, information, data, or computer programs, or the impairment, interruption, or interference with the use of any computer or services provided by computers. "Physical damage" also includes any diminution in the value of any property as the consequence of an act and the cost to repair any physical damage;

(2) If more than one item of property is physically damaged as a result of a common scheme or plan by a person and the physical damage to the property would, when considered separately, constitute mischief in the third degree because of value, then the value of the damages may be aggregated in one count. If the sum of the value of all the physical damages exceeds two hundred fifty dollars, the defendant may be charged with and convicted of malicious mischief in the second degree.

Sec. 4. RCW 9A.56.030 and 2012 c 233 s 2 are each amended to read as follows:

(1) A person is guilty of theft in the first degree if he or she commits theft of:

(a) Property or services which exceed(s) five thousand dollars in value other than a firearm as defined in RCW 9.41.010;

(b) Property of any value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle, taken from the person of another;

(c) A search and rescue dog, as defined in RCW 9.91.175, while the search and rescue dog is on duty; or

(d) Commercial metal ((wire, taken from a public service company, as defined in RCW 80.04.010, or a consumer owned utility, as defined in RCW 19.280.020,)) property, nonferrous metal property, or private metal property, as those terms are defined in RCW 19.290.010, and the costs of the damage to the ((public service company's or consumer owned utility's)) owner's property exceed five thousand dollars in value.

(2) Theft in the first degree is a class B felony.

Sec. 5. RCW 9A.56.040 and 2012 c 233 s 3 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he or she commits theft of:

(a) Property or services which exceed(s) seven hundred fifty dollars in value but does not exceed five thousand dollars in value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle;

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant;

(c) Commercial metal ((wire, taken from a public service company, as defined in RCW 80.04.010, or a consumer owned utility, as defined in RCW 19.280.020,)) property, nonferrous metal property, or private metal property, as those terms are defined in RCW 19.290.010, and the costs of the damage to the ((public service company's or consumer owned utility's)) owner's property exceed seven hundred fifty dollars but does not exceed five thousand dollars in value; or

(d) An access device.

(2) Theft in the second degree is a class C felony.

Sec. 6. RCW 19.290.010 and 2008 c 233 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commercial account" means a relationship between a scrap metal business and a commercial enterprise that is ongoing and properly documented under RCW 19.290.030.

(2) "Commercial enterprise" means a corporation, partnership, limited liability company, association, state agency, political subdivision of the state, public corporation, or any other legal or commercial entity.

(3) "Commercial metal property" means: Utility access covers; street light poles and fixtures; road and bridge guardrails; highway or street signs; water meter covers; traffic directional and control signs; traffic light signals; any metal property marked with the name of a commercial enterprise, including but not limited to a telephone, commercial mobile radio services, cable, electric, water, natural gas, or other utility, or railroad; unused or undamaged building construction materials consisting of copper pipe, tubing, or wiring, or aluminum wire, siding, downspouts, or gutters; aluminum or stainless steel fence panels made from one inch tubing, forty-two inches high with four-inch gaps; aluminum decking, bleachers, or risers; historical markers; statue plaques; grave markers and funeral vases; or agricultural irrigation wheels, sprinkler heads, and pipes.

(4) "Nonferrous metal property" means metal property for which the value of the metal property is derived from the property's content of copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys. "Nonferrous metal property" does not include precious metals.

(5) "Precious metals" means gold, silver, and platinum.

(6) "Private metal property" means catalytic converters, either singly or in bundles, bales, or bulk, that have been removed from vehicles for sale as a specific commodity.

(7) "Record" means a paper, electronic, or other method of storing information.

(8) "Scrap metal business" means a scrap metal supplier, scrap metal ~~((recycling center))~~ recycler, and scrap metal processor.

(9) "Scrap metal processor" means a person with a current business license that conducts business from a permanent location, that is engaged in the business of purchasing or receiving private metal property, nonferrous metal property, and commercial metal property for the purpose of altering the metal in preparation for its use as feedstock in the manufacture of new products, and that maintains a hydraulic bailer, shearing device, or shredding device for recycling.

(10) "Scrap metal ~~((recycling center))~~ recycler" means a person with a current business license that is engaged in the business of purchasing or receiving private metal property, nonferrous metal property, and commercial metal property for the purpose of aggregation and sale to another scrap metal business and that maintains a fixed place of business within the state.

(11) "Scrap metal supplier" means a person with a current business license that is engaged in the business of purchasing or receiving private metal property or nonferrous metal property for the purpose of aggregation and sale to a scrap metal ~~((recycling center))~~ recycler or scrap metal processor and that does not maintain a fixed business location in the state.

(12) "Transaction" means a pledge, or the purchase of, or the trade of any item of private metal property or nonferrous metal property by a scrap metal business from a member of the general public. "Transaction" does not include donations or the purchase or receipt of private metal property or nonferrous metal property by a scrap metal business from a commercial enterprise, from another scrap metal business, or from a duly authorized employee or agent of the commercial enterprise or scrap metal business.

(13) "Engage in business" means conducting more than twelve transactions in a twelve-month period.

(14) "Person" means an individual, domestic or foreign corporation, limited liability corporation, partnership, trust, unincorporated association, or other entity; an affiliate or associate of any such person; or any two or more persons acting as a partnership, syndicate, or other group for the purpose of acquiring, holding, or dispersing of securities of a domestic or foreign corporation.

Sec. 7. RCW 19.290.020 and 2008 c 233 s 2 are each amended to read as follows:

(1) At the time of a transaction, every scrap metal business doing business in this state shall produce wherever that business is conducted an accurate and legible record of each transaction involving private metal property or nonferrous metal property. This record must be written in the English language, documented on a standardized form or in electronic form, and contain the following information:

(a) The signature of the person with whom the transaction is made;

(b) The time, date, location, and value of the transaction;

(c) The name of the employee representing the scrap metal business in the transaction;

(d) The name, street address, and telephone number of the person with whom the transaction is made;

(e) The license plate number and state of issuance of the license plate on the motor vehicle used to deliver the private metal property or nonferrous metal property subject to the transaction;

(f) A description of the motor vehicle used to deliver the private metal property or nonferrous metal property subject to the transaction;

(g) The current driver's license number or other government-issued picture identification card number of the seller or a copy of the seller's government-issued picture identification card; and

(h) A description of the predominant types of private metal property or nonferrous metal property subject to the transaction, ~~((including the property's classification code as provided in))~~ utilizing the institute of scrap recycling industries' ((scrap specifications circular, 2006)) generally accepted terminology, and including weight, quantity, or volume.

(2) For every transaction that involves private metal property or nonferrous metal property, every scrap metal business doing business in the state shall require the person with whom a transaction is being made to sign a declaration. The declaration may be included as part of the transactional record required under subsection (1) of this section, or on a receipt for the transaction. The declaration must state substantially the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property."

The declaration must be signed and dated by the person with whom the transaction is being made. An employee of the scrap metal business must witness the signing and dating of the declaration and sign the declaration accordingly before any transaction may be consummated.

(3) The record and declaration required under this section must be open to the inspection of any commissioned law enforcement officer of the state or any of its political subdivisions at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, and must be maintained wherever that business is conducted for ~~((one))~~ five years following the date of the transaction.

Sec. 8. RCW 19.290.030 and 2008 c 233 s 3 are each amended to read as follows:

(1) No scrap metal business may enter into a transaction to purchase or receive private metal property or nonferrous metal property from any person who cannot produce at least one piece of current government-issued picture identification, including a valid driver's license or identification card issued by any state.

(2) No scrap metal business may purchase or receive private metal property or commercial metal property unless the seller: (a) Has a commercial account with the scrap metal business; (b) can prove ownership of the property by producing written documentation that the seller is the owner of the property; or (c) can produce written documentation that the seller is an employee or agent authorized to sell the property on behalf of a commercial enterprise.

(3) No scrap metal business may enter into a transaction to purchase or receive metallic wire that was burned in whole or in part to remove insulation unless the seller can produce written proof to the scrap metal business that the wire was lawfully burned.

~~(4)(a) No transaction involving private metal property or nonferrous metal property ((valued at greater than thirty dollars)) may be made in cash or with any person who does not provide a street address under the requirements of RCW 19.290.020 except as described in (b) of this subsection. ((For transactions valued at greater than thirty dollars,))~~ The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the scrap metal business to a street address provided under RCW 19.290.020, no earlier than ~~((ten))~~ three days after the transaction was made. A transaction occurs on the date provided in the record required under RCW 19.290.020.

(b) A scrap metal business that is in compliance with this chapter that digitally captures: (i) A copy of one piece of current government-issued picture identification, including a current driver's license or identification card issued by any state and (ii) either a picture or video of either the material subject to the transaction in the form received or the material subject to the transaction within the vehicle which the material was transported to the scrap metal business, may pay up to a maximum of thirty dollars in cash, stored value device, or electronic funds transfer. The balance of the value of the transaction may be

made by nontransferable check, stored value device, or electronic funds transfer at the time the transaction is made. A scrap metal business's usage of video surveillance shall be sufficient to comply with this subsection (4)(b)(ii) as long as the video captures the material subject to the transaction. A digital image or picture taken under this subsection must be available for two years from the date of transaction, while a video recording must be available for thirty days.

(5) No scrap metal business may purchase or receive beer kegs from anyone except a manufacturer of beer kegs or licensed brewery.

Sec. 9. RCW 19.290.040 and 2008 c 233 s 4 are each amended to read as follows:

(1) Every scrap metal business must create and maintain a permanent record with a commercial enterprise, including another scrap metal business, in order to establish a commercial account. That record, at a minimum, must include the following information:

(a) The full name of the commercial enterprise or commercial account;

(b) The business address and telephone number of the commercial enterprise or commercial account; and

(c) The full name of the person employed by the commercial enterprise who is authorized to deliver private metal property, nonferrous metal property, and commercial metal property to the scrap metal business.

(2) The record maintained by a scrap metal business for a commercial account must document every purchase or receipt of private metal property, nonferrous metal property, and commercial metal property from the commercial enterprise. The record must be maintained for three years following the date of the transfer or receipt. The documentation must include, at a minimum, the following information:

(a) The time, date, and value of the property being purchased or received;

(b) A description of the predominant types of property being purchased or received; and

(c) The signature of the person delivering the property to the scrap metal business.

Sec. 10. RCW 19.290.050 and 2008 c 233 s 5 are each amended to read as follows:

(1) Upon request by any commissioned law enforcement officer of the state or any of its political subdivisions, every scrap metal business shall furnish a full, true, and correct transcript of the records from the purchase or receipt of private metal property, nonferrous metal property, and commercial metal property involving only a ~~((specific))~~ specified individual, vehicle, or item of private metal property, nonferrous metal property, or commercial metal property. This information may be transmitted within a specified time of not less than two business days to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar device, or by delivery of computer disk subject to the requirements of, and approval by, the chief of police or the county's chief law enforcement officer.

(2) Any records created or produced under this section are exempt from disclosure under chapter 42.56 RCW.

(3) If the scrap metal business has good cause to believe that any private metal property, nonferrous metal property, or commercial metal property in his or her possession has been previously lost or stolen, the scrap metal business shall promptly report that fact to the applicable commissioned law enforcement officer of the state, the chief of police, or the county's chief law enforcement officer, together with the name of the owner, if known, and the date when and the name of the person from whom it was received.

(4) Compliance with this section shall not give rise to or form the basis of private civil liability on the part of a scrap metal business or scrap metal recycler.

Sec. 11. RCW 19.290.060 and 2008 c 233 s 6 are each amended to read as follows:

(1) Following notification ~~((either verbally or))~~ in writing ~~((;))~~ from a commissioned law enforcement officer of the state or any of its political subdivisions that an item of private metal property, nonferrous metal property, or commercial metal property has been reported as stolen, a scrap metal business shall hold that property intact and safe from alteration, damage, or commingling, and shall place an identifying tag or other suitable identification upon the property. The scrap metal business shall hold the property for a period of time as directed by the applicable law enforcement agency up to a maximum of ten business days.

(2) A commissioned law enforcement officer of the state or any of its political subdivisions shall not place on hold any item of private metal property, nonferrous metal property, or commercial metal property unless that law enforcement agency reasonably suspects that the property is a lost or stolen item. Any hold that is placed on the property must be removed within ten business days after the property on hold is determined not to be stolen or lost and the property must be returned to the owner or released.

Sec. 12. RCW 19.290.070 and 2008 c 233 s 7 are each amended to read as follows:

It is a gross misdemeanor under chapter 9A.20 RCW for:

(1) Any person to deliberately remove, alter, or obliterate any manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of private metal property, nonferrous metal property, or commercial metal property in order to deceive a scrap metal business;

(2) Any scrap metal business to enter into a transaction to purchase or receive any private metal property, nonferrous metal property, or commercial metal property where the manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon the property have been deliberately and conspicuously removed, altered, or obliterated;

(3) Any person to knowingly make, cause, or allow to be made any false entry or misstatement of any material matter in any book, record, or writing required to be kept under this chapter;

(4) Any scrap metal business to enter into a transaction to purchase or receive private metal property, nonferrous metal property, or commercial metal property from any person under the age of eighteen years or any person who is discernibly under the influence of intoxicating liquor or drugs;

(5) Any scrap metal business to enter into a transaction to purchase or receive private metal property, nonferrous metal property, or commercial metal property with anyone whom the scrap metal business has been informed by a law enforcement agency to have been convicted of a crime involving drugs, burglary, robbery, theft, or possession of or receiving stolen property, manufacturing, delivering, or possessing with intent to deliver methamphetamine, or possession of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers or salts of isomers, or anhydrous ammonia with intent to manufacture methamphetamine within the past ~~((ten))~~ four years whether the person is acting in his or her own behalf or as the agent of another;

(6) Any person to sign the declaration required under RCW 19.290.020 knowing that the private metal property or nonferrous metal property subject to the transaction is stolen. The signature of a person on the declaration required under RCW 19.290.020 constitutes evidence of intent to defraud a scrap metal business if that person is found to have known that the private metal property or nonferrous metal property subject to the transaction was stolen;

(7) Any scrap metal business to possess private metal property or commercial metal property that was not lawfully purchased or received under the requirements of this chapter; ~~((or))~~

(8) Any scrap metal business to engage in a series of transactions valued at less than thirty dollars with the same seller for the purposes of avoiding the requirements of RCW 19.290.030(4); or

(9) Any person to knowingly make a false or fictitious oral or

written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, with the intent to deceive a scrap metal business as to the actual seller of the scrap metal.

Sec. 13. RCW 19.290.090 and 2008 c 233 s 8 are each amended to read as follows:

The provisions of this chapter do not apply to transactions involving metal from the components of vehicles acquired by vehicle wreckers, hulk haulers, or scrap processors licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws or transactions conducted by the following:

- (1) Motor vehicle dealers licensed under chapter 46.70 RCW;
- (2) ~~(Metal from the components of vehicles acquired by vehicle wreckers or hulk haulers licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws;~~
- (3)) Persons in the business of operating an automotive repair facility as defined under RCW 46.71.011; and
- ((4)) (3) Persons in the business of buying or selling empty food and beverage containers, including metal food and beverage containers.

NEW SECTION. Sec. 14. A new section is added to chapter 19.290 RCW to read as follows:

(1) It is unlawful for a person to engage in the business of a scrap metal processor, scrap metal recycler, or scrap metal supplier without having first applied for and received a scrap metal license.

(2)(a) Except as provided in (b) of this subsection, a person or firm engaged in the unlawful activity described in this section is guilty of a gross misdemeanor.

(b) A second or subsequent offense is a class C felony.

NEW SECTION. Sec. 15. A new section is added to chapter 19.290 RCW to read as follows:

Application for a scrap metal license or renewal of a scrap metal license shall be made on a form for this purpose, furnished by the department of licensing, and shall be signed by the license holder or his or her authorized agent and shall include the following information:

- (1) Name and address of the person, firm, partnership, association, limited liability company, or corporation under which name the business is to be conducted;
- (2) Names and residence address of all persons having an interest in the business or, if the owner is a corporation, the names and addresses of the officers thereof;
- (3) Certificate of approval of the chief executive officer or chief of police, or a designee, if the application is for a license within an incorporated city or town or, in any unincorporated area, the county legislative authority, the sheriff, or a designee, certifying that:
 - (a) The applicant has an established place of business at the address shown on the application;
 - (b) There are no known environmental, building code, zoning, or other land use regulation violations associated with the business being located at the address; and
 - (c) In the case of a renewal of a scrap metal license, the applicant is in compliance with this chapter: PROVIDED, That an authorized representative of the department of licensing may make the certification described in this section in any instance;
- (4) Any other information that the department of licensing may require.

NEW SECTION. Sec. 16. A new section is added to chapter 19.290 RCW to read as follows:

The application, together with the required fee, shall be forwarded to the department of licensing. Upon receipt of the application the department shall, if the application is in order, issue a scrap metal license authorizing the processor, recycler, or supplier to do business as such and forward the fee to the state treasurer. Upon receiving the certificate, the owner shall cause it to be prominently displayed in the place of business, where it may be inspected by an investigating officer at any time. Every license must be issued in the

name of the applicant and the holder thereof may not allow any other person to use the license.

NEW SECTION. Sec. 17. A new section is added to chapter 19.290 RCW to read as follows:

Before issuing a scrap metal license to a scrap metal processor or scrap metal recycler, the department of licensing shall require the applicant to file with the department a surety bond in the amount of ten thousand dollars, running to the state of Washington, and executed by a surety company authorized to do business in the state of Washington. The bond shall be approved as to form by the attorney general and conditioned upon the licensee conducting the business in conformity with the provisions of this chapter. Except as prohibited elsewhere in this chapter, any person who has suffered loss or damage by reason of fraud or gross negligence, or an intentional or reckless violation of the terms of this chapter, or misrepresentation on the part of the scrap metal processor or recycler, may institute an action for recovery against the licensee and surety upon the bond. However, the aggregate liability of the surety to all persons shall in no event exceed the amount of the bond.

NEW SECTION. Sec. 18. A new section is added to chapter 19.290 RCW to read as follows:

A license issued on the scrap metal license application remains in force until suspended or revoked and may be renewed annually upon reapplication and upon payment of the required fee. A licensee who fails or neglects to renew the license before the assigned expiration date shall pay the fee for an original scrap metal license as provided in this chapter.

Whenever a scrap metal processor, recycler, or supplier ceases to do business as such or the license has been suspended or revoked, the licensee shall immediately surrender the license to the department of licensing.

NEW SECTION. Sec. 19. A new section is added to chapter 19.290 RCW to read as follows:

The licensee shall obtain a special set of license plates in addition to the regular licenses and plates required for the operation of such vehicles. The special plates must be displayed on vehicles owned and/or operated by the licensee and used in the conduct of the business. The fee for these plates shall be five dollars for the original plates and two dollars for each additional set of plates bearing the same license number. A licensee with more than one licensed location in the state may use special plates bearing the same license number for vehicles operated out of any of the licensed locations.

NEW SECTION. Sec. 20. A new section is added to chapter 19.290 RCW to read as follows:

The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter.

NEW SECTION. Sec. 21. A new section is added to chapter 19.290 RCW to read as follows:

If a person whose scrap metal license has previously been canceled for cause by the department of licensing files an application for a license to conduct business as a scrap metal processor, recycler, or supplier, or if the department is of the opinion that the application is not filed in good faith or that the application is filed by some person as a subterfuge for the real person in interest whose license has previously been canceled for cause, the department may refuse to issue the person a license to conduct business as a scrap metal processor, recycler, or supplier.

NEW SECTION. Sec. 22. A new section is added to chapter 19.290 RCW to read as follows:

(1) The director of licensing is hereby authorized to adopt reasonable rules and regulations not in conflict with provisions hereof for the proper operation and enforcement of this chapter.

(2) The director shall set all license and renewal fees in accordance with RCW 43.24.086.

NEW SECTION. Sec. 23. A new section is added to chapter 19.290 RCW to read as follows:

The chiefs of police, the county sheriffs, and the Washington state patrol may make periodic inspection of the licensee's licensed premises and records provided for in this chapter during normal business hours, and furnish a certificate of inspection to the department of licensing in such manner as may be determined by the department. In any instance, an authorized representative of the department may make the inspection. Licensees are subject to unannounced periodic inspections, as described in this section.

NEW SECTION. Sec. 24. A new section is added to chapter 19.290 RCW to read as follows:

The state of Washington hereby fully occupies and preempts the entire field of regulation of scrap metal processors, recyclers, or suppliers within the boundaries of the state. Any political subdivision in this state may enact or enforce only those laws and ordinances relating to the regulation of scrap metal processors, recyclers, or suppliers that are specifically authorized by state law and are consistent with this chapter. Nothing in this chapter is intended to limit the authority of any political subdivision to impose generally applicable zoning, land use, permitting, general business licensing, environmental, and health and safety requirements or authorized business taxes upon scrap metal processors, recyclers, or suppliers within their jurisdictions. Local ordinances pertaining specifically to scrap metal processors, recyclers, or suppliers shall have the same or lesser penalty as provided for by state law. Local scrap metal laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are hereby preempted and repealed, regardless of the code, charter, or home rule status of such political subdivision.

NEW SECTION. Sec. 25. A new section is added to chapter 19.290 RCW to read as follows:

(1) In addition to the powers granted in chapter 18.235 RCW, the department of licensing or its authorized agent may examine or subpoena any persons, books, papers, records, data, vehicles, or metal property bearing upon the investigation or proceeding under this chapter.

(2) The persons subpoenaed may be required to testify and produce any books, papers, records, data, vehicles, or metal property that the director of licensing deems relevant or material to the inquiry.

(3) The director of the department of licensing or an authorized agent may administer an oath to the person required to testify, and a person giving false testimony after the administration of the oath is guilty of perjury in the first degree under RCW 9A.72.020.

(4)(a) Any authorized representative of the director of the department of licensing may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed records or documents are located, or in Thurston county. The application must:

(i) State that an order is sought pursuant to this subsection;

(ii) Adequately specify the records, documents, or testimony; and

(iii) Declare under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the department's authority and that the subpoenaed documents or testimony are reasonably related to an investigation within the department's authority.

(b) Where the application under this subsection is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the agency to subpoena the records or testimony.

(c) Any authorized representative of the director of the department of licensing may seek approval and a court may issue an order under this subsection without prior notice to any person,

including the person to whom the subpoena is directed and the person who is the subject of an investigation.

(5) Any records created or produced under this section are exempt from disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 26. A new section is added to chapter 36.28A RCW to read as follows:

(1) When funded, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in the support of special enforcement emphasis targeting metal theft. Grant applications shall be reviewed and awarded through peer review panels. Grant applicants are encouraged to utilize multijurisdictional efforts.

(2) Each grant applicant shall:

(a) Show a significant metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(b) Verify that grant awards are sufficient to cover increased investigation, prosecution, and jail costs;

(c) Design an enforcement program that best suits the specific metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(d) Demonstrate community coordination focusing on prevention, intervention, and suppression; and

(e) Collect data on performance.

(3) The cost of administering the grants shall not exceed sixty thousand dollars, or three percent of appropriated funding, whichever is greater.

(4) Grant awards may not be used to supplant preexisting funding sources for special enforcement targeting metal theft.

NEW SECTION. Sec. 27. A new section is added to chapter 19.290 RCW to read as follows:

(1) Law enforcement agencies may register with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of private, nonferrous, or commercial metal property in the relevant geographic area.

(2) Any business licensed under this chapter shall:

(a) Sign up with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of private, nonferrous, or commercial metal property in the relevant geographic area;

(b) Download the scrap metal theft alerts generated by the scrap theft alert system on a daily basis;

(c) Use the alerts to identify potentially stolen commercial metal property, nonferrous metal property, and private metal property; and

(d) Maintain for ninety days copies of any theft alerts received and downloaded pursuant to this section.

Sec. 28. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN EACH SERIOUSNESS

LEVEL	CRIMES INCLUDED WITHIN EACH SERIOUSNESS
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1)) Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)

- Assault of a Child 1 (RCW 9A.36.120)
- Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
- Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
- Rape 1 (RCW 9A.44.040)
- Rape of a Child 1 (RCW 9A.44.073)
- Trafficking 2 (RCW 9A.40.100(2))
- XI Manslaughter 1 (RCW 9A.32.060)
- Rape 2 (RCW 9A.44.050)
- Rape of a Child 2 (RCW 9A.44.076)
- Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run--Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
- Driving While Under the Influence (RCW 46.61.502(6))
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect

- Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
- Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
- Sexually Violating Human Remains (RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)
- Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
- Assault by Watercraft (RCW 79A.60.060)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Cheating 1 (RCW 9.46.1961)
- Commercial Bribery (RCW 9A.68.060)
- Counterfeiting (RCW 9.16.035(4))
- Endangerment with a Controlled Substance (RCW 9A.42.100)
- Escape 1 (RCW 9A.76.110)
- Hit and Run -Injury (RCW 46.52.020(4)(b))
- Hit and Run with Vessel -Injury Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))
- Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
- Influencing Outcome of Sporting Event (RCW 9A.82.070)
- Malicious Harassment (RCW 9A.36.080)
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
- Residential Burglary (RCW 9A.52.025)
- Robbery 2 (RCW 9A.56.210)
- Theft of Livestock 1 (RCW 9A.56.080)
- Threats to Bomb (RCW 9.61.160)
- Trafficking in Stolen Property 1 (RCW 9A.82.050)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
- Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
- Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
- Unlawful transaction of insurance business (RCW 48.15.023(3))
- Unlicensed practice as an insurance professional (RCW 48.17.063(2))
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
- Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
- Willful Failure to Return from Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Criminal Gang Intimidation (RCW 9A.46.120)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW 9A.76.180)
- Introducing Contraband 2 (RCW 9A.76.150)
- Malicious Injury to Railroad Property (RCW 81.60.070)
- Mortgage Fraud (RCW 19.144.080)
- Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
- Organized Retail Theft 1 (RCW 9A.56.350(2))
- Perjury 2 (RCW 9A.72.030)
- Possession of Incendiary Device (RCW 9.40.120)
- Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
- Promoting Prostitution 2 (RCW

9A.88.080	(second or subsequent offense)
Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))	(section 12 of this act)
Securities Act violation (RCW 21.20.400)	Theft 1 (RCW 9A.56.030)
Tampering with a Witness (RCW 9A.72.120)	Theft of a Motor Vehicle (RCW 9A.56.065)
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))	Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
Theft of Livestock 2 (RCW 9A.56.083)	Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))	Trafficking in Insurance Claims (RCW 48.30A.015)
Trafficking in Stolen Property 2 (RCW 9A.82.055)	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))	Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Unlawful Imprisonment (RCW 9A.40.040)	Unlawful Practice of Law (RCW 2.48.180)
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))	Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))	Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))	Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))	Voyeurism (RCW 9A.44.115)
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)	I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
Willful Failure to Return from Work Release (RCW 72.65.070)	False Verification for Welfare (RCW 74.08.055)
II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))	Forgery (RCW 9A.60.020)
Computer Trespass 1 (RCW 9A.52.110)	Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
Counterfeiting (RCW 9.16.035(3))	Malicious Mischief 2 (RCW 9A.48.080)
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))	Mineral Trespass (RCW 78.44.330)
Escape from Community Custody (RCW 72.09.310)	Possession of Stolen Property 2 (RCW 9A.56.160)
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.132)	Reckless Burning 1 (RCW 9A.48.040)
Health Care False Claims (RCW 48.80.030)	Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
Identity Theft 2 (RCW 9.35.020(3))	Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
Improperly Obtaining Financial Information (RCW 9.35.010)	Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
Malicious Mischief 1 (RCW 9A.48.070)	Theft 2 (RCW 9A.56.040)
Organized Retail Theft 2 (RCW 9A.56.350(3))	Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))
Possession of Stolen Property 1 (RCW 9A.56.150)	Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
Possession of a Stolen Vehicle (RCW 9A.56.068)	Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))	Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Scrap Processing, Recycling, or Supplying Without a License	Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Release of Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW

77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

NEW SECTION. Sec. 29. A new section is added to chapter 19.290 RCW to read as follows:

(1) The following personal property is subject to seizure and forfeiture and no property right exists in them: All personal property including, but not limited to, any item, object, tool, substance, device, weapon, machine, vehicle of any kind, money, security, or negotiable instrument, which the seizing agency proves by a preponderance of the evidence was used or intended to be used by its owner or the person in charge to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, or which the seizing agency proves by a preponderance of the evidence was knowingly or intentionally furnished or was intended to be furnished by any person in the commission of, as a result of, or as compensation for the commission of, a crime involving theft, trafficking, or the unlawful possession of commercial metal property, or which the property owner acquired in whole or in part with proceeds traceable to a knowing or intentional commission of a crime involving the theft, trafficking, or unlawful possession of commercial metal property provided that such activity is not less than a class C felony; except that:

(a) No vehicle used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless the seizing agency proves by a preponderance of the evidence that the owner or other person in charge of the vehicle is a consenting party or is privy to any crime involving theft, trafficking, or the unlawful possession of commercial metal property;

(b) A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had actual or constructive knowledge of nor consented to the commission of any crime involving the theft, trafficking, or unlawful possession of commercial metal property; and

(c) A property owner's property is not subject to seizure if an employee or agent of that property owner uses the property owner's property to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally aid and abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, in violation of that property owner's instructions or policies against such activity, and without the property owner's knowledge or consent.

(2) The following real property is subject to seizure and forfeiture and no property right exists in them: All real property, including any

right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements, that the seizing agency proves by a preponderance of the evidence are being used with the knowledge of the owner for the intentional commission of any crime involving the theft, trafficking, or unlawful possession of commercial metal property, or which have been acquired in whole or in part with proceeds traceable to the commission of any crime involving the trafficking, theft, or unlawful possession of commercial metal, if such activity is not less than a class C felony and a substantial nexus exists between the commission of the violation or crime and the real property. However:

(a) No property may be forfeited pursuant to this subsection (2), to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's actual or constructive knowledge; and further, a property owner's real property is not subject to seizure if an employee or agent of that property owner uses the property owner's real property to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally aid and abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, in violation of that property owner's instructions or policies against such activity, and without the property owner's knowledge or consent; and

(b) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, neither had actual or constructive knowledge, nor consented to the act or omission.

(3) Property subject to forfeiture under this chapter may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is entered, whichever is later: PROVIDED, That real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant; or

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.

(4) In the event of seizure pursuant to this section, proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. The notice of seizure of personal property may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure. Notice of seizure in the case of property subject to a security interest that has been perfected by filing a financing statement in accordance with chapter 62A.9A RCW, or a certificate of title shall be made by service upon the secured party or the secured party's assignee at the address shown on the financing statement or the certificate of title.

(5) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse or domestic partner committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(6) If a person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the seized property within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the law enforcement agency shall give the person or persons a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction. Removal may only be accomplished according to the rules of civil procedure. The person seeking removal of the matter must serve process against the state, county, political subdivision, or municipality that operates the seizing agency, and any other party of interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-five days after the person seeking removal has notified the seizing law enforcement agency of the person's claim of ownership or right to possession. The court to which the matter is to be removed shall be the district court when the aggregate value of the property is within the jurisdictional limit set forth in RCW 3.66.020. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the property involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorneys' fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property.

(7) At the hearing, the seizing agency has the burden of proof to establish by a preponderance of the evidence that seized property is subject to forfeiture, and that the use or intended use of the seized property in connection with a crime pursuant to this section occurred with the owner's actual or constructive knowledge or consent. The person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property has the burden of proof to establish by a preponderance of the evidence that the person owns or has a right to possess the seized property. The possession of bare legal title is not sufficient to establish ownership of seized property if the seizing agency proves by a preponderance of the evidence that the person claiming ownership or right to possession is a nominal owner and did not actually own or exert a controlling interest in the property.

The seizing law enforcement agency shall promptly return the property to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession of the property.

(8) When property is forfeited under this chapter, after satisfying any court-ordered victim restitution, the seizing law enforcement agency may:

(a) Retain it for official use or, upon application by any law enforcement agency of this state, release such property to such agency; or

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public.

(9)(a) Within one hundred twenty days after the entry of an order of forfeiture, each seizing agency shall remit to, if known, the victim

of the crime involving the seized property, an amount equal to fifty percent of the net proceeds of any property forfeited.

(b) Retained property and net proceeds not required to be paid to victims shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of law enforcement activity. Money retained under this section may not be used to supplant preexisting funding sources.

(c) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property, after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents, and the cost of any valid landlord's claim for damages.

(d) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.

(10) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

NEW SECTION. Sec. 30. A new section is added to chapter 19.290 RCW to read as follows:

The provisions of this chapter shall be liberally construed to the end that traffic in stolen private metal property or nonferrous metal property may be prevented, and irresponsible, unreliable, or dishonest persons may be prevented from engaging in the business of processing, recycling, or supplying scrap metal in this state and reliable persons may be encouraged to engage in businesses of processing, recycling, or supplying scrap metal in this state.

Sec. 31. RCW 18.235.020 and 2010 c 179 s 18 are each amended to read as follows:

(1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

- (i) Auctioneers under chapter 18.11 RCW;
- (ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;
- (iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;
- (iv) Commercial telephone solicitors under chapter 19.158 RCW;
- (v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;
- (vi) Court reporters under chapter 18.145 RCW;
- (vii) Driver training schools and instructors under chapter 46.82 RCW;
- (viii) Employment agencies under chapter 19.31 RCW;
- (ix) For hire vehicle operators under chapter 46.72 RCW;
- (x) Limousines under chapter 46.72A RCW;
- (xi) Notaries public under chapter 42.44 RCW;
- (xii) Private investigators under chapter 18.165 RCW;
- (xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;

(xiv) Real estate appraisers under chapter 18.140 RCW;
 (xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;

(xvi) Scrap metal processors, scrap metal recyclers, and scrap metal suppliers under chapter 19.290 RCW;

(xvii) Security guards under chapter 18.170 RCW;

~~((xvii))~~ (xviii) Sellers of travel under chapter 19.138 RCW;

~~((xviii))~~ (xix) Timeshares and timeshare salespersons under chapter 64.36 RCW;

~~((xix))~~ (xx) Whitewater river outfitters under chapter 79A.60 RCW;

~~((xx))~~ (xxi) Home inspectors under chapter 18.280 RCW;

~~((xxi))~~ (xxii) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW; and

~~((xxii))~~ (xxiii) Appraisal management companies under chapter 18.310 RCW.

(b) The boards and commissions having authority under this chapter are as follows:

(i) The state board (~~(of registration)~~) for architects established in chapter 18.08 RCW;

(ii) The Washington state collection agency board established in chapter 19.16 RCW;

(iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;

(iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;

(v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and

(vi) The state geologist licensing board established in chapter 18.220 RCW.

(3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority.

Sec. 32. RCW 43.24.150 and 2011 c 298 s 25 are each amended to read as follows:

(1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following chapters must be deposited into the account:

(a) Chapter 18.11 RCW, auctioneers;

(b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;

(c) Chapter 18.145 RCW, court reporters;

(d) Chapter 18.165 RCW, private investigators;

(e) Chapter 18.170 RCW, security guards;

(f) Chapter 18.185 RCW, bail bond agents;

(g) Chapter 18.280 RCW, home inspectors;

(h) Chapter 19.16 RCW, collection agencies;

(i) Chapter 19.31 RCW, employment agencies;

(j) Chapter 19.105 RCW, camping resorts;

(k) Chapter 19.138 RCW, sellers of travel;

(l) Chapter 42.44 RCW, notaries public;

(m) Chapter 64.36 RCW, timeshares;

(n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;

(o) Chapter 18.300 RCW, body art, body piercing, and tattooing;

(p) Chapter 79A.60 RCW, whitewater river outfitters; ~~(and)~~

(q) Chapter 19.158 RCW, commercial telephone solicitation; and

(r) Chapter 19.290 RCW, scrap metal businesses.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees.

NEW SECTION. Sec. 33. A new section is added to chapter 43.43 RCW to read as follows:

(1) Beginning on July 1, 2014, when funded, the Washington association of sheriffs and police chiefs shall implement and operate an ongoing electronic statewide no-buy list database program.

(2) The database must be made available on a web site.

(3) The no-buy list database program shall allow for any scrap metal business to enter a customer's name and date of birth into the database. The database must determine if the customer pursuing the transaction with the scrap metal business has been convicted in Washington of any crime involving burglary, robbery, theft, or possession of or receiving stolen property within the past four years.

(4) If the customer has been convicted of any crime involving burglary, robbery, theft, or possession of or receiving stolen property within the past four years despite whether the person was acting in his or her own behalf or as the agent of another then, at a minimum, the no-buy list database program must immediately send an alert to the scrap metal business stating: (a) That the customer is listed on a current no-buy list, (b) the four-year expiration period for the customer's most recent crime listed, and (c) a notification that entering into a transaction with the customer is prohibited under RCW 19.290.070.

NEW SECTION. Sec. 34. A new section is added to chapter 19.290 RCW to read as follows:

A scrap metal business shall, before completing any transaction under this chapter, determine whether such customer is listed in the Washington association of sheriffs and police chiefs no-buy list database program established and made available under section 31 of this act.

NEW SECTION. Sec. 35. A new section is added to chapter 43.43 RCW to read as follows:

The Washington association of sheriffs and police chiefs shall not be held liable for civil damages resulting from any act or omission in carrying out the requirements of section 31 of this act other than an act or omission constituting gross negligence or willful or wanton misconduct.

NEW SECTION. Sec. 36. If one million five hundred thousand dollars for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2013, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 37. Sections 12 through 23 of this act take effect January 1, 2014.

NEW SECTION. Sec. 38. The director of the department of licensing may take the necessary steps to ensure that sections 12 through 23 of this act are implemented on January 1, 2014."

On page 1, line 1 of the title, after "theft;" strike the remainder of the title and insert "amending RCW 9A.48.100, 9A.56.030, 9A.56.040, 19.290.010, 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060, 19.290.070, 19.290.090, 18.235.020, and 43.24.150; reenacting and amending RCW 9.94A.515; adding new sections to chapter 19.290 RCW; adding a new section to chapter 36.28A RCW; adding new sections to chapter 43.43 RCW; creating new sections; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Hunter Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to Engrossed Substitute House Bill No. 1552 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed Engrossed House Bill No. 1733 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 39.** The intent of the legislature is to make state capital budget and transportation budget appropriation and expenditure data as transparent and easy to use by the public as is feasible. It is important to provide information to the public on state capital and transportation investments by legislative district and county in a format that is easy to navigate and comprehend. Providing such information contributes to governmental accountability, public participation, agency efficiency, and open government.

Sec. 40. RCW 44.48.150 and 2008 c 326 s 2 are each amended to read as follows:

(1) By January 1, 2009, in collaboration with the office of financial management, using existing databases and structures currently shared, the office of the legislative evaluation and accountability program committee shall establish and make available to the public a searchable state expenditure information web site. The state expenditure information web site shall provide access to current budget data, access to current accounting data for budgeted expenditures and staff, and access to historical data. At a minimum, the web site will provide access or links to the following information as data are available:

- (a) State expenditures by fund or account;
- (b) State expenditures by agency, program, and subprogram;
- (c) State revenues by major source;
- (d) State expenditures by object and subobject;
- (e) State agency workloads, caseloads, and performance measures, and recent performance audits; and
- (f) State agency budget data by activity.

(2) "State agency," as used in this section, includes every state agency, office, board, commission, or institution of the executive, legislative, or judicial branches, including institutions of higher education.

(3) The state expenditure information web site shall be updated periodically as subsequent fiscal year data become available, and the prior year expenditure data shall be maintained by the legislative evaluation and accountability program committee as part of its ten-year historical budget data.

(4) For each capital appropriation bill considered by the full body or fiscal committees of either chamber of the legislature it must be accompanied by a summary of capital appropriations by legislative district. The summary of capital appropriations by legislative district must include the following categories for each legislative district:

- (a) The total level of all appropriations:
 - (i) The level of appropriations attributable to competitive grant and loan programs;
 - (ii) The level of appropriations to state institutions of higher

education:

(iii) The level of appropriations for state agency facilities other than higher education; and

(iv) The level of all other appropriations which are attributable to an individual district.

(b) The summary of capital appropriations required by this section must include the percent of total capital appropriations each legislative district would receive.

(c) For the purposes of this section, a capital appropriation bill includes the original capital appropriations bill filed by a member of the house or the senate, any substitute bill, and any striking amendment.

(5) By January 1, 2014, current and future capital project and transportation project investments must be coded with the geographic information sufficient to permit the public to search and identify appropriation and expenditure data at the parent and subproject level to the extent available by:

- (a) State legislative district;
- (b) County; and
- (c) Agency project identifier.

(6) The office of the legislative evaluation and accountability program committee must, within existing resources, update the state expenditure information web site to allow the public to search for capital budget and transportation projects by selecting from an online geographical map. The map must allow an in-depth examination of financial and other data associated with such projects. Data elements must include:

- (a) Project title;
- (b) Total appropriation;
- (c) Project description;
- (d) Expenditure data; and
- (e) Administering agency.

(7) The web site must be easy to use, contain current and readily available data, and allow for review and analysis by the public. The legislative evaluation and accountability program committee must test the web site with potential users to ensure that it is easy to navigate and comprehend."

On page 1, line 2 of the title, after "expenditures;" strike the remainder of the title and insert "amending RCW 44.48.150; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to Engrossed House Bill No. 1733 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed House Bill No. 1768 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 41.** RCW 39.10.420 and 2012 c 102 s 1 are each amended to read as follows:

(1) The following public bodies are authorized to use the job order contracting procedure:

- (a) The department of enterprise services;

- (b) The state universities, regional universities, and The Evergreen State College;
- (c) Sound transit (central Puget Sound regional transit authority);
- (d) Every city with a population greater than seventy thousand and any public authority chartered by such city under RCW 35.21.730 through 35.21.755;
- (e) Every county with a population greater than four hundred fifty thousand;
- (f) Every port district with total revenues greater than fifteen million dollars per year;
- (g) Every public utility district with revenues from energy sales greater than twenty-three million dollars per year;
- (h) Every school district; ~~((and))~~
- (i) The state ferry system; and
- (j) The Washington state department of transportation, for the administration of building improvement, replacement, and renovation projects only.

(2)(a) The department of enterprise services may issue job order contract work orders for Washington state parks department projects.

(b) The department of enterprise services, the University of Washington, and Washington State University may issue job order contract work orders for the state regional universities and The Evergreen State College.

(3) Public bodies may use a job order contract for public works projects when a determination is made that the use of job order contracts will benefit the public by providing an effective means of reducing the total lead-time and cost for the construction of public works projects for repair and renovation required at public facilities through the use of unit price books and work orders by eliminating time-consuming, costly aspects of the traditional public works process, which require separate contracting actions for each small project.

Sec. 42. RCW 39.10.440 and 2007 c 494 s 403 are each amended to read as follows:

(1) The maximum total dollar amount that may be awarded under a job order contract is four million dollars per year for a maximum of three years.

(2) Job order contracts may be executed for an initial contract term of not to exceed two years, with the option of extending or renewing the job order contract for one year. All extensions or renewals must be priced as provided in the request for proposals. The extension or renewal must be mutually agreed to by the public body and the job order contractor.

(3) A public body may have no more than two job order contracts in effect at any one time, with the exception of the department of ~~((general administration))~~ enterprise services, which may have four job order contracts in effect at any one time.

(4) At least ninety percent of work contained in a job order contract must be subcontracted to entities other than the job order contractor. The job order contractor must distribute contracts as equitably as possible among qualified and available subcontractors including minority and woman-owned subcontractors to the extent permitted by law.

(5) The job order contractor shall publish notification of intent to perform public works projects at the beginning of each contract year in a statewide publication and in a legal newspaper of general circulation in every county in which the public works projects are anticipated.

(6) Job order contractors shall pay prevailing wages for all work that would otherwise be subject to the requirements of chapter 39.12 RCW. Prevailing wages for all work performed pursuant to each work order must be the rates in effect at the time the individual work order is issued.

(7) If, in the initial contract term, the public body, at no fault of the job order contractor, fails to issue the minimum amount of work orders stated in the public request for proposals, the public body shall

pay the contractor an amount equal to the difference between the minimum work order amount and the actual total of the work orders issued multiplied by an appropriate percentage for overhead and profit contained in the contract award coefficient for services as specified in the request for proposals. This is the contractor's sole remedy.

(8) All job order contracts awarded under this section must be signed before July 1, ~~((2013))~~ 2021; however the job order contract may be extended or renewed as provided for in this section.

(9) Public bodies may amend job order contracts awarded prior to July 1, 2007, in accordance with this chapter.

Sec. 43. RCW 39.10.490 and 2007 c 494 s 501 are each amended to read as follows:

The alternative public works contracting procedures authorized under this chapter are limited to public works contracts signed before July 1, ~~((2013))~~ 2021. Methods of public works contracting authorized under this chapter shall remain in full force and effect until completion of contracts signed before July 1, ~~((2013))~~ 2021.

Sec. 44. RCW 43.131.407 and 2007 c 494 s 506 are each amended to read as follows:

The alternative ~~((public))~~ public works contracting procedures under chapter 39.10 RCW shall be terminated June 30, ~~((2013))~~ 2021, as provided in RCW 43.131.408.

Sec. 45. RCW 43.131.408 and 2012 c 102 s 4 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((2014))~~ 2022:

- (1) RCW 39.10.200 and 2010 1st sp.s. c 21 s 2, 2007 c 494 s 1, & 1994 c 132 s 1;
- (2) RCW 39.10.210 and 2010 1st sp.s. c 36 s 6014, 2007 c 494 s 101, & 2005 c 469 s 3;
- (3) RCW 39.10.220 and 2007 c 494 s 102 & 2005 c 377 s 1;
- (4) RCW 39.10.230 and 2010 1st sp.s. c 21 s 3, 2009 c 75 s 1, 2007 c 494 s 103, & 2005 c 377 s 2;
- (5) RCW 39.10.240 and 2007 c 494 s 104;
- (6) RCW 39.10.250 and 2009 c 75 s 2 & 2007 c 494 s 105;
- (7) RCW 39.10.260 and 2007 c 494 s 106;
- (8) RCW 39.10.270 and 2009 c 75 s 3 & 2007 c 494 s 107;
- (9) RCW 39.10.280 and 2007 c 494 s 108;
- (10) RCW 39.10.290 and 2007 c 494 s 109;
- (11) RCW 39.10.300 and 2009 c 75 s 4 & 2007 c 494 s 201;
- (12) RCW 39.10.320 and 2007 c 494 s 203 & 1994 c 132 s 7;
- (13) RCW 39.10.330 and 2009 c 75 s 5 & 2007 c 494 s 204;
- (14) RCW 39.10.340 and 2007 c 494 s 301;
- (15) RCW 39.10.350 and 2007 c 494 s 302;
- (16) RCW 39.10.360 and 2009 c 75 s 6 & 2007 c 494 s 303;
- (17) RCW 39.10.370 and 2007 c 494 s 304;
- (18) RCW 39.10.380 and 2007 c 494 s 305;
- (19) RCW 39.10.385 and 2010 c 163 s 1;
- (20) RCW 39.10.390 and 2007 c 494 s 306;
- (21) RCW 39.10.400 and 2007 c 494 s 307;
- (22) RCW 39.10.410 and 2007 c 494 s 308;
- (23) RCW 39.10.420 and 2013 c . . . s 1 (section 1 of this act), 2012 c 102 s 1, 2009 c 75 s 7, 2007 c 494 s 401, & 2003 c 301 s 1;
- (24) RCW 39.10.430 and 2007 c 494 s 402;
- (25) RCW 39.10.440 and 2013 c . . . s 2 (section 2 of this act) & 2007 c 494 s 403;
- (26) RCW 39.10.450 and 2012 c 102 s 2 & 2007 c 494 s 404;
- (27) RCW 39.10.460 and 2012 c 102 s 3 & 2007 c 494 s 405;
- (28) RCW 39.10.470 and 2005 c 274 s 275 & 1994 c 132 s 10;
- (29) RCW 39.10.480 and 1994 c 132 s 9;
- (30) RCW 39.10.490 and 2013 c . . . s 3 (section 3 of this act), 2007 c 494 s 501, & 2001 c 328 s 5;
- (31) RCW 39.10.500 and 2007 c 494 s 502;
- (32) RCW 39.10.510 and 2007 c 494 s 503;
- (33) RCW 39.10.900 and 1994 c 132 s 13;

- (34) RCW 39.10.901 and 1994 c 132 s 14;
 (35) RCW 39.10.903 and 2007 c 494 s 510;
 (36) RCW 39.10.904 and 2007 c 494 s 512; and
 (37) RCW 39.10.905 and 2007 c 494 s 513."

On page 1, line 2 of the title, after "transportation;" strike the remainder of the title and insert "and amending RCW 39.10.420, 39.10.440, 39.10.490, 43.131.407, and 43.131.408."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to House Bill No. 1768 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SHB 1821 with the following amendments:

On page 4, line 7, after "(IV)" strike "Where" and insert "Until June 30, 2015, where"

On page 4, line 10, after "(V)" strike "Where" and insert "Until June 30, 2015, where"

On page 4, line 7, after "(IV)" strike "Where a" and insert "A"

On page 4, beginning on line 10, after "(V)" strike all material through "service" on line 14 and insert "A parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home"

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SHB 1821 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.240 RCW to read as follows:

Beginning July 1, 2015, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products containing TDCPP (tris(1,3-dichloro-2-propyl)phosphate), chemical abstracts service number 13674-87-8, as of the effective date of this section, or TCEP (tris(2-chloroethyl)phosphate), chemical abstracts service number

115-96-8, as of the effective date of this section in amounts greater than one hundred parts per million in any product component.

Sec. 2. RCW 70.240.050 and 2008 c 288 s 7 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ninety days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter shall recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of children's products in violation of this chapter is subject to a civil penalty not to exceed five thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ten thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned product containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter."

On page 1, line 1 of the title, after "retardants;" strike the remainder of the title and insert "amending RCW 70.240.050; and adding a new section to chapter 70.240 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate Amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294 and asked the Senate for a conference thereon. The Speaker (Representative Orwall presiding) appointed Representatives Short, Uptegrove and Van De Wege as conferees.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1001 with the following amendment:

On page 2, line 5, after "shown" insert ", and includes only theaters with up to four screens"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1001 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Moeller and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1001, as amended by the Senate.

MOTIONS

On motion of Representative MacEwan, Representatives DeBolt and Manweller were excused. On motion of Representative Van De Wege, Representatives McCoy and Morris were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1001, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 7; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwan, Magendanz, Maxwell, Moeller, Morrell, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stonier, Sullivan, Takko, Tarleton, Taylor, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Harris, Hudgins, Klippert, Nealey, Stanford and Tharinger.

Excused: Representatives DeBolt, Manweller, McCoy and Morris.

SUBSTITUTE HOUSE BILL NO. 1001, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1001.
Representative Morrell, 25th District

THIRD READING

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1068 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.95.100 and 2009 c 549 s 4158 are each amended to read as follows:

(1) The tax provided for in RCW 36.95.090 and this section ~~((shall))~~ may not exceed sixty dollars per year per television set ~~((and))~~ within the district. No person ((shall)) may be taxed for more than one television set, except that a motel or hotel or any person owning ((in excess of)) more than five television sets ((shall)) must pay at a rate of one-fifth of the annual tax rate imposed for each of the first five television sets and one-tenth of ((such)) the annual tax rate imposed for each additional television set ((thereafter)).

(2) An owner of a television set within the district ~~((shall be)) is~~ exempt from paying ~~((any tax on such set under this chapter. (1) If~~

~~either (a) his or her)) the excise tax on the television set if:~~

(a) The owner's television set does not receive at least a class grade B contour signal retransmitted by the television translator station or other similar device operated by the district, as such class is defined under regulations of the Federal Communications Commission as of August 9, 1971 ((or (b) he or she));

(b) The owner is currently subscribing to and receiving the services of a community antenna system (CATV) to which ((his or her)) the owner's television set is connected; ~~((and (2) if he or she filed a statement with the board claiming his or her grounds for exemption. Space for such statement shall be provided for in the tax notice which the treasurer shall send to taxpayers in behalf of the district)) or~~

(c) The owner is currently subscribing to and receiving the services of a satellite carrier, as that term is defined in 17 U.S.C. Sec. 119, as of January 1, 2013.

(3) To qualify for an exemption specified in subsection (2) of this section, an owner of a television set must file a statement with the board claiming the owner's grounds for an exemption. Space for the statement must be provided in tax notices sent to taxpayers pursuant to RCW 36.95.160.

Sec. 2. RCW 36.95.130 and 1985 c 76 s 2 are each amended to read as follows:

In addition to other powers provided for under this chapter, the board ~~((shall have)) has~~ the following powers:

(1) To perform all acts necessary to assure that the purposes of this chapter will be carried out fairly and efficiently;

(2) To acquire, build, construct, repair, own, maintain, and operate any necessary stations retransmitting visual and aural signals intended to be received by the general public, relay stations, pick-up stations, or any other electrical or electronic system necessary ~~((PROVIDED, That))~~. However, the board ((shall have)) has no power to originate programs;

(3) To make contracts to compensate any owner of land or other property for the use of such property for the purposes of this chapter;

(4) To make contracts with the United States, or any state, municipality, or any department or agency of those entities for carrying out the general purposes for which the district is formed;

(5) To acquire by gift, devise, bequest, lease, or purchase real and personal property, tangible or intangible, including lands, rights-of-way, and easements, necessary or convenient for its purposes;

(6) To make contracts of any lawful nature (including labor contracts or those for employees' benefits), employ engineers, laboratory personnel, attorneys, other technical or professional assistants, and any other assistants or employees necessary to carry out the provisions of this chapter;

(7) To contract indebtedness or borrow money and to issue warrants or bonds to be paid from district revenues ~~((PROVIDED, That))~~. The bonds, warrants, or other obligations may be in any form, including bearer or registered as provided in RCW 39.46.030 ((PROVIDED FURTHER, That)). Moreover, such warrants and bonds may be issued and sold in accordance with chapter 39.46 RCW;

(8) To prescribe excise tax rates for ((the)) providing ((of)) services throughout the area in accordance with the provisions of this chapter; ((and))

(9) To assist the county treasurer in sending tax notices to taxpayers pursuant to RCW 36.95.160; and

(10) To apply for, accept, and be the holder of any permit or license issued by or required under federal or state law.

Sec. 3. RCW 36.95.160 and 2009 c 549 s 4161 are each amended to read as follows:

(1) The treasurer of the county in which a district is located ~~((shall be ex-officio)) is~~ the treasurer of the district.

(2) The county treasurer ((shall)) must collect the excise tax provided for under this chapter and ~~((shall)) send~~ notice of payment due to persons owing the tax ~~((PROVIDED, That))~~. To reduce costs of

services performed by the county treasurer, district board members and employees may assist the treasurer in sending tax notices to taxpayers.

(3) Districts with fewer than twelve hundred persons subject to the excise tax and levying an excise tax of forty dollars or more per television set per year (~~shall have the option of having the district (1) send the tax notices bimonthly, and (2) collect the excise taxes which shall then~~) may:

(a) Send tax notices bimonthly; and

(b) Collect excise tax revenue, which must be forwarded to the county treasurer for deposit in the district account. (~~There shall be deposited with him or her all funds of the district.~~)

(4) All district funds must be deposited with the county treasurer. All district payments (~~shall be made by him or her from such~~) must be made by the county treasurer from district funds upon warrants issued by the county auditor, except the sums to be paid out of any bond fund for principal and interest payments on bonds. All warrants (~~shall~~) must be paid in the order of issuance.

(5) The treasurer (~~shall~~) must report monthly to the board, in writing, the amount in the district fund or funds.

Sec. 4. RCW 36.95.180 and 1971 ex.s. c 155 s 18 are each amended to read as follows:

(1) The board (~~shall~~) must reimburse the county auditor, assessor, and treasurer for the actual costs of services performed by them in behalf of the district.

(2) A district may reduce costs of services performed by the county treasurer by assisting the treasurer in sending tax notices to taxpayers pursuant to RCW 36.95.160."

On page 1, line 2 of the title, after "tax;" strike the remainder of the title and insert "and amending RCW 36.95.100, 36.95.130, 36.95.160, and 36.95.180."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1068 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Nealey and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1068, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1068, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen,

Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Ryu.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1068, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1076 with the following amendment:

On page 1, line 12, after "the" strike "cooperative" and insert "cooperative's reporting district"

On page 1, beginning on line 15, after "in" strike all material through "28A.250.010" on line 16 and insert "alternative learning experience courses or programs as defined by RCW 28A.150.325. Nothing in this section is intended to affect or otherwise modify the superintendent of public instruction's duty to approve and monitor online providers pursuant to RCW 28A.250.020"

and the same is herewith transmitted.

Thomas Hoeman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1076 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Haigh and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1076, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1076, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton,

Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1076, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1093 with the following amendment:

On page 3, after line 4, insert the following:

"**Sec. 2.** RCW 42.17A.055 and 2010 c 204 s 202 are each amended to read as follows:

(1) The commission shall make available to candidates, public officials, and political committees that are required to file reports under this chapter an electronic filing alternative for submitting financial affairs reports, contribution reports, and expenditure reports.

(2) The commission shall make available to lobbyists and lobbyists' employers required to file reports under RCW 42.17A.600, 42.17A.615, 42.17A.625, or 42.17A.630 an electronic filing alternative for submitting these reports.

(3) State agencies required to report under RCW 42.17A.635 must file all reports electronically.

(4) The commission shall make available to candidates, public officials, political committees, lobbyists, and lobbyists' employers an electronic copy of the appropriate reporting forms at no charge."

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "42.17A.750" insert "and 42.17A.055"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1093 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Shea and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1093, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1093, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert,

Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1093, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that persons with a mental illness or developmental disability are more likely to be victimized by crime than to be perpetrators of crime. The legislature further finds that there are a small number of individuals who commit repeated violent acts against others while suffering from the effects of a mental illness and/or developmental disability that both contributes to their criminal behaviors and renders them legally incompetent to be held accountable for those behaviors. The legislature further finds that the primary statutory mechanisms designed to protect the public from violent behavior, either criminal commitment to a corrections institution, or long-term commitment as not guilty by reason of insanity, are unavailable due to the legal incompetence of these individuals to stand trial. The legislature further finds that the existing civil system of short-term commitments under the Washington's involuntary treatment act is insufficient to protect the public from these violent acts. Finally, the legislature finds that changes to the involuntary treatment act to account for this small number of individuals is necessary in order to serve Washington's compelling interest in public safety and to provide for the proper care of these individuals.

Sec. 2. RCW 10.77.086 and 2012 c 256 s 6 are each amended to read as follows:

(1)(a) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, or has been determined unlikely to regain competency pursuant to RCW 10.77.084(1)(b), but in any event for a period of no longer than ninety days, the court:

(i) Shall commit the defendant to the custody of the secretary who shall place such defendant in an appropriate facility of the department for evaluation and treatment; or

(ii) May alternatively order the defendant to undergo evaluation and treatment at some other facility as determined by the department, or under the guidance and control of a professional person.

(b) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial period of commitment for competency restoration is forty-five days.

(2) On or before expiration of the initial period of commitment under subsection (1) of this section the court shall conduct a hearing, at which it shall determine whether or not the defendant is incompetent.

(3) If the court finds by a preponderance of the evidence that a defendant charged with a felony is incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional period of ninety days, but the court must at the time of extension set a date for a prompt hearing to determine the defendant's competency before the expiration of the second restoration period. The defendant, the defendant's attorney, or the prosecutor has the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third restoration period as provided in subsection (4) of this section if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension.

(4) For persons charged with a felony, at the hearing upon the expiration of the second restoration period or at the end of the first restoration period, in the case of a defendant with a developmental disability, if the jury or court finds that the defendant is incompetent, the charges shall be dismissed without prejudice, and the court shall ~~((either order the release of the defendant or))~~ order the defendant be committed to a state hospital ((or secure mental health facility)) as defined in RCW 72.23.010 for up to seventy-two hours starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. The criminal charges shall not be dismissed if the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months.

Sec. 3. RCW 10.77.270 and 2010 c 263 s 1 are each amended to read as follows:

(1) The secretary shall establish an independent public safety review panel for the purpose of advising the secretary and the courts with respect to persons who have been found not guilty by reason of insanity, or persons committed under the involuntary treatment act where the court has made a special finding under RCW 71.05.280(3)(b). The panel shall provide advice regarding all recommendations to the secretary, decisions by the secretary, or actions pending in court: (a) For a change in commitment status; (b) to allow furloughs or temporary leaves accompanied by staff; (c) not to seek further commitment terms under RCW 71.05.320; or ~~((c))~~ (d) to permit movement about the grounds of the treatment facility, with or without the accompaniment of staff.

(2) The members of the public safety review panel shall be appointed by the governor for a renewable term of three years and shall include the following:

- (a) A psychiatrist;
- (b) A licensed clinical psychologist;
- (c) A representative of the department of corrections;
- (d) A prosecutor or a representative of a prosecutor's association;
- (e) A representative of law enforcement or a law enforcement association;
- (f) A consumer and family advocate representative; and
- (g) A public defender or a representative of a defender's association.

(3) Thirty days prior to issuing a recommendation for conditional release under RCW 10.77.150 or forty-five days prior to issuing a recommendation for release under RCW 10.77.200, the secretary shall submit its recommendation with the committed person's application and the department's risk assessment to the public safety review panel. The public safety review panel shall complete an independent assessment of the public safety risk entailed by the secretary's proposed conditional release recommendation or release recommendation and provide this assessment in writing to the

secretary. The public safety review panel may, within funds appropriated for this purpose, request additional evaluations of the committed person. The public safety review panel may indicate whether it is in agreement with the secretary's recommendation, or whether it would issue a different recommendation. The secretary shall provide the panel's assessment when it is received along with any supporting documentation, including all previous reports of evaluations of the committed person in the person's hospital record, to the court, prosecutor in the county that ordered the person's commitment, and counsel for the committed person.

(4) The secretary shall notify the public safety review panel at appropriate intervals concerning any changes in the commitment or custody status of persons found not guilty by reason of insanity, or persons committed under the involuntary treatment act where the court has made a special finding under RCW 71.05.280(3)(b). The panel shall have access, upon request, to a committed person's complete hospital record, and any other records deemed necessary by the public safety review panel.

(5) The department shall provide administrative and financial support to the public safety review panel. The department, in consultation with the public safety review panel, may adopt rules to implement this section.

(6) By December 1, 2014, the public safety review panel shall report to the appropriate legislative committees the following:

(a) Whether the public safety review panel has observed a change in statewide consistency of evaluations and decisions concerning changes in the commitment status of persons found not guilty by reason of insanity;

(b) Whether the public safety review panel should be given the authority to make release decisions and monitor release conditions;

(c) Whether further changes in the law are necessary to enhance public safety when incompetency prevents operation of the criminal justice system and long-term commitment of the criminally insane; and

(d) Any other issues the public safety review panel deems relevant.

Sec. 4. RCW 71.05.280 and 2008 c 213 s 6 are each amended to read as follows:

At the expiration of the fourteen-day period of intensive treatment, a person may be confined for further treatment pursuant to RCW 71.05.320 if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself or herself, or substantial damage upon the property of another, and (b) as a result of mental disorder presents a likelihood of serious harm; or

(2) Such person was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm upon the person of another or himself or herself, or substantial damage upon the property of others, and continues to present, as a result of mental disorder, a likelihood of serious harm; or

(3) Such person has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.086(4), and has committed acts constituting a felony, and as a result of a mental disorder, presents a substantial likelihood of repeating similar acts.

(a) In any proceeding pursuant to this subsection it shall not be necessary to show intent, willfulness, or state of mind as an element of the crime;

(b) For any person subject to commitment under this subsection where the charge underlying the finding of incompetence is for a felony classified as violent under RCW 9.94A.030, the court shall determine whether the acts the person committed constitute a violent offense under RCW 9.94A.030; or

(4) Such person is gravely disabled.

Sec. 5. RCW 71.05.320 and 2009 c 323 s 2 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment in a facility certified for one hundred eighty day treatment by the department.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment.

(3) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated mental health professional, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of mental disorder or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of mental disorder or developmental disability a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of mental disorder or developmental disability continues to present((s)) a substantial likelihood of repeating ((similar)) acts ((considering)) similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety. (ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty day period whenever the petition presents prima facie evidence that the person continues to suffer from a mental disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the mental disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

(4) For a person committed under subsection (2) of this section who has been remanded to a period of less restrictive treatment, in addition to the grounds specified in subsection (3) of this section, the

designated mental health professional may file a new petition for continued less restrictive treatment if:

(a) The person was previously committed by a court to detention for involuntary mental health treatment during the thirty-six months that preceded the person's initial detention date during the current involuntary commitment cycle, excluding any time spent in a mental health facility or in confinement as a result of a criminal conviction;

(b) In view of the person's treatment history or current behavior, the person is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive treatment; and

(c) Outpatient treatment that would be provided under a less restrictive treatment order is necessary to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time.

(5) A new petition for involuntary treatment filed under subsection (3) or (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment. At the end of the one hundred eighty day period of commitment, the committed person shall be released unless a petition for another one hundred eighty day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty day commitment. However, a commitment is not permissible under subsection (4) of this section if thirty-six months have passed since the last date of discharge from detention for inpatient treatment that preceded the current less restrictive alternative order, nor shall a commitment under subsection (4) of this section be permissible if the likelihood of serious harm in subsection (4)(c) of this section is based solely on harm to the property of others.

(7) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length.

Sec. 6. RCW 71.05.425 and 2011 c 305 s 5 are each amended to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than thirty days before conditional release, final release, authorized leave under RCW 71.05.325(2), or transfer to a facility other than a state mental hospital, the superintendent shall send written notice of conditional release, release, authorized leave, or transfer of a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) to the following:

(i) The chief of police of the city, if any, in which the person will reside; ~~((and))~~

(ii) The sheriff of the county in which the person will reside; and

(iii) The prosecuting attorney of the county in which the criminal charges against the committed person were dismissed.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4):

(i) The victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding

commitment under RCW 71.05.280(3) or 71.05.320(3)(c) or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings;

(iii) Any person specified in writing by the prosecuting attorney. Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter; and

(iv) The chief of police of the city, if any, and the sheriff of the county, if any, which had jurisdiction of the person on the date of the applicable offense.

(c) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical transfers.

(d) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.

(2) If a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person escaped and in which the person resided immediately before the person's arrest and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3) or the victim's next of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to RCW 71.05.390(18). If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.

(4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) "Violent offense" means a violent offense under RCW 9.94A.030;

(b) "Sex offense" means a sex offense under RCW 9.94A.030;

(c) "Next of kin" means a person's spouse, state registered domestic partner, parents, siblings, and children;

(d) "Felony harassment offense" means a crime of harassment as defined in RCW 9A.46.060 that is a felony.

Sec. 7. RCW 10.77.200 and 2010 c 263 s 8 are each amended to read as follows:

(1) Upon application by the committed or conditionally released person, the secretary shall determine whether or not reasonable grounds exist for release. In making this determination, the secretary may consider the reports filed under RCW 10.77.060, 10.77.110, 10.77.140, and 10.77.160, and other reports and evaluations provided by professionals familiar with the case. If the secretary approves the release he or she then shall authorize the person to petition the court.

(2) In instances in which persons have not made application for release, but the secretary believes, after consideration of the reports filed under RCW 10.77.060, 10.77.110, 10.77.140, and 10.77.160, and other reports and evaluations provided by professionals familiar with the case, that reasonable grounds exist for release, the secretary

may petition the court. If the secretary petitions the court for release under this subsection, notice of the petition must be provided to the person who is the subject of the petition and to his or her attorney.

(3) The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the petition for release, shall within forty-five days order a hearing. Continuance of the hearing date shall only be allowed for good cause shown. The prosecuting attorney shall represent the state, and shall have the right to have the ~~((petitioner))~~ person who is the subject of the petition examined by an expert or professional person of the prosecuting attorney's choice. If the secretary is the petitioner, the attorney general shall represent the secretary. If the ~~((petitioner))~~ person who is the subject of the petition is indigent, and the person so requests, the court shall appoint a qualified expert or professional person to examine him or her. If the ~~((petitioner))~~ person who is the subject of the petition has a developmental disability, the examination shall be performed by a developmental disabilities professional. The hearing shall be before a jury if demanded by either the petitioner or the prosecuting attorney. The burden of proof shall be upon the petitioner to show by a preponderance of the evidence that the ~~((petitioner))~~ person who is the subject of the petition no longer presents, as a result of a mental disease or defect, a substantial danger to other persons, or a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions. If the person who is the subject of the petition will be transferred to a state correctional institution or facility upon release to serve a sentence for any class A felony, the petitioner must show that the person's mental disease or defect is manageable within a state correctional institution or facility, but must not be required to prove that the person does not present either a substantial danger to other persons, or a substantial likelihood of committing criminal acts jeopardizing public safety or security, if released.

(4) For purposes of this section, a person affected by a mental disease or defect in a state of remission is considered to have a mental disease or defect requiring supervision when the disease may, with reasonable medical probability, occasionally become active and, when active, render the person a danger to others. Upon a finding that the ~~((petitioner))~~ person who is the subject of the petition has a mental disease or defect in a state of remission under this subsection, the court may deny release, or place or continue such a person on conditional release.

(5) Nothing contained in this chapter shall prohibit the patient from petitioning the court for release or conditional release from the institution in which he or she is committed. The petition shall be served upon the court, the prosecuting attorney, and the secretary. Upon receipt of such petition, the secretary shall develop a recommendation as provided in subsection (1) of this section and provide the secretary's recommendation to all parties and the court. The issue to be determined on such proceeding is whether the ~~((petitioner))~~ patient, as a result of a mental disease or defect, is a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.

(6) Nothing contained in this chapter shall prohibit the committed person from petitioning for release by writ of habeas corpus.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. If specific funding for the purposes of sections 3 through 5 of this act, referencing sections 3 through 5 of this act by bill or chapter number and section number, is not provided by June 30, 2013, in the omnibus appropriations act, sections 3 through 5 of this act are null and void."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "criminal incompetency, civil commitment, and commitments based on criminal insanity; amending RCW 10.77.086, 10.77.270, 71.05.280, 71.05.320, 71.05.425, and 10.77.200; and creating new sections."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1114, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1114, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Goodman, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1144 with the following amendment:

On page 2, beginning on line 20, after "(4)" strike all material through "deaf." on line 24 and insert "By December 31, 2013, the professional educator standards board shall recommend to the education committees of the house of representatives and the senate, how to appropriately use the national interpreter certification and the

educational interpreter performance assessment for educational interpreters in Washington public schools."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1144 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Dahlquist and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1144, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1144, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; Nays, 7; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Nealey, Overstreet, Pike, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1144, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1178 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the use of a basic skills test as an entrance requirement to teacher certification programs has unintentionally created a barrier to the effective recruitment of candidates from underrepresented populations who are otherwise qualified for the program. Therefore, the legislature intends to expand the pool of potential teacher candidates by expanding the types of testing instruments and assessments that may be used to measure basic skills. The legislature intends to review any alternative

assessments to ensure that candidates must continue to meet the established standards for admission to a teacher certification program.

Sec. 2. RCW 28A.410.220 and 2008 c 176 s 2 are each amended to read as follows:

(1)(a) Beginning not later than September 1, 2001, the Washington professional educator standards board shall make available and pilot a means of assessing an applicant's knowledge in the basic skills. For the purposes of this section, "basic skills" means the subjects of at least reading, writing, and mathematics. Beginning September 1, 2002, except as provided in (c) and (d) of this subsection and subsection (4) of this section, passing this assessment shall be required for admission to approved teacher preparation programs and for persons from out-of-state applying for a Washington state residency teaching certificate.

(b) On an individual student basis, approved teacher preparation programs may admit into their programs a candidate who has not achieved the minimum basic skills assessment score established by the Washington professional educator standards board. Individuals so admitted may not receive residency certification without passing the basic skills assessment under this section.

(c) The Washington professional educator standards board may establish criteria to ensure that persons from out-of-state who are applying for residency certification and persons applying to master's degree level teacher preparation programs can demonstrate to the board's satisfaction that they have the requisite basic skills based upon having completed another basic skills assessment acceptable to the Washington professional educator standards board or by some other alternative approved by the Washington professional educator standards board.

(d) The Washington professional educator standards board may identify and accept other tests and test scores as long as the tests are comparable in rigor to the basic skills assessment and candidates meet or exceed the basic skills requirements established by the board. The board must set the acceptable score for admission to teacher certification programs at no lower than the average national scores for the SAT or ACT.

(2) The Washington professional educator standards board shall set performance standards and develop, pilot, and implement a uniform and externally administered professional-level certification assessment based on demonstrated teaching skill. In the development of this assessment, consideration shall be given to changes in professional certification program components such as the culminating seminar.

(3) Beginning not later than September 1, 2002, the Washington professional educator standards board shall provide for the initial piloting and implementation of a means of assessing an applicant's knowledge in the subjects for which the applicant has applied for an endorsement to his or her residency or professional teaching certificate. The assessment of subject knowledge shall not include instructional methodology. Beginning September 1, 2005, passing this assessment shall be required to receive an endorsement for certification purposes.

(4) The Washington professional educator standards board may permit exceptions from the assessment requirements under subsections (1), (2), and (3) of this section on a case-by-case basis.

(5) The Washington professional educator standards board shall provide for reasonable accommodations for individuals who are required to take the assessments in subsection (1), (2), or (3) of this section if the individuals have learning or other disabilities.

(6) With the exception of applicants exempt from the requirements of subsections (1), (2), and (3) of this section, an applicant must achieve a minimum assessment score or scores established by the Washington professional educator standards board on each of the assessments under subsections (1), (2), and (3) of this section.

(7) The Washington professional educator standards board and superintendent of public instruction, as determined by the Washington professional educator standards board, may contract with one or more third parties for:

(a) The development, purchase, administration, scoring, and reporting of scores of the assessments established by the Washington professional educator standards board under subsections (1), (2), and (3) of this section;

(b) Related clerical and administrative activities; or

(c) Any combination of the purposes in this subsection.

(8) Applicants for admission to a Washington teacher preparation program and applicants for residency and professional certificates who are required to successfully complete one or more of the assessments under subsections (1), (2), and (3) of this section, and who are charged a fee for the assessment by a third party contracted with under subsection (7) of this section, shall pay the fee charged by the contractor directly to the contractor. Such fees shall be reasonably related to the actual costs of the contractor in providing the assessment.

(9) The superintendent of public instruction is responsible for supervision and providing support services to administer this section.

(10) The Washington professional educator standards board shall collaboratively select or develop and implement the assessments and minimum assessment scores required under this section with the superintendent of public instruction and shall provide opportunities for representatives of other interested educational organizations to participate in the selection or development and implementation of such assessments in a manner deemed appropriate by the Washington professional educator standards board.

(11) The Washington professional educator standards board shall adopt rules under chapter 34.05 RCW that are reasonably necessary for the effective and efficient implementation of this section."

On page 1, line 2 of the title, after "certification;" strike the remainder of the title and insert "amending RCW 28A.410.220; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1178 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Lytton and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1178, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1178, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton,

MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Crouse, Holy, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1178, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed Substitute House Bill No. 1183 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 3.** RCW 43.21C.0384 and 1996 c 323 s 2 are each amended to read as follows:

(1) Decisions pertaining to applications to site personal wireless service facilities are not subject to the requirements of RCW 43.21C.030(2)(c), if those facilities meet the following requirements:

(a)(i) ~~The ((facility to be sited is a microcell and is to be attached to an existing structure that is not a residence or school and does not contain a residence or a school))~~ collocation of new transmission equipment, removal of transmission equipment, or replacement of existing transmission equipment on existing or replacement structures that do not substantially change the physical dimensions of such structures; or (ii) ~~((the facility includes personal wireless service antennas, other than a microcell, and is to be attached to an existing structure (that may be an existing tower) that is not a residence or school and does not contain a residence or a school, and the existing structure to which it is to be attached is located in a commercial, industrial, manufacturing, forest, or agricultural zone; or (iii)))~~ the siting project involves constructing a personal wireless service tower less than sixty feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone. This exemption does not apply to projects within a designated environmentally sensitive area; and

(b) ~~((The project is not in a designated environmentally sensitive area; and~~
 —(e)) The project does not consist of a series of actions: (i) Some of which are not categorically exempt; or (ii) that together may have a probable significant adverse environmental impact.

(2) The department of ecology shall adopt rules to create a categorical exemption for ~~((microcells and other))~~ personal wireless service facilities that meet the conditions set forth in subsection (1) of this section.

(3) ~~((For the purposes of this section:))~~ The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Collocation" means the mounting or installation of equipment on an existing tower, building, or structure for the purpose of either transmitting or receiving, or both, radio frequency signals for communications purposes.

(b) "Personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

~~((b))~~ (c) "Personal wireless service facilities" means facilities for the provision of personal wireless services.

~~((e))~~ "Microcell" means a wireless communication facility consisting of an antenna that is either: (i) Four feet in height and with an area of not more than five hundred eighty square inches; or (ii) if a tubular antenna, no more than four inches in diameter and no more than six feet in length.)

(d) "Substantially change the physical dimensions" means:

(i) The mounting of equipment on a structure that would increase the height of the structure by more than ten percent, or twenty feet, whichever is greater;

(ii) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater."

On page 1, line 1 of the title, after "structures;" strike the remainder of the title and insert "and amending RCW 43.21C.0384."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to Substitute House Bill No. 1183 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed Second Substitute House Bill No. 1723 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 43.215 RCW to read as follows:

The legislature finds that the first five years of a child's life establish the foundation for educational success. The legislature also finds that children who have high quality early learning opportunities from birth through age five are more likely to succeed throughout their K-12 education and beyond. The legislature further finds that the benefits of high quality early learning experiences are particularly significant for low-income parents and children, and provide an opportunity to narrow the opportunity gap in Washington's K-12 educational system. The legislature understands that early supports for high-risk parents of young children through home visiting services show a high return on investment due to significantly improved chances of better education, health, and life outcomes for children. The legislature further recognizes that, when parents work or go to school, high quality and full-day early learning opportunities should be available and accessible for their children. In order to improve education outcomes, particularly for low-income children, the legislature is committed to expanding high quality early learning opportunities and integrating currently disparate funding streams for all birth-to-five early learning services including, working connections child care and the early childhood education and assistance program, into a single high quality continuum of learning that provides essential services to low-income families and prepares all enrolled children for success in school. The legislature therefore

intends to establish the early start program to provide a continuum of high quality and accountable early learning opportunities for Washington's parents and children.

Sec. 5. RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased to at least one thousand eighty instructional hours for students enrolled in each of grades seven through twelve and at least one thousand instructional hours for students in each of grades one through six according to an implementation schedule adopted by the legislature, but not before the 2014-15 school year; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, subject to a phased-in implementation of the twenty-four credits as established by the legislature. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315. However, schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as

required in the parent involvement component of the inventory. In addition, effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 6. RCW 43.215.010 and 2011 c 295 s 3 and 2011 c 78 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides ~~((child day care))~~ early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child ~~((day))~~ care provider who regularly provides ~~((child day care))~~ early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection ~~((2))~~, even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging

in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools (~~(or kindergartens)~~) that are engaged primarily in ~~((educational work))~~ early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) ~~((Any agency having been in operation in this state ten years before June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;~~

~~—(j) An agency))~~ A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

~~((An agency))~~ (j) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

~~((An agency))~~ (k) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

~~—(8)~~ (8) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

~~((8))~~ (9) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

~~((9))~~ (10) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

~~((40))~~ (11) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

~~((44))~~ (12) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

~~((42))~~ (13) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(14) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. Sec. 7. (1)(a) The chairs of the early learning committees of the legislature shall convene a technical working group to:

(i) Review federal and state early education funding streams;

(ii) Develop technical options for aligning eligibility requirements for child care and Washington state preschool;

(iii) Develop recommendations for an effective and responsive eligibility system;

(iv) Develop technical options for system designs that blend and braid disparate federal and state funding streams into a single program, including the option of applying for waivers from existing federal requirements; and

(v) Present findings and options in a report to the early learning committees of both houses of the legislature by December 1, 2013.

(b) At a minimum, the technical working group must be composed of financial and policy staff from the department of social and health services and the department of early learning.

(2) The technical working group shall provide monthly progress reports to the staff of the legislative early learning committees and the relevant legislative fiscal committees. The legislative staff shall share the progress reports with the chairs of the legislative committees. The chairs of the committees may provide additional guidance to the working group through legislative staff depending on the information that is shared with the chairs.

(3) This section expires December 31, 2013.

Sec. 8. RCW 43.215.020 and 2010 c 233 s 1, 2010 c 232 s 2, and 2010 c 231 s 6 are each reenacted and amended to read as follows:

(1) The department of early learning is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.

(2) The primary duties of the department are to implement state early learning policy and to coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funding as efficiently as possible. The department's duties include, but are not limited to, the following:

(a) To support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs;

(b) To make early learning resources available to parents and caregivers;

(c) To carry out activities, including providing clear and easily accessible information about quality and improving the quality of early learning opportunities for young children, in cooperation with the nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To apply data already collected comparing state-funded child care and preschool program compensation rates to market rates of similar programs to make biennial recommendations to the legislature regarding compensation models that would attract and retain high quality early learning professionals to state programs;

(f) To serve as the state lead agency for Part C of the federal individuals with disabilities education act (IDEA);

~~((#))~~ (g) To standardize internal financial audits, oversight visits, performance benchmarks, and licensing criteria, so that programs can function in an integrated fashion;

~~((#))~~ (h) To support the implementation of the nongovernmental private-public partnership and cooperate with that partnership in pursuing its goals including providing data and support necessary for the successful work of the partnership;

~~((#))~~ (i) To work cooperatively and in coordination with the early learning council;

~~((#))~~ (j) To collaborate with the K-12 school system at the state and local levels to ensure appropriate connections and smooth transitions between early learning and K-12 programs;

~~((#))~~ (k) To develop and adopt rules for administration of the program of early learning established in RCW 43.215.141;

~~((#))~~ (l) To develop a comprehensive birth-to-three plan to provide education and support through a continuum of options including, but not limited to, services such as: Home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers; and

~~((#))~~ (m) Upon the development of an early learning information system, to make available to parents timely inspection and licensing action information and provider comments through the internet and other means.

(3) When additional funds are appropriated for the specific purpose of home visiting and parent and caregiver support, the department must reserve at least eighty percent for home visiting services to be deposited into the home visiting services account and up to twenty percent of the new funds for other parent or caregiver support.

(4) Home visiting services must include programs that serve families involved in the child welfare system.

(5) The legislature shall fund the expansion in the Washington state preschool program pursuant to RCW 43.215.142 in fiscal year 2014.

(6) The department's programs shall be designed in a way that respects and preserves the ability of parents and legal guardians to direct the education, development, and upbringing of their children, and that recognizes and honors cultural and linguistic diversity. The department shall include parents and legal guardians in the development of policies and program decisions affecting their children.

Sec. 9. RCW 43.215.100 and 2007 c 394 s 4 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department, in collaboration with community and statewide partners, shall implement a voluntary quality rating and improvement system, called the early achievers program, that is applicable to licensed or certified child care centers and homes and early education programs.

(2) The purpose of the ((voluntary quality rating and improvement system)) early achievers program is: (a) To give parents clear and easily accessible information about the quality of child care and early education programs, support improvement in early learning programs throughout the state, increase the readiness of children for school, and close the disparity in access to quality care; and (b) to establish a common set of expectations and standards that define, measure, and improve the quality of early learning settings.

(3) Participation in the early achievers program is voluntary for licensed or certified child care centers and homes.

(4) By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and

maintain a minimum score level.

(5) Before final implementation of the ((voluntary quality rating and improvement system)) early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature. Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects.

Sec. 10. RCW 43.215.430 and 1994 c 166 s 8 are each amended to read as follows:

The department shall review applications from public or private nonsectarian organizations for state funding of early childhood education and assistance programs ((and award funds as determined by department rules and based on)). The department shall consider local community needs ((and)), demonstrated capacity ((to provide services)), and the need to support a mixed delivery system of early learning that includes alternative models for delivery including licensed centers and licensed family child care providers when reviewing applications.

NEW SECTION. Sec. 11. If specific funding for the purposes of section 5 of this act, referencing section 5 of this act by bill or chapter and section number, is not provided by June 30, 2013, in the omnibus appropriations act, section 5 of this act is null and void."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 28A.150.220, 43.215.100, and 43.215.430; reenacting and amending RCW 43.215.010 and 43.215.020; adding a new section to chapter 43.215 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Brad Hendrickson Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

Representative Shea moved to concur in the Senate amendment to Second Substitute House Bill No. 1723.

Representatives Shea and Alexander spoke in favor of the motion to concur.

Representative Kagi spoke against the motion to concur.

The Speaker (Representative Moeller presiding) stated the question before the House to be the motion to concur in the Senate amendment to Second Substitute House Bill No. 1723.

The motion was not adopted.

The House refused to concur in the Senate amendment to Second Substitute House Bill No. 1723 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 18, 2013

Mr. Speaker:

The Senate insists on its position in the House amendment to ENGROSSED SENATE BILL NO. 5666 and asks the House for a Conference thereon.

And the same is herewith transmitted.

Hunter Goodman Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a Conference on ENGROSSED SENATE BILL NO. 5666. The Speaker (Representative Moeller presiding) appointed

the following members as Conferees: Representatives Jinkins, Pederson and Rodne.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1194 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 77.85.050 and 2009 c 345 s 3 and 2009 c 333 s 25 are each reenacted and amended to read as follows:

(1)(a) Counties, cities, and tribal governments must jointly designate, by resolution or by letters of support, the area for which a habitat project list is to be developed and the lead entity that is to be responsible for submitting the habitat project list. No project included on a habitat project list shall be considered mandatory in nature and no private landowner may be forced or coerced into participation in any respect. The lead entity may be a county, city, conservation district, special district, tribal government, regional recovery organization, or other entity.

(b) The lead entity shall establish a committee that consists of representative interests of counties, cities, conservation districts, tribes, environmental groups, business interests, landowners, citizens, volunteer groups, regional fish enhancement groups, and other habitat interests. The purpose of the committee is to provide a citizen-based evaluation of the projects proposed to promote salmon habitat.

(c) The committee shall compile a list of habitat projects, establish priorities for individual projects, define the sequence for project implementation, and submit these activities as the habitat project list. The committee shall also identify potential federal, state, local, and private funding sources.

(2) The area covered by the habitat project list must be based, at a minimum, on a WRIA, combination of WRIs, or any other area as agreed to by the counties, cities, and tribes in resolutions or in letters of support meeting the requirements of this subsection. Preference will be given to projects in an area that contain a salmon species that is listed or proposed for listing under the federal endangered species act.

(3) The lead entity shall submit the habitat project list to the salmon recovery funding board in accordance with procedures adopted by the board.

(4) The recreation and conservation office shall administer funding to support the functions of lead entities.

(5) A landowner whose land is used for a habitat project that is included on a habitat project list, and who has received notice from the project sponsor that the conditions of this section have been met, may not be held civilly liable for any property damages resulting from the habitat project regardless of whether or not the project was funded by the salmon recovery funding board. This subsection is subject to the following conditions:

(a) The project was designed by a licensed professional engineer (PE) or a licensed geologist (LG, LEG, or LHG) with experience in riverine restoration;

(b) The project is designed to withstand one hundred year floods;

(c) The project is not located within one-quarter mile of an established downstream boat launch;

(d) The project is designed to allow adequate response time for in-river boaters to safely evade in-stream structures; and

(e) If the project includes large wood placement, each individual root wad and each log larger than ten feet long and one foot in diameter must be visibly tagged with a unique numerical identifier that will withstand typical river conditions for at least three years."

On page 1, line 1 of the title, after "projects;" strike the remainder of the title and insert "and reenacting and amending RCW 77.85.050."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1194 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stanford and Rodne spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1194, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1194, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; Nays, 18; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Dahlquist, Fagan, Hargrove, Harris, Holy, Kretz, Kristiansen, Overstreet, Pike, Sawyer, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1194, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1207 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 68.52.100 and 2008 c 96 s 1 are each amended to read as follows:

~~((For the purpose of forming))~~ (1) To form a cemetery district, a petition designating the boundaries of the proposed district by metes and bounds or describing the lands to be included in the proposed district by government townships, ranges, and legal subdivisions, ~~((signed by not less than ten percent of the registered voters who~~

~~reside within the boundaries of the proposed district,))~~ setting forth the object of the formation of ~~((such))~~ the proposed district, and stating that the ~~((establishment thereof))~~ formation of the proposed district will be conducive to the public welfare and convenience, ~~((shall))~~ must be filed with the county auditor of the county ~~((within))~~ in which the proposed district is located, accompanied by an obligation signed by two or more petitioners agreeing to pay the cost of publishing the notice ~~((hereinafter provided for.))~~ specified in RCW 68.52.120.

(2) The petition must be signed by at least ten percent of the registered voters in the proposed district. However, in counties with only one municipality the petition must be signed by at least ten percent of the registered voters in the proposed district, based on the total vote cast in the most recent county general election.

(3) The county auditor ~~((shall))~~ must, within thirty days from the date of filing of ~~((such))~~ the petition, examine the signatures and certify ~~((to))~~ the sufficiency or insufficiency ~~((thereof.))~~ of the petition.

(4) Notwithstanding subsection (3) of this section, in counties with only one municipality the county auditor must examine the signatures and certify the sufficiency or insufficiency of the petition within fifteen days from the date of filing of the petition. If the county auditor certifies that the petition is insufficient, the county auditor must afford the person who filed the petition ten days from that certification to add additional signatures to the petition. The petition must be refiled by the end of that period. Within fifteen days from the date of refiling, the county auditor must examine the signatures and certify the sufficiency or insufficiency of the petition.

(5) The name of any person who signed a petition ~~((shall))~~ may not be withdrawn from the petition after it has been filed with the county auditor.

(6) If the petition is found to contain a sufficient number of valid signatures, the county auditor ~~((shall))~~ must transmit it, with a certificate of sufficiency attached, to the county legislative authority, which ~~((shall))~~ must thereupon, by resolution entered upon its minutes, receive the ~~((same))~~ petition and fix a day and hour when it will publicly hear the petition.

(7) For the purposes of this section, "municipality" means a city or town.

Sec. 2. RCW 68.52.110 and 1947 c 6 s 3 are each amended to read as follows:

~~The ~~((hearing on such petition shall be at the office of the board of county commissioners and shall be held))~~ county legislative authority must conduct a hearing on the petition not less than twenty nor more than forty days from the date of receipt ~~((thereof))~~ of the petition from the county auditor. The hearing may be completed on the day set ~~((therefor))~~ for hearing the petition or it may be adjourned from time to time as ~~((may be))~~ necessary, but ~~((such adjournment or adjournments shall not extend the time for determining said petition more than sixty days in all from the date of receipt by the board))~~ an adjournment may not extend the time for the county legislative authority's determination pursuant to RCW 68.52.140 more than sixty days from the date of receipt of the petition from the county auditor.~~

Sec. 3. RCW 68.52.120 and 2012 c 117 s 319 are each amended to read as follows:

~~((A copy of))~~ The text of the petition with the names of petitioners omitted ~~((, together with))~~ and a notice signed by the clerk of the ~~((board of county commissioners))~~ county legislative authority stating the day, hour, and place of the hearing ~~((, shall))~~ must be published in three consecutive weekly issues of the official newspaper of the county prior to the date of the hearing. ~~((Said clerk shall))~~ The clerk must also cause a copy of the petition with the names of petitioners omitted, ~~((together))~~ with a copy of the notice attached, to be posted for not less than fifteen days before the date of the hearing in ~~((each of))~~ three public places ~~((within the boundaries of))~~ in the

proposed district, to be previously designated by him or her and made a matter of record in the proceedings.

Sec. 4. RCW 68.52.130 and 1947 c 6 s 5 are each amended to read as follows:

At the time and place fixed for the hearing on the petition or at any adjournment thereof, the ~~((board of county commissioners shall hear said))~~ county legislative authority must hear the petition and receive such evidence as it may deem material in favor of or opposed to the formation of the proposed cemetery district or to the inclusion ~~((therein))~~ or exclusion ~~((therefrom))~~ of any lands in the proposed district, but no lands not within the boundaries of the proposed district as described in the petition ~~((shall))~~ may be included without a written waiver describing the land, executed by all persons having any interest of record therein, having been filed in the proceedings. No land within the boundaries described in the petition ~~((shall))~~ may be excluded from the proposed district.

Sec. 5. RCW 68.52.140 and 1996 c 324 s 3 are each amended to read as follows:

~~((The county legislative authority shall have full authority to hear and determine the petition, and if it finds that the formation of the district will be conducive to the public welfare and convenience, it shall by resolution so declare, otherwise it shall deny the petition. If the county legislative authority finds in favor of the formation of the district, it shall designate the name and number of the district, fix the boundaries thereof, and cause an election to be held therein for the purpose of determining whether or not the district shall be organized under the provisions of this chapter, and for the purpose of electing its first cemetery district commissioners. At the same election three cemetery district commissioners shall be elected, but the election of the commissioners shall be null and void if the district is not created. No primary shall be held for the office of cemetery district commissioner. A special filing period shall be opened as provided in RCW 29.15.170 and 29.15.180. Candidates shall run for specific commissioner positions. The person receiving the greatest number of votes for each commissioner position shall be elected to that commissioner))~~ (1) After conducting the hearing on the petition, if the county legislative authority determines that the formation of the proposed cemetery district will be conducive to the public welfare and convenience, the county legislative authority must by resolution so declare, otherwise the county legislative authority must deny the petition.

(2) If the county legislative authority finds in favor of the formation of the proposed district, the county legislative authority must designate the name and number of the proposed district, fix the boundaries of the proposed district, and cause an election to be held in the proposed district to determine whether the proposed district will be formed under the provisions of this chapter, and to elect the first cemetery district commissioners.

(3) Three cemetery district commissioners must be elected at the election to determine whether the proposed district will be formed, but the election of the commissioners is null and void if the district is not formed. No primary will be held for the office of cemetery district commissioner. A special filing period must be opened as provided in RCW 29A.24.171 and 29A.24.181. Candidates must run for specific commissioner positions. The person receiving the greatest number of votes for each commissioner position is elected to that position. The terms of office of the initial commissioners ~~((shall be))~~ are as provided in RCW 68.52.220.

Sec. 6. RCW 68.52.150 and 1947 c 6 s 7 are each amended to read as follows:

Except as otherwise provided in this chapter, the election ~~((shall))~~ must insofar as possible be called, noticed, held, conducted, and canvassed in the same manner and by the same officials as provided by law for special elections in the county. ~~((For the purpose of such election county voting precincts may be combined or divided and redefined, and the territory in the district shall be included in one or~~

more election precincts as may be deemed convenient, a polling place being designated for each such precinct. The notice of election shall state generally and briefly the purpose thereof, shall give the boundaries of the proposed district, define the election precinct or precincts, designate the polling place for each, mention the names of the candidates for first cemetery district commissioners, and name the day of the election and the hours during which the polls will be open.) The notice of election must: State generally and briefly the purpose of the election; describe the boundaries of the proposed cemetery district; list the names of the candidates for first cemetery district commissioners; and specify the election date.

Sec. 7. RCW 68.52.170 and 1947 c 6 s 9 are each amended to read as follows:

~~((The returns of such election shall be canvassed at the court house on the Monday next following the day of the election, but the canvass may be adjourned from time to time if necessary to await the receipt of election returns which may be unavoidably delayed. The canvassing officials, upon conclusion of the canvass, shall forthwith certify the results thereof in writing to the board of county commissioners. If upon examination of the certificate of the canvassing officials it is found that two-thirds of all the votes cast at said election were in favor of the formation of the cemetery district, the board of county commissioners shall, by resolution entered upon its minutes, declare such territory duly organized as a cemetery district under the name theretofore designated and shall declare the three candidates receiving the highest number of votes for cemetery commissioners, the duly elected first cemetery commissioners of the district. The clerk of the board of county commissioners shall certify a copy of the resolution and cause it to be filed for record in the offices of the county auditor and the county assessor of the county. The certified copy shall be entitled to record without payment of a recording fee. If the certificate of the canvassing officials shows that the proposition to organize the proposed cemetery district failed to receive two-thirds of the votes cast at said election, the board of county commissioners shall enter a minute to that effect and all proceedings theretofore had shall become))~~ (1) The returns of the election must be canvassed following the election, but the canvass may be adjourned from time to time to await the receipt of election returns. Upon conclusion of the canvass, the canvassing officials must certify the results to the county legislative authority.

(2) The cemetery district is formed if two-thirds of all votes cast at the election were in favor of the formation of the proposed district. However, in counties with only one municipality the district is formed if a majority of all votes cast at the election were in favor of the formation of the proposed district.

(3) If the proposition to form the proposed district received the voter approval required under this section, the county legislative authority must by resolution recorded in the county legislative authority's minutes: Declare the district formed under the name and number previously designated; and declare the three candidates receiving the highest number of votes for cemetery district commissioners as the duly elected first commissioners of the district. The clerk of the county legislative authority must certify a copy of the resolution and cause it to be filed for record in the offices of the county auditor and the county assessor of the county. The certified copy may be recorded without payment of a recording fee.

(4) If the proposition to form the proposed district failed to receive the voter approval required under this section, the county legislative authority must record in the county legislative authority's minutes the failed vote, and all proceedings relating to the proposed district are null and void.

(5) For the purposes of this section, "municipality" means a city or town.

Sec. 8. RCW 68.52.180 and 1947 c 6 s 10 are each amended to read as follows:

(1) Any person, firm, or corporation having a substantial interest involved, and feeling aggrieved by any finding, determination, or resolution of the ((board of county commissioners)) county legislative authority under the provisions of this chapter, may appeal within five days after ((such)) the finding, determination, or resolution was made to the superior court of the county in the same manner as provided by law for appeals from orders of ((said board)) the county legislative authority.

(2) After the expiration of five days from the date of the resolution declaring the district ((organized)) formed, and upon filing of certified copies ((thereof)) of the resolution in the offices of the county auditor and county assessor, the formation of the cemetery district ((shall be)) is complete and its legal existence ((shall)) may not thereafter be questioned by any person by reason of any defect in the proceedings ((had for the creation thereof)) for the formation of the cemetery district.

Sec. 9. RCW 68.52.220 and 2011 c 60 s 47 are each amended to read as follows:

(1) The affairs of the cemetery district ((shall)) must be managed by a board of cemetery district commissioners composed of three members. The board may provide, by resolution passed by the commissioners, for the payment of compensation to each of its commissioners at a rate of up to ninety dollars for each day or portion of a day spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner must not exceed eight thousand six hundred forty dollars per year.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the clerk of the board. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver ((shall)) must specify the month or period of months for which it is made. The board ((shall)) must fix the compensation to be paid the secretary and other employees of the district. Cemetery district commissioners and candidates for cemetery district commissioner are exempt from the requirements of chapter 42.17A RCW.

(3) The initial cemetery district commissioners ((shall)) must assume office immediately upon their election and qualification. Staggering of terms of office ((shall)) must be accomplished as follows: ((4)) (a) The person elected receiving the greatest number of votes ((shall be)) is elected to a six-year term of office if the election is held in an odd-numbered year or a five-year term of office if the election is held in an even-numbered year; ((2)) (b) the person who is elected receiving the next greatest number of votes ((shall be)) is elected to a four-year term of office if the election is held in an odd-numbered year or a three-year term of office if the election is held in an even-numbered year; and ((3)) (c) the other person who is elected ((shall be)) is elected to a two-year term of office if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year. The initial commissioners ((shall)) must assume office immediately after they are elected and qualified but their terms of office ((shall)) must be calculated from the first day of January after the election.

(4) Thereafter, commissioners ((shall be)) are elected to six-year terms of office. Commissioners ((shall)) must serve until their successors are elected and qualified and assume office as provided in RCW 29A.20.040.

~~((The polling places for a cemetery district election may be located inside or outside the boundaries of the district, as determined by the auditor of the county in which the cemetery district is located, and no such election shall be held irregular or void on that account.))~~

(5) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years,

beginning July 1, 2008, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items ~~((shall))~~ must be used for the adjustments for inflation in this section. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

(6) A person holding office as commissioner for two or more special purpose districts ~~((shall))~~ may receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions."

On page 1, line 1 of the title, after "requirements;" strike the remainder of the title and insert "and amending RCW 68.52.100, 68.52.110, 68.52.120, 68.52.130, 68.52.140, 68.52.150, 68.52.170, 68.52.180, and 68.52.220."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1207 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Haigh spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1207, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1207, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hope, Hudgins, Hunt, Hunter, Hurst, Jenkins, Johnson, Kagi, Kirby, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Maxwell, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Magendanz, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick,

Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1207, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 9, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1265 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.63.060 and 2011 c 233 s 1 are each amended to read as follows:

(1) A notice of traffic infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter.

(2) The form for the notice of traffic infraction shall be prescribed by rule of the supreme court and shall include the following:

(a) A statement that the notice represents a determination that a traffic infraction has been committed by the person named in the notice and that the determination shall be final unless contested as provided in this chapter;

(b) A statement that a traffic infraction is a noncriminal offense for which imprisonment may not be imposed as a sanction; that the penalty for a traffic infraction may include sanctions against the person's driver's license including suspension, revocation, or denial; that the penalty for a traffic infraction related to standing, stopping, or parking may include nonrenewal of the vehicle ~~((license))~~ registration;

(c) A statement of the specific traffic infraction for which the notice was issued;

(d) A statement of the monetary penalty established for the traffic infraction;

(e) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;

(f) A statement that at any hearing to contest the determination the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses including the officer who issued the notice of infraction;

(g) A statement that at any hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction the person will be deemed to have committed the infraction and may not subpoena witnesses;

(h) A statement that the person must respond to the notice as provided in this chapter within fifteen days or the person's driver's license or driving privilege ~~((will))~~ may be suspended by the department until any penalties imposed pursuant to this chapter have been satisfied; and

(i) A statement that failure to appear at a hearing requested for the purpose of contesting the determination or for the purpose of explaining mitigating circumstances ~~((will))~~ may result in the suspension of the person's driver's license or driving privilege, or in the case of a standing, stopping, or parking violation, refusal of the department to renew the vehicle ~~((license))~~ registration, until any penalties imposed pursuant to this chapter have been satisfied.

(3)(a) A form for a notice of traffic infraction printed after July 22, 2011, must include a statement that the person may be able to enter into a payment plan with the court under RCW 46.63.110.

(b) The forms for a notice of traffic infraction must include the changes in section 1, chapter . . . , Laws of 2013 (this act) by July 1, 2015."

On page 1, line 2 of the title, after "notices;" strike the remainder of the title and insert "and amending RCW 46.63.060."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1265 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Freeman and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1265, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1265, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1265, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1284 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 13.34.067 and 2009 c 520 s 23 are each amended to read as follows:

(1)(a) Following shelter care and no later than thirty days prior to fact-finding, the department or supervising agency shall convene a case conference as required in the shelter care order to develop and specify in a written service agreement the expectations of both the

department or supervising agency and the parent regarding voluntary services for the parent.

(b) The case conference shall include the parent, counsel for the parent, caseworker, counsel for the state, guardian ad litem, counsel for the child, and any other person agreed upon by the parties. Once the shelter care order is entered, the department or supervising agency is not required to provide additional notice of the case conference to any participants in the case conference.

(c) The written service agreement expectations must correlate with the court's findings at the shelter care hearing. The written service agreement must set forth specific services to be provided to the parent.

(d) The case conference agreement must be agreed to and signed by the parties. The court shall not consider the content of the discussions at the case conference at the time of the fact-finding hearing for the purposes of establishing that the child is a dependent child, and the court shall not consider any documents or written materials presented at the case conference but not incorporated into the case conference agreement, unless the documents or written materials were prepared for purposes other than or as a result of the case conference and are otherwise admissible under the rules of evidence.

(2) At any other stage in a dependency proceeding, the department or supervising agency, upon the parent's request, shall convene a case conference.

(3) If a case conference is convened pursuant to subsection (1) or (2) of this section and the parent is unable to participate in person due to incarceration, the parent must have the option to participate through the use of a teleconference or videoconference.

Sec. 2. RCW 13.34.136 and 2011 c 309 s 29 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the department's or supervising agency's proposed permanency plan must be provided to the department or supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption, including a tribal customary adoption as defined in RCW 13.38.040; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(~~(6)~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the supervising agency or the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in

accordance with the best interests of each child, and what actions the department or supervising agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The department's or supervising agency's plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement. If the parent is incarcerated, the plan must address how the parent will participate in the case conference and permanency planning meetings and, where possible, must include treatment that reflects the resources available at the facility where the parent is confined. The plan must provide for visitation opportunities, unless visitation is not in the best interests of the child.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The supervising agency or department shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the department or supervising agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department or supervising agency.

(v) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vi) The supervising agency or department shall provide all reasonable services that are available within the department or supervising agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130(~~(4)~~) (8), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The department or supervising agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date. If the child has been in out-of-home care for fifteen of the most recent twenty-two months, and the court has not made a good cause exception, the court shall require the department or supervising agency to file a petition seeking termination of parental

rights in accordance with RCW 13.34.145(3)(b)(vi). In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(~~(4)~~) (6). Whenever the permanency plan for a child is adoption, the court shall encourage the prospective adoptive parents, birth parents, foster parents, kinship caregivers, and the department or other supervising agency to seriously consider the long-term benefits to the child adoptee and his or her siblings of providing for and facilitating continuing postadoption contact between the siblings. To the extent that it is feasible, and when it is in the best interests of the child adoptee and his or her siblings, contact between the siblings should be frequent and of a similar nature as that which existed prior to the adoption. If the child adoptee or his or her siblings are represented by an attorney or guardian ad litem in a proceeding under this chapter or in any other child custody proceeding, the court shall inquire of each attorney and guardian ad litem regarding the potential benefits of continuing contact between the siblings and the potential detriments of severing contact. This section does not require the department of social and health services or other supervising agency to agree to any specific provisions in an open adoption agreement and does not create a new obligation for the department to provide supervision or transportation for visits between siblings separated by adoption from foster care.

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

Sec. 3. RCW 13.34.145 and 2011 c 330 s 6 are each amended to read as follows:

(1) The purpose of a permanency planning hearing is to review the permanency plan for the child, inquire into the welfare of the child and progress of the case, and reach decisions regarding the permanent placement of the child.

(a) A permanency planning hearing shall be held in all cases where the child has remained in out-of-home care for at least nine months and an adoption decree, guardianship order, or permanent custody order has not previously been entered. The hearing shall take place no later than twelve months following commencement of the current placement episode.

(b) Whenever a child is removed from the home of a dependency guardian or long-term relative or foster care provider, and the child is not returned to the home of the parent, guardian, or legal custodian but is placed in out-of-home care, a permanency planning hearing shall take place no later than twelve months, as provided in this section, following the date of removal unless, prior to the hearing, the child returns to the home of the dependency guardian or long-term care provider, the child is placed in the home of the parent, guardian, or legal custodian, an adoption decree, guardianship order, or a

permanent custody order is entered, or the dependency is dismissed. Every effort shall be made to provide stability in long-term placement, and to avoid disruption of placement, unless the child is being returned home or it is in the best interest of the child.

(c) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(2) No later than ten working days prior to the permanency planning hearing, the agency having custody of the child shall submit a written permanency plan to the court and shall mail a copy of the plan to all parties and their legal counsel, if any.

(3) At the permanency planning hearing, the court shall conduct the following inquiry:

(a) If a goal of long-term foster or relative care has been achieved prior to the permanency planning hearing, the court shall review the child's status to determine whether the placement and the plan for the child's care remain appropriate.

(b) In cases where the primary permanency planning goal has not been achieved, the court shall inquire regarding the reasons why the primary goal has not been achieved and determine what needs to be done to make it possible to achieve the primary goal. The court shall review the permanency plan prepared by the agency and make explicit findings regarding each of the following:

(i) The continuing necessity for, and the safety and appropriateness of, the placement;

(ii) The extent of compliance with the permanency plan by the department or supervising agency and any other service providers, the child's parents, the child, and the child's guardian, if any;

(iii) The extent of any efforts to involve appropriate service providers in addition to department or supervising agency staff in planning to meet the special needs of the child and the child's parents;

(iv) The progress toward eliminating the causes for the child's placement outside of his or her home and toward returning the child safely to his or her home or obtaining a permanent placement for the child;

(v) The date by which it is likely that the child will be returned to his or her home or placed for adoption, with a guardian or in some other alternative permanent placement; and

(vi) If the child has been placed outside of his or her home for fifteen of the most recent twenty-two months, not including any period during which the child was a runaway from the out-of-home placement or the first six months of any period during which the child was returned to his or her home for a trial home visit, the appropriateness of the permanency plan, whether reasonable efforts were made by the department or supervising agency to achieve the goal of the permanency plan, and the circumstances which prevent the child from any of the following:

(A) Being returned safely to his or her home;

(B) Having a petition for the involuntary termination of parental rights filed on behalf of the child;

(C) Being placed for adoption;

(D) Being placed with a guardian;

(E) Being placed in the home of a fit and willing relative of the child; or

(F) Being placed in some other alternative permanent placement, including independent living or long-term foster care.

~~(At this)~~ (4) Following this inquiry, at the permanency planning hearing, the court shall order the department or supervising agency to file a petition seeking termination of parental rights if the child has been in out-of-home care for fifteen of the last twenty-two months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of

parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child.

~~(a)~~ For purposes of this ~~(section)~~ subsection, "good cause exception" includes but is not limited to the following:

~~(i)~~ The child is being cared for by a relative;

~~(ii)~~ The department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home; ~~((e))~~

~~(iii)~~ The department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests; or

~~(iv)~~ The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for fifteen of the last twenty-two months, the parent maintains a meaningful role in the child's life, and the department has not documented another reason why it would be otherwise appropriate to file a petition pursuant to this section.

~~(b)~~ The court's assessment of whether a parent who is incarcerated maintains a meaningful role in the child's life may include consideration of the following:

~~(i)~~ The parent's expressions or acts of manifesting concern for the child, such as letters, telephone calls, visits, and other forms of communication with the child;

~~(ii)~~ The parent's efforts to communicate and work with the department or supervising agency or other individuals for the purpose of complying with the service plan and repairing, maintaining, or building the parent-child relationship;

~~(iii)~~ A positive response by the parent to the reasonable efforts of the department or the supervising agency;

~~(iv)~~ Information provided by individuals or agencies in a reasonable position to assist the court in making this assessment, including but not limited to the parent's attorney, correctional and mental health personnel, or other individuals providing services to the parent;

~~(v)~~ Limitations in the parent's access to family support programs, therapeutic services, and visiting opportunities, restrictions to telephone and mail services, inability to participate in foster care planning meetings, and difficulty accessing lawyers and participating meaningfully in court proceedings; and

~~(vi)~~ Whether the continued involvement of the parent in the child's life is in the child's best interest.

~~(c)~~ The constraints of a parent's current or prior incarceration and associated delays or barriers to accessing court-mandated services may be considered in rebuttal to a claim of aggravated circumstances under RCW 13.34.132(4)(g) for a parent's failure to complete available treatment.

~~((e))~~ (5)(a) If the permanency plan identifies independent living as a goal, the court at the permanency planning hearing shall make a finding that the provision of services to assist the child in making a transition from foster care to independent living will allow the child to manage his or her financial, personal, social, educational, and nonfinancial affairs prior to approving independent living as a permanency plan of care. The court will inquire whether the child has been provided information about extended foster care services.

~~((ii))~~ (b) The permanency plan shall also specifically identify the services, including extended foster care services, where appropriate, that will be provided to assist the child to make a successful transition from foster care to independent living.

~~((iii))~~ (c) The department or supervising agency shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW.

~~((d))~~ (6) If the child has resided in the home of a foster parent or relative for more than six months prior to the permanency planning hearing, the court shall:

~~((#))~~ (a) Enter a finding regarding whether the foster parent or relative was informed of the hearing as required in RCW 74.13.280, 13.34.215(6), and 13.34.096; and

~~((#))~~ (b) If the department or supervising agency is recommending a placement other than the child's current placement with a foster parent, relative, or other suitable person, enter a finding as to the reasons for the recommendation for a change in placement.

~~((#))~~ (7) In all cases, at the permanency planning hearing, the court shall:

(a)(i) Order the permanency plan prepared by the supervising agency to be implemented; or
(ii) Modify the permanency plan, and order implementation of the modified plan; and

(b)(i) Order the child returned home only if the court finds that a reason for removal as set forth in RCW 13.34.130 no longer exists; or

(ii) Order the child to remain in out-of-home care for a limited specified time period while efforts are made to implement the permanency plan.

~~((#))~~ (8) Following the first permanency planning hearing, the court shall hold a further permanency planning hearing in accordance with this section at least once every twelve months until a permanency planning goal is achieved or the dependency is dismissed, whichever occurs first.

~~((#))~~ (9) Prior to the second permanency planning hearing, the agency that has custody of the child shall consider whether to file a petition for termination of parental rights.

~~((#))~~ (10) If the court orders the child returned home, casework supervision by the department or supervising agency shall continue for at least six months, at which time a review hearing shall be held pursuant to RCW 13.34.138, and the court shall determine the need for continued intervention.

~~((#))~~ (11) The juvenile court may hear a petition for permanent legal custody when: (a) The court has ordered implementation of a permanency plan that includes permanent legal custody; and (b) the party pursuing the permanent legal custody is the party identified in the permanency plan as the prospective legal custodian. During the pendency of such proceeding, the court shall conduct review hearings and further permanency planning hearings as provided in this chapter. At the conclusion of the legal guardianship or permanent legal custody proceeding, a juvenile court hearing shall be held for the purpose of determining whether dependency should be dismissed. If a guardianship or permanent custody order has been entered, the dependency shall be dismissed.

~~((#))~~ (12) Continued juvenile court jurisdiction under this chapter shall not be a barrier to the entry of an order establishing a legal guardianship or permanent legal custody when the requirements of subsection ~~((#))~~ (11) of this section are met.

~~((#))~~ (13) Nothing in this chapter may be construed to limit the ability of the agency that has custody of the child to file a petition for termination of parental rights or a guardianship petition at any time following the establishment of dependency. Upon the filing of such a petition, a fact-finding hearing shall be scheduled and held in accordance with this chapter unless the department or supervising agency requests dismissal of the petition prior to the hearing or unless the parties enter an agreed order terminating parental rights, establishing guardianship, or otherwise resolving the matter.

~~((#))~~ (14) The approval of a permanency plan that does not contemplate return of the child to the parent does not relieve the supervising agency of its obligation to provide reasonable services, under this chapter, intended to effectuate the return of the child to the parent, including but not limited to, visitation rights. The court shall consider the child's relationships with siblings in accordance with RCW 13.34.130.

~~((#))~~ (15) Nothing in this chapter may be construed to limit the procedural due process rights of any party in a termination or guardianship proceeding filed under this chapter.

Sec. 4. RCW 13.34.180 and 2009 c 520 s 34 and 2009 c 477 s 5 are each reenacted and amended to read as follows:

(1) A petition seeking termination of a parent and child relationship may be filed in juvenile court by any party, including the supervising agency, to the dependency proceedings concerning that child. Such petition shall conform to the requirements of RCW 13.34.040, shall be served upon the parties as provided in RCW 13.34.070(8), and shall allege all of the following unless subsection ~~((#))~~ (3) or (4) of this section applies:

(a) That the child has been found to be a dependent child;

(b) That the court has entered a dispositional order pursuant to RCW 13.34.130;

(c) That the child has been removed or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency;

(d) That the services ordered under RCW 13.34.136 have been expressly and understandably offered or provided and all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been expressly and understandably offered or provided;

(e) That there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. A parent's failure to substantially improve parental deficiencies within twelve months following entry of the dispositional order shall give rise to a rebuttable presumption that there is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future. The presumption shall not arise unless the petitioner makes a showing that all necessary services reasonably capable of correcting the parental deficiencies within the foreseeable future have been clearly offered or provided. In determining whether the conditions will be remedied the court may consider, but is not limited to, the following factors:

(i) Use of intoxicating or controlled substances so as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documented multiple failed treatment attempts;

(ii) Psychological incapacity or mental deficiency of the parent that is so severe and chronic as to render the parent incapable of providing proper care for the child for extended periods of time or for periods of time that present a risk of imminent harm to the child, and documented unwillingness of the parent to receive and complete treatment or documentation that there is no treatment that can render the parent capable of providing proper care for the child in the near future; or

(iii) Failure of the parent to have contact with the child for an extended period of time after the filing of the dependency petition if the parent was provided an opportunity to have a relationship with the child by the department or the court and received documented notice of the potential consequences of this failure, except that the actual inability of a parent to have visitation with the child including, but not limited to, mitigating circumstances such as a parent's current or prior incarceration or service in the military does not in and of itself constitute failure to have contact with the child; and

(f) That continuation of the parent and child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home. If the parent is incarcerated, the court shall consider whether a parent maintains a meaningful role in his or her child's life based on factors identified in RCW 13.34.145(4)(b); whether the department or supervising agency made reasonable efforts as defined in this chapter; and whether particular barriers existed as described in RCW 13.34.145(4)(b) including, but not limited to, delays or barriers experienced in keeping the agency apprised of his or her location and in accessing visitation or other meaningful contact with the child.

(2) As evidence of rebuttal to any presumption established

pursuant to subsection (1)(e) of this section, the court may consider the particular constraints of a parent's current or prior incarceration. Such evidence may include, but is not limited to, delays or barriers a parent may experience in keeping the agency apprised of his or her location and in accessing visitation or other meaningful contact with the child.

(3) In lieu of the allegations in subsection (1) of this section, the petition may allege that the child was found under such circumstances that the whereabouts of the child's parent are unknown and no person has acknowledged paternity or maternity and requested custody of the child within two months after the child was found.

~~((3))~~ (4) In lieu of the allegations in subsection (1)(b) through (f) of this section, the petition may allege that the parent has been convicted of:

(a) Murder in the first degree, murder in the second degree, or homicide by abuse as defined in chapter 9A.32 RCW against another child of the parent;

(b) Manslaughter in the first degree or manslaughter in the second degree, as defined in chapter 9A.32 RCW against another child of the parent;

(c) Attempting, conspiring, or soliciting another to commit one or more of the crimes listed in (a) or (b) of this subsection; or

(d) Assault in the first or second degree, as defined in chapter 9A.36 RCW, against the surviving child or another child of the parent.

~~((4))~~ (5) When a parent has been sentenced to a long-term incarceration and has maintained a meaningful role in the child's life considering the factors provided in RCW 13.34.145(4)(b), and it is in the best interest of the child, the department should consider a permanent placement that allows the parent to maintain a relationship with his or her child, such as, but not limited to, a guardianship pursuant to chapter 13.36 RCW.

(6) Notice of rights shall be served upon the parent, guardian, or legal custodian with the petition and shall be in substantially the following form:

"NOTICE

A petition for termination of parental rights has been filed against you. You have important legal rights and you must take steps to protect your interests.

This petition could result in permanent loss of your parental rights.

1. You have the right to a fact-finding hearing before a judge.

2. You have the right to have a lawyer represent you at the hearing. A lawyer can look at the files in your case, talk to the department of social and health services or the supervising agency and other agencies, tell you about the law, help you understand your rights, and help you at hearings. If

you cannot afford a lawyer, the court will appoint one to represent you. To get a court-appointed lawyer you must contact: (explain local procedure).

3. At the hearing, you have the right to speak on your own behalf, to introduce evidence, to examine witnesses, and to receive a decision based solely on the evidence presented to the judge.

You should be present at this hearing.

You may call (insert agency) for more information about your child. The agency's name and telephone number are (insert name and telephone number).

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the rights of parents who are incarcerated; amending RCW 13.34.067, 13.34.136, and 13.34.145; and reenacting and amending RCW 13.34.180."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1284 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Roberts and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1284, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1284, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert,

Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1284, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 11, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1334 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.04.330 and 2009 c 275 s 2 are each amended to read as follows:

"Motorcycle" means a motor vehicle designed to travel on not more than three wheels (~~(in contact with the ground)~~), not including any stabilizing conversion kits, on which the driver:

(1) Rides on a seat or saddle and the motor vehicle is designed to be steered with a handlebar; or

(2) Rides on a seat in a partially or completely enclosed seating area that is equipped with safety belts and the motor vehicle is designed to be steered with a steering wheel.

"Motorcycle" excludes a farm tractor, a power wheelchair, an electric personal assistive mobility device, a motorized foot scooter, an electric-assisted bicycle, and a moped.

Sec. 2. RCW 46.20.500 and 2009 c 275 s 4 are each amended to read as follows:

(1) No person may drive either a two-wheeled or a three-wheeled motorcycle, or a motor-driven cycle unless such person has a valid driver's license specially endorsed by the director to enable the holder to drive such vehicles.

(2) However, a person sixteen years of age or older, holding a valid driver's license of any class issued by the state of the person's residence, may operate a moped without taking any special examination for the operation of a moped.

(3) No driver's license is required for operation of an electric-assisted bicycle if the operator is at least sixteen years of age. Persons under sixteen years of age may not operate an electric-assisted bicycle.

(4) No driver's license is required to operate an electric personal assistive mobility device or a power wheelchair.

(5) No driver's license is required to operate a motorized foot scooter. Motorized foot scooters may not be operated at any time from a half hour after sunset to a half hour before sunrise without reflectors of a type approved by the state patrol.

(6) A person holding a valid driver's license may operate a motorcycle as defined under RCW 46.04.330(2) without a motorcycle endorsement.

(7) A person operating a motorcycle with a stabilizing conversion kit must have a valid driver's license specially endorsed by the director for a three-wheeled motorcycle to enable the holder to operate such a motorcycle.

Sec. 3. RCW 46.81A.010 and 2003 c 353 s 11 and 2003 c 41 s 4 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Motorcycle skills education program" means a motorcycle rider skills training program to be administered by the department.

(2) "Department" means the department of licensing.

(3) "Director" means the director of licensing.

(4) "Motorcycle" (~~(means a motor vehicle designed to travel on not more than three wheels in contact with the ground, on which the driver rides astride the motor unit or power train and is designed to be steered with a handlebar, but excluding farm tractors, electric personal assistive mobility devices, mopeds, motorized foot scooters, motorized bicycles,))~~ has the same meaning as provided in RCW 46.04.330 and excludes off-road motorcycles."

On page 1, line 1 of the title, after "motorcycles;" strike the remainder of the title and insert "amending RCW 46.04.330 and 46.20.500; and reenacting and amending RCW 46.81A.010."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1334 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Shea and Fey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1334, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1334, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1334, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) According to the state department of health, suicide is the second leading cause of death for Washington youth between the ages of ten and twenty-four. Suicide rates among Washington youth remain higher than that national average;

(b) An increasing body of research shows an association between adverse childhood experiences such as trauma, violence, or abuse, and school performance. Children and teens spend a significant amount of time in school. Teachers and other school staff who interact with students daily are in a prime position to recognize the signs of emotional or behavioral distress and make appropriate referrals. School personnel need effective training to help build the skills and confidence to assist youth in seeking help;

(c) Educators are not necessarily trained to address significant social, emotional, or behavioral issues exhibited by youth. Rather, best practices guidelines suggest that school districts should form partnerships with qualified health, mental health, and social services agencies to provide support; and

(d) Current safe school plans prepared by school districts tend to focus more on natural disasters and external threats and less on how to recognize and respond to potential crises among the students inside the school.

(2) Therefore, the legislature intends to increase the capacity for school districts to recognize and respond to youth in need through additional training, more comprehensive planning, and emphasis on partnerships between schools and communities.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.410 RCW to read as follows:

(1) As provided under subsections (2) and (3) of this section, individuals certified by the professional educator standards board as a school nurse, school social worker, school psychologist, or school counselor must complete a training program on youth suicide screening and referral as a condition of certification. The training program must be at least three hours in length. The professional educator standards board must adopt standards for the minimum content of the training in consultation with the office of the superintendent of public instruction and the department of health. In developing the standards, the board must consider training programs listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(2) This section applies to the following certificates if the certificate is first issued or is renewed on or after July 1, 2015:

(a) Continuing certificates for school nurses;

(b) Continuing certificates for school social workers;

(c) Continuing and professional certificates for school psychologists; and

(d) Continuing and professional certificates for school counselors.

(3) A school counselor who holds or submits a school counseling certificate from the national board for professional teaching standards or a school psychologist who holds or submits a school psychologist certificate from the national association of school psychologists in lieu of a professional certificate must complete the training program under subsection (1) of this section by July 1, 2015, or within the five-year period before the certificate is first submitted to the professional educator standards board, whichever is later, and at least once every five years thereafter in order to be considered certified by the professional educator standards board.

(4) The professional educator standards board shall consider the training program under subsection (1) of this section as approved continuing education under RCW 28A.415.020 and shall count the training program toward meeting continuing education requirements

for certification as a school nurse, school social worker, school psychologist, or school counselor.

Sec. 3. RCW 28A.410.035 and 1990 c 90 s 1 are each amended to read as follows:

(1) To receive initial certification as a teacher in this state after August 31, 1991, an applicant shall have successfully completed a course on issues of abuse. The content of the course shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(2) The professional educator standards board shall incorporate into the content required for the course under this section, knowledge and skill standards pertaining to recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. To receive initial certification after August 31, 2014, an applicant must have successfully completed a course that includes the content of this subsection. The board shall consult with the office of the superintendent of public instruction and the department of health in developing the standards.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Beginning in the 2014-15 school year, each school district must adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. The school district must annually provide the plan to all district staff.

(2) At a minimum the plan must address:

(a) Identification of training opportunities in recognition, screening, and referral that may be available for staff;

(b) How to use the expertise of district staff who have been trained in recognition, screening, and referral;

(c) How staff should respond to suspicions, concerns, or warning signs of emotional or behavioral distress in students;

(d) Identification and development of partnerships with community organizations and agencies for referral of students to health, mental health, substance abuse, and social support services, including development of at least one memorandum of understanding between the district and such an entity in the community or region;

(e) Protocols and procedures for communication with parents;

(f) How staff should respond to a crisis situation where a student is in imminent danger to himself or herself or others; and

(g) How the district will provide support to students and staff after an incident of violence or youth suicide.

(3) The plan under this section may be a separate plan or a component of another district plan or policy, such as the harassment, intimidation, and bullying prevention policy under RCW 28A.300.2851 or the comprehensive safe school plan required under RCW 28A.320.125.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.320 RCW to read as follows:

The office of the superintendent of public instruction and the school safety advisory committee shall develop a model school district plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. The model plan must incorporate research-based best practices, including practices and protocols used in schools and school districts in other states. The model plan must be posted by February 1, 2014, on the school safety center web site, along with relevant resources and information to support school districts in developing and implementing the plan required under section 4 of this act.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.310 RCW to read as follows:

Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

NEW SECTION. Sec. 7. The office of the superintendent of public instruction shall convene a temporary task force to identify best practices, model programs, and successful strategies for school districts to form partnerships with qualified health, mental health, and social services agencies in the community to coordinate and improve support for youth in need. The task force shall identify and develop resource documents to be posted on the school safety center web site, and submit a report with recommendations to the education committees of the legislature by December 1, 2013. The task force shall also explore the potential use of advance online youth emotional health and crisis response systems that have been developed for use in other countries. The task force must include the results of the review in its December 1st report.

NEW SECTION. Sec. 8. (1) The legislature finds that a lack of information about mental health problems among the general public leads to stigmatizing attitudes and prevents people from seeking help early and seeking the best sort of help. It also prevents people from providing support to family members, friends, and colleagues because they might not know what to do. This lack of knowledge about mental health problems limits the initial accessibility of evidence-based treatments and leads to a lack of support for people with a mental disorder from family, friends, and other members of the community.

(2) The focus on training for teachers and educational staff is intended to provide opportunities for early intervention when the first signs of developing mental illness may be recognized in children, teens, and young adults, so that appropriate referrals may be made to evidence-based behavioral health services.

NEW SECTION. Sec. 9. A new section is added to chapter 71.24 RCW to read as follows:

Subject to appropriation for this specific purpose, the department shall provide funds for mental health first-aid training targeted at teachers and educational staff. The training will follow the model developed by the department of psychology in Melbourne, Australia. Instruction provided will describe common mental disorders that arise in youth, their possible causes and risk factors, the availability of evidence-based medical, psychological, and alternative treatments, processes for making referrals for behavioral health services, and methods to effectively render assistance in both initial intervention and crisis situations. The department shall collaborate with the office of the superintendent of public instruction to identify sites and methods of instruction that leverage local resources to the extent possible for the purpose of making the mental health first-aid training broadly available.

NEW SECTION. Sec. 10. This act does not create any civil liability on the part of the state or any state agency, officer, employee, agent, political subdivision, or school district."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 28A.410.035; adding a new section to chapter 28A.410 RCW; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW;

adding a new section to chapter 71.24 RCW; and creating new sections."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1336, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1336, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that persons convicted and imprisoned for crimes they did not commit have been uniquely victimized. Having suffered tremendous injustice by being stripped of their lives and liberty, they are forced to endure imprisonment and are later stigmatized as felons. A majority of those wrongly convicted in Washington state have no remedy available under the law for the destruction of their personal lives resulting from

errors in our criminal justice system. The legislature intends to provide an avenue for those who have been wrongly convicted in Washington state to redress the lost years of their lives, and help to address the unique challenges faced by the wrongly convicted after exoneration.

NEW SECTION. Sec. 2. (1) Any person convicted in superior court and subsequently imprisoned for one or more felonies of which he or she is actually innocent may file a claim for compensation against the state.

(2) For purposes of this chapter, a person is:

(a) "Actually innocent" of a felony if he or she did not engage in any illegal conduct alleged in the charging documents; and

(b) "Wrongly convicted" if he or she was charged, convicted, and imprisoned for one or more felonies of which he or she is actually innocent.

(3)(a) If the person entitled to file a claim under subsection (1) of this section is incapacitated and incapable of filing the claim, or if he or she is a minor, or is a nonresident of the state, the claim may be filed on behalf of the claimant by an authorized agent.

(b) A claim filed under this chapter survives to the personal representative of the claimant as provided in RCW 4.20.046.

NEW SECTION. Sec. 3. (1) All claims under this chapter must be filed in superior court. The venue for such actions is governed by RCW 4.12.020.

(2) Service of the summons and complaint is governed by RCW 4.28.080.

NEW SECTION. Sec. 4. (1) In order to file an actionable claim for compensation under this chapter, the claimant must establish by documentary evidence that:

(a) The claimant has been convicted of one or more felonies in superior court and subsequently sentenced to a term of imprisonment, and has served all or part of the sentence;

(b)(i) The claimant is not currently incarcerated for any offense; and

(ii) During the period of confinement for which the claimant is seeking compensation, the claimant was not serving a term of imprisonment or a concurrent sentence for any crime other than the felony or felonies that are the basis for the claim;

(c)(i) The claimant has been pardoned on grounds consistent with innocence for the felony or felonies that are the basis for the claim; or

(ii) The claimant's judgment of conviction was reversed or vacated and the charging document dismissed on the basis of significant new exculpatory information or, if a new trial was ordered pursuant to the presentation of significant new exculpatory information, either the claimant was found not guilty at the new trial or the claimant was not retried and the charging document dismissed; and

(d) The claim is not time barred by section 9 of this act.

(2) In addition to the requirements in subsection (1) of this section, the claimant must state facts in sufficient detail for the finder of fact to determine that:

(a) The claimant did not engage in any illegal conduct alleged in the charging documents; and

(b) The claimant did not commit or suborn perjury, or fabricate evidence to cause or bring about the conviction. A guilty plea to a crime the claimant did not commit, or a confession that is later determined by a court to be false, does not automatically constitute perjury or fabricated evidence under this subsection.

(3) Convictions vacated, overturned, or subject to resentencing pursuant to *In re: Personal Detention of Andress*, 147 Wn.2d 602 (2002) may not serve as the basis for a claim under this chapter unless the claimant otherwise satisfies the qualifying criteria set forth in section 2 of this act and this section.

(4) The claimant must verify the claim unless he or she is incapacitated, in which case the personal representative or agent filing on behalf of the claimant must verify the claim.

(5) If the attorney general concedes that the claimant was wrongly convicted, the court must award compensation as provided in section 6 of this act.

(6)(a) If the attorney general does not concede that the claimant was wrongly convicted and the court finds after reading the claim that the claimant does not meet the filing criteria set forth in this section, it may dismiss the claim, either on its own motion or on the motion of the attorney general.

(b) If the court dismisses the claim, the court must set forth the reasons for its decision in written findings of fact and conclusions of law.

NEW SECTION. Sec. 5. Any party is entitled to the rights of appeal afforded parties in a civil action following a decision on such motions. In the case of dismissal of a claim, review of the superior court action is de novo.

NEW SECTION. Sec. 6. (1) In order to obtain a judgment in his or her favor, the claimant must show by clear and convincing evidence that:

(a) The claimant was convicted of one or more felonies in superior court and subsequently sentenced to a term of imprisonment, and has served all or any part of the sentence;

(b)(i) The claimant is not currently incarcerated for any offense; and

(ii) During the period of confinement for which the claimant is seeking compensation, the claimant was not serving a term of imprisonment or a concurrent sentence for any conviction other than those that are the basis for the claim;

(c)(i) The claimant has been pardoned on grounds consistent with innocence for the felony or felonies that are the basis for the claim; or

(ii) The claimant's judgment of conviction was reversed or vacated and the charging document dismissed on the basis of significant new exculpatory information or, if a new trial was ordered pursuant to the presentation of significant new exculpatory information, either the claimant was found not guilty at the new trial or the claimant was not retried and the charging document dismissed;

(d) The claimant did not engage in any illegal conduct alleged in the charging documents; and

(e) The claimant did not commit or suborn perjury, or fabricate evidence to cause or bring about his or her conviction. A guilty plea to a crime the claimant did not commit, or a confession that is later determined by a court to be false, does not automatically constitute perjury or fabricated evidence under this subsection.

(2) Any pardon or proclamation issued to the claimant must be certified by the officer having lawful custody of the pardon or proclamation, and be affixed with the seal of the office of the governor, or with the official certificate of such officer before it may be offered as evidence.

(3) In exercising its discretion regarding the weight and admissibility of evidence, the court must give due consideration to difficulties of proof caused by the passage of time or by release of evidence pursuant to a plea, the death or unavailability of witnesses, the destruction of evidence, or other factors not caused by the parties.

(4) The claimant may not be compensated for any period of time in which he or she was serving a term of imprisonment or a concurrent sentence for any conviction other than the felony or felonies that are the basis for the claim.

(5) If the jury or, in the case where the right to a jury is waived, the court finds by clear and convincing evidence that the claimant was wrongly convicted, the court must order the state to pay the actually innocent claimant the following compensation award, as adjusted for partial years served and to account for inflation from the effective date of this section:

(a) Fifty thousand dollars for each year of actual confinement including time spent awaiting trial and an additional fifty thousand dollars for each year served under a sentence of death pursuant to chapter 10.95 RCW;

(b) Twenty-five thousand dollars for each year served on parole, community custody, or as a registered sex offender pursuant only to the felony or felonies which are grounds for the claim;

(c) Compensation for child support payments owed by the claimant that became due and interest on child support arrearages that accrued while the claimant was in custody on the felony or felonies that are grounds for the compensation claim. The funds must be paid on the claimant's behalf in a lump sum payment to the department of social and health services for disbursement under Title 26 RCW;

(d) Reimbursement for all restitution, assessments, fees, court costs, and all other sums paid by the claimant as required by pretrial orders and the judgment and sentence; and

(e) Attorneys' fees for successfully bringing the wrongful conviction claim calculated at ten percent of the monetary damages awarded under subsection (5)(a) and (b) of this section, plus expenses. However, attorneys' fees and expenses may not exceed seventy-five thousand dollars. These fees may not be deducted from the compensation award due to the claimant and counsel is not entitled to receive additional fees from the client related to the claim. The court may not award any attorneys' fees to the claimant if the claimant fails to prove he or she was wrongly convicted.

(6) The compensation award may not include any punitive damages.

(7) The court may not offset the compensation award by any expenses incurred by the state, the county, or any political subdivision of the state including, but not limited to, expenses incurred to secure the claimant's custody, or to feed, clothe, or provide medical services for the claimant. The court may not offset against the compensation award the value of any services or reduction in fees for services to be provided to the claimant as part of the award under this section.

(8) The compensation award is not income for tax purposes, except attorneys' fees awarded under subsection (5)(e) of this section.

(9)(a) Upon finding that the claimant was wrongly convicted, the court must seal the claimant's record of conviction.

(b) Upon request of the claimant, the court may order the claimant's record of conviction vacated if the record has not already been vacated, expunged, or destroyed under court rules. The requirements for vacating records under RCW 9.94A.640 do not apply.

(10) Upon request of the claimant, the court must refer the claimant to the department of corrections or the department of social and health services for access to reentry services, if available, including but not limited to counseling on the ability to enter into a structured settlement agreement and where to obtain free or low-cost legal and financial advice if the claimant is not already represented, the community-based transition programs and long-term support programs for education, mentoring, life skills training, assessment, job skills development, mental health and substance abuse treatment.

(11) The claimant or the attorney general may initiate and agree to a claim with a structured settlement for the compensation awarded under subsection (5) of this section. During negotiation of the structured settlement agreement, the claimant must be given adequate time to consult with the legal and financial advisor of his or her choice. Any structured settlement agreement binds the parties with regard to all compensation awarded. A structured settlement agreement entered into under this section must be in writing and signed by the parties or their representatives and must clearly state that the parties understand and agree to the terms of the agreement.

(12) Before approving any structured settlement agreement, the court must ensure that the claimant has an adequate understanding of the agreement. The court may approve the agreement only if the judge finds that the agreement is in the best interest of the claimant and actuarially equivalent to the lump sum compensation award under subsection (5) of this section before taxation. When determining whether the agreement is in the best interest of the claimant, the court must consider the following factors:

(a) The age and life expectancy of the claimant;

(b) The marital or domestic partnership status of the claimant; and

(c) The number and age of the claimant's dependants.

NEW SECTION. Sec. 7. (1) On or after the effective date of this section, when a court grants judicial relief, such as reversal and vacation of a person's conviction, consistent with the criteria established in section 4 of this act, the court must provide to the claimant a copy of sections 2 through 12 of this act at the time the relief is granted.

(2) The clemency and pardons board or the indeterminate sentence review board, whichever is applicable, upon issuance of a pardon by the governor on grounds consistent with innocence on or after the effective date of this section, must provide a copy of sections 2 through 12 of this act to the individual pardoned.

(3) If an individual entitled to receive the information required under this section shows that he or she was not provided with the information, he or she has an additional twelve months, beyond the statute of limitations under section 9 of this act, to bring a claim under this chapter.

NEW SECTION. Sec. 8. (1) It is the intent of the legislature that the remedies and compensation provided under this chapter shall be exclusive to all other remedies at law and in equity against the state or any political subdivision of the state. As a requirement to making a request for relief under this chapter, the claimant waives any and all other remedies, causes of action, and other forms of relief or compensation against the state, any political subdivision of the state, and their officers, employees, agents, and volunteers related to the claimant's wrongful conviction and imprisonment. This waiver shall also include all state, common law, and federal claims for relief, including claims pursuant to 42 U.S.C. Sec. 1983. A wrongfully convicted person who elects not to pursue a claim for compensation pursuant to this chapter shall not be precluded from seeking relief through any other existing remedy. The claimant must execute a legal release prior to the payment of any compensation under this chapter. If the release is held invalid for any reason and the claimant is awarded compensation under this chapter and receives a tort award related to his or her wrongful conviction and incarceration, the claimant must reimburse the state for the lesser of:

(a) The amount of the compensation award, excluding the portion awarded pursuant to section 6(5) (c) through (e) of this act; or

(b) The amount received by the claimant under the tort award.

(2) A release dismissal agreement, plea agreement, or any similar agreement whereby a prosecutor's office or an agent acting on its behalf agrees to take or refrain from certain action if the accused individual agrees to forgo legal action against the county, the state of Washington, or any political subdivision, is admissible and should be evaluated in light of all the evidence. However, any such agreement is not dispositive of the question of whether the claimant was wrongly convicted or entitled to compensation under this chapter.

NEW SECTION. Sec. 9. Except as provided in section 7 of this act, an action for compensation under this chapter must be commenced within three years after the grant of a pardon, the grant of judicial relief and satisfaction of other conditions described in section 2 of this act, or release from custody, whichever is later. However, any action by the state challenging or appealing the grant of judicial relief or release from custody tolls the three-year period. Any persons meeting the criteria set forth in section 2 of this act who was wrongly convicted before the effective date of this section may commence an action under this chapter within three years after the effective date of this section.

NEW SECTION. Sec. 10. All payments by the state under this chapter shall be paid from the liability account established under RCW 4.92.130.

NEW SECTION. Sec. 11. A new section is added to chapter 28B.15 RCW to read as follows:

(1) Subject to the conditions in subsection (2) of this section and the limitations in RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community colleges, must waive all tuition and fees for the following persons:

(a) A wrongly convicted person; and

(b) Any child or stepchild of a wrongly convicted person who was born or became the stepchild of, or was adopted by, the wrongly convicted person before compensation is awarded under section 6 of this act.

(2) The following conditions apply to waivers under subsection (1) of this section:

(a) A wrongly convicted person must be a Washington domiciliary to be eligible for the tuition waiver.

(b) A child must be a Washington domiciliary ages seventeen through twenty-six years to be eligible for the tuition waiver. A child's marital status does not affect eligibility.

(c) Each recipient's continued participation is subject to the school's satisfactory progress policy.

(d) Tuition waivers for graduate students are not required for those who qualify under subsection (1) of this section but are encouraged.

(e) Recipients who receive a waiver under subsection (1) of this section may attend full time or part time. Total credits earned using the waiver may not exceed two hundred quarter credits, or the equivalent of semester credits.

(3) Private vocational schools and private higher education institutions are encouraged to provide waivers consistent with the terms of this section.

(4) For the purposes of this section:

(a) "Child" means a biological child, stepchild, or adopted child who was born of, became the stepchild of, or was adopted by a wrongly convicted person before compensation is awarded under section 6 of this act.

(b) "Fees" includes all assessments for costs incurred as a condition to a student's full participation in coursework and related activities at an institution of higher education.

(c) "Washington domiciliary" means a person whose true, fixed, and permanent house and place of habitation is the state of Washington. In ascertaining whether a wrongly convicted person or child is domiciled in the state of Washington, public institutions of higher education must, to the fullest extent possible, rely upon the standards provided in RCW 28B.15.013.

(d) "Wrongly convicted person" means a Washington domiciliary who was awarded damages under section 6 of this act.

NEW SECTION. Sec. 12. A new section is added to chapter 72.09 RCW to read as follows:

When a court refers a person to the department under section 6 of this act as part of the person's award in a wrongful conviction claim, the department must provide reasonable access to existing reentry programs and services. Nothing in this section requires the department to establish new reentry programs or services.

Sec. 13. RCW 4.92.130 and 2011 1st sp.s. c 43 s 513 are each amended to read as follows:

A liability account in the custody of the treasurer is hereby created as a nonappropriated account to be used solely and exclusively for the payment of liability settlements and judgments against the state under 42 U.S.C. Sec. 1981 et seq. or for the tortious conduct of its officers, employees, and volunteers and all related legal defense costs.

(1) The purpose of the liability account is to: (a) Expediently pay legal liabilities and defense costs of the state resulting from tortious conduct; (b) promote risk control through a cost allocation system which recognizes agency loss experience, levels of self-retention, and levels of risk exposure, including the payment of compensation awarded by a court under section 6 of this act; and (c)

establish an actuarially sound system to pay incurred losses, within defined limits.

(2) The liability account shall be used to pay claims for injury and property damages and legal defense costs exclusive of agency-retained expenses otherwise budgeted.

(3) No money shall be paid from the liability account, except for defense costs, unless all proceeds available to the claimant from any valid and collectible liability insurance shall have been exhausted and unless:

(a) The claim shall have been reduced to final judgment in a court of competent jurisdiction; or

(b) The claim has been approved for payment.

(4) The liability account shall be financed through annual premiums assessed to state agencies, based on sound actuarial principles, and shall be for liability coverage in excess of agency-budgeted self-retention levels.

(5) Annual premium levels shall be determined by the risk manager. An actuarial study shall be conducted to assist in determining the appropriate level of funding.

(6) Disbursements for claims from the liability account shall be made to the claimant, or to the clerk of the court for judgments, upon written request to the state treasurer from the risk manager.

(7) The director may direct agencies to transfer moneys from other funds and accounts to the liability account if premiums are delinquent.

(8) The liability account shall not exceed fifty percent of the actuarial value of the outstanding liability as determined annually by the office of risk management. If the account exceeds the maximum amount specified in this section, premiums may be adjusted by the office of risk management in order to maintain the account balance at the maximum limits. If, after adjustment of premiums, the account balance remains above the limits specified, the excess amount shall be prorated back to the appropriate funds.

(9) The payment of compensation for wrongful conviction awarded by a court under section 6 of this act does not constitute a finding that the wrongful conviction resulted from tortious conduct by the officers or employees of the state or the political subdivisions, municipal corporations, and quasi-municipal corporations of the state.

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 15. Sections 1 through 10 of this act constitute a new chapter in Title 4 RCW."

On page 1, line 2 of the title, after "imprisonment;" strike the remainder of the title and insert "amending RCW 4.92.130; adding a new section to chapter 28B.15 RCW; adding a new section to chapter 72.09 RCW; and adding a new chapter to Title 4 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1341, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1341, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1341.

Representative Hargrove, 47th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1341.

Representative Klippert, 8th District

THIRD READING

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1416 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 87.03 RCW to read as follows:

Any local improvement district bonds, and interest thereon, issued against a bond redemption fund of a local improvement district pursuant to RCW 87.03.485 shall be a valid claim of the owner thereof only as against the local improvement guarantee fund, the local improvement district redemption fund, and the assessments or revenues pledged to such fund or funds and do not constitute a general indebtedness against the issuing irrigation district unless the board of directors by resolution expressly provides for a pledge of general indebtedness. Except where the board provides for a pledge of general indebtedness, each such bond must state upon its face that

it is payable from the local improvement district redemption fund and the local improvement guarantee fund only.

Sec. 2. RCW 84.34.310 and 1999 c 153 s 71 are each amended to read as follows:

As used in RCW 84.34.300 through 84.34.380, unless a different meaning is required, the words defined in this section shall have the meanings indicated.

(1) "Farm and agricultural land" shall mean the same as defined in RCW 84.34.020(2).

(2) "Timber land" shall mean the same as defined in RCW 84.34.020(3).

(3) "Local government" shall mean any city, town, county, water-sewer district, public utility district, port district, ~~((irrigation district,))~~ flood control district, or any other municipal corporation, quasi-municipal corporation, or other political subdivision authorized to levy special benefit assessments for sanitary and/or storm sewerage systems, domestic water supply and/or distribution systems, or road construction or improvement purposes. "Local government" does not include an irrigation district with respect to any local improvement district created or local improvement assessment levied by that irrigation district.

(4) "Local improvement district" shall mean any local improvement district, utility local improvement district, local utility district, road improvement district, or any similar unit created by a local government for the purpose of levying special benefit assessments against property specially benefited by improvements relating to such districts.

(5) "Owner" shall mean the same as defined in RCW 84.34.020(5) or the applicable statutes relating to special benefit assessments.

(6) The term "average rate of inflation" shall mean the annual rate of inflation as determined by the department of revenue averaged over the period of time as provided in RCW 84.34.330 (1) and (2). Such determination shall be published not later than January 1 of each year for use in that assessment year.

(7) "Special benefit assessments" shall mean special assessments levied or capable of being levied in any local improvement district or otherwise levied or capable of being levied by a local government to pay for all or part of the costs of a local improvement and which may be levied only for the special benefits to be realized by property by reason of that local improvement.

Sec. 3. RCW 87.03.480 and 1959 c 75 s 9 are each amended to read as follows:

Any desired special construction, reconstruction, betterment or improvement or purchase or acquisition of improvements already constructed, for any authorized district service, including but not limited to the safeguarding of open canals or ditches for the protection of the public therefrom, which are for the special benefit of the lands tributary thereto and within an irrigation district may be constructed or acquired and provision made to meet the cost thereof as follows:

The holders of title or evidence of title to one-quarter of the acreage proposed to be assessed, may file with the district board their petition reciting the nature and general plan of the desired improvement and specifying the lands proposed to be specially assessed therefor. ~~((The petition shall be accompanied by a bond in the sum of one hundred dollars with surety to be approved by the board, conditioned that the petitioners will pay the cost of an investigation of the project and of the hearing thereon if it is not established. The board may at any time require a bond in an additional sum.))~~ A local improvement district may include adjoining, vicinal, or neighboring improvements even though the improvements and the properties benefited are not connected or continuous. Such improvements may be owned by the United States, the state of Washington, the irrigation district, or another local government. Upon approval of the board of an adjoining irrigation district, an irrigation district may form local improvement districts or

utility local improvement districts that are composed entirely or in part of territory within that adjoining district. Upon the filing of the petition the board, with the assistance of a competent engineer, shall make an investigation of the feasibility, cost, and need of the proposed local improvement together with the ability of the lands to pay the cost, and if it appears feasible, they ~~((shall))~~ may elect to have plans and an estimate of the cost prepared. If a protest against the establishment of the proposed improvement signed by a majority of the holders of title in the proposed local district is presented at or before the hearing, or if the proposed improvement should be found not feasible, too expensive, or not in the best interest of the district, or the lands to be benefited insufficient security for the costs, they shall dismiss the petition ~~((at the expense of the petitioners)).~~

Sec. 4. RCW 87.03.485 and 1983 c 167 s 222 are each amended to read as follows:

In the event that the ~~((said))~~ board ~~((shall))~~ approves ((said)) the petition, the board shall fix a time and place for the hearing thereof and shall publish a notice once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date and shall mail such a notice on or before the second publication date by first-class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed. Such notice must be published in a newspaper of general circulation in each county in which any portion of the land proposed to be included in such local improvement district lies. Such notice shall state that the lands within ~~((said))~~ the described boundaries are proposed to be organized as a local improvement district, stating generally the nature of the proposed improvement; that bonds for such local improvement district are proposed to be issued as the bonds of the irrigation district, or that a contract is proposed to be entered into between the district and the United States or the state of Washington, or both, that the lands within ~~((said))~~ the local improvement district are to be assessed for such improvement, that such bonds or contract will be ~~((a primary))~~ the obligation of such local improvement district ~~((and a general obligation of the irrigation district))~~ and stating a time and place of hearing thereon. At the time and place of hearing named in ~~((said))~~ the notice, all persons interested may appear before the board and show cause for or against the formation of the proposed improvement district and the issuance of bonds or the entering into of a contract as aforesaid. The board may designate a hearing officer to conduct the hearing, and the hearing officer shall report recommendations on the establishment of the local improvement district to the board for final action. Upon the hearing the board shall determine as to the establishment of the proposed local improvement district. Any landowner whose lands can be served or will be benefited by the proposed improvement, may make application to the board at the time of hearing to include such land and the board of directors in such cases shall, at its discretion, include such lands within such district. The board of directors may exclude any land specified in ~~((said))~~ the notice from ~~((said))~~ the district provided, that in the judgment of the board, the inclusion thereof will not be practicable.

As an alternative plan and subject to all of the provisions of this chapter, the board of directors may initiate the organization of a local improvement district as herein provided. To so organize a local improvement district the board shall adopt and record in its minutes a resolution specifying the lands proposed to be included in such local improvement district or by describing the exterior boundaries of such proposed district or by both. ~~((Said))~~ The resolution shall state generally the plan, character and extent of the proposed improvements, that the land proposed to be included in such improvement district will be assessed for such improvements; and that local improvement district bonds of the irrigation district will be

issued or a contract entered into as hereinabove in this section provided to meet the cost thereof and that such bonds or contract will be ~~((a primary))~~ the obligation of such local improvement district ~~((and a general obligation of the irrigation district)).~~ ~~((Said))~~ The resolution shall fix a time and place of hearing thereon and shall state that unless a majority of the holders of title or of evidence of title to lands within the proposed local improvement district file their written protest at or before ~~((said))~~ the hearing, consent to the improvement will be implied.

A notice containing a copy of ~~((said))~~ the resolution must be published once a week for two consecutive weeks preceding the date of such hearing and the last publication shall not be more than seven days before such date, and shall be mailed on or before the second publication date by first-class mail, postage prepaid, to each owner or reputed owner of real property within the proposed local improvement district, as shown on the rolls of the county treasurer as of a date not more than twenty days immediately prior to the date such notice was mailed, and the hearing thereon shall not be held in less than twenty days from the adoption of such resolution. Such notice must be published in one newspaper, of general circulation, in each county in which any portion of the land proposed to be included in such local improvement district lies. ~~((Said))~~ The hearing shall be held and all subsequent proceedings conducted in accordance with the provisions of this act relating to the organization of local improvement districts initiated upon petition.

Sec. 5. RCW 87.03.490 and 2003 c 53 s 412 are each amended to read as follows:

(1) If decision shall be rendered in favor of the improvement, the board shall enter an order establishing the boundaries of the improvement district and shall adopt plans for the proposed improvement and determine the number of annual installments not exceeding fifty in which the cost of the improvement shall be paid. The cost of the improvement shall be provided for by the issuance of local improvement district bonds of the district from time to time, therefor, either directly for the payment of the labor and material or for the securing of funds for such purpose, or by the irrigation district entering into a contract with the United States or the state of Washington, or both, to repay the cost of the improvement. The bonds shall bear interest at a rate or rates determined by the board, payable semiannually, and shall state upon their face that they are issued as bonds of the irrigation district; that all lands within the local improvement district shall be ~~((primarily))~~ liable to assessment for the principal and interest of the local improvement district bonds ~~((and that the bonds are also a general obligation of the district)).~~ The bonds may be in such denominations as the board of directors may in its discretion determine, except that bonds other than bond number one of any issue shall be in a denomination that is a multiple of one ~~((hundred))~~ thousand dollars ~~((and no bond shall be sold for less than par.~~ Any contract entered into for the local improvement by the district with the United States or the state of Washington, or both ~~although all the lands within the local improvement district shall be primarily liable to assessment for the principal and interest thereon, shall be a general obligation of the irrigation district)).~~ Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(2) No election shall be necessary to authorize the issuance of such local improvement bonds or the entering into of such a contract. ~~((Such bonds, when issued, shall be signed by the president and secretary of the irrigation district with the seal of the district affixed. The printed, engraved, or lithographed facsimile signatures of the president and secretary of the district's board of directors shall be sufficient signatures on the bonds or any coupons: PROVIDED, That such facsimile signatures on the bonds may be used only after the filing, by the officer whose facsimile signature is to be used, with the secretary of state of his or her manual signature certified by him or her under oath, whereupon that officer's facsimile signature has the~~

same legal effect as his or her manual signature: ~~PROVIDED, FURTHER, That either the president of the board of directors' or the secretary's signature on the bonds shall be manually subscribed: AND PROVIDED FURTHER, That whenever such facsimile reproduction of the signature of any officer is used in place of the manual signature of such officer, the district's board of directors shall specify in a written order or requisition to the printer, engraver, or lithographer the number of bonds or any coupons upon which such facsimile signature is to be printed, engraved, or lithographed and the manner of numbering the bonds or any coupons upon which such signature shall be placed. Within ninety days after the completion of the printing, engraving, or lithographing of such bonds or any coupons, the plate or plates used for the purpose of affixing the facsimile signature shall be destroyed, and it shall be the duty of the district's board of directors, within ninety days after receipt of the completed bonds or any coupons, to ascertain that such plate or plates have been destroyed. Every printer, engraver, or lithographer who, with the intent to defraud, prints, engraves, or lithographs a facsimile signature upon any bond or coupon without written order of the district's board of directors, or fails to destroy such plate or plates containing the facsimile signature upon direction of such issuing authority, is guilty of a class B felony punishable according to chapter 9A.20 RCW.)~~

(3) The proceeds from the sale of such bonds shall be deposited with the treasurer of the district, who shall place them in a special fund designated "Construction fund of local improvement district number"

(4) Whenever such improvement district has been organized, the ~~((boundaries thereof may be enlarged))~~ board may enlarge the boundaries of the improvement district to include other lands which can be served or will be benefited by the proposed improvement upon petition of the owners thereof and the consent of the United States or the state of Washington, or both, in the event the irrigation district has contracted with the United States or the state of Washington, or both, to repay the cost of the improvement: ~~PROVIDED, That at such time the lands so included shall pay their equitable proportion upon the basis of benefits of the improvement theretofore made by the local improvement district and shall be liable for the indebtedness of the local improvement district in the same proportion and same manner and subject to assessment as if the lands had been incorporated in the improvement district at the beginning of its organization.~~

(5) Notwithstanding this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 6. RCW 87.03.495 and 1988 c 127 s 45 are each amended to read as follows:

(1)(a) The cost of the improvement and of the operation and maintenance thereof, if any, shall be especially assessed against the lands within such local improvement district in proportion to the benefits accruing thereto, and shall be levied and collected in the manner provided by law for the levy and collection of land assessments or toll assessments or both such form of assessments.

(b) The costs of the improvement must include, but not be limited to:

(i) The cost of all of the construction or improvement authorized for the district;

(ii) The estimated cost and expense of all engineering and surveying necessary for the improvement done under the supervision of the irrigation district engineer;

(iii) The estimated cost and expense of ascertaining the ownership of the lots or parcels of land included in the assessment district;

(iv) The estimated cost and expense of advertising, mailing, and publishing all necessary notices;

(v) The estimated cost and expense of accounting and clerical labor, and of books and blanks extended or used on the part of the irrigation district treasurer in connection with the improvement;

(vi) All cost of the acquisition of rights-of-way, property, easements, or other facilities or rights, including without limitation

rights to use property, facilities, or other improvements appurtenant related to, or useful in connection with the local improvement, whether by eminent domain, purchase, gift, payment of connection charges, capacity charges, or other similar charges or in any other manner; and

(vii) The cost for legal, financial, and appraisal services and any other expenses incurred by the irrigation district for the district or in the formation thereof, or by irrigation district in connection with such construction or improvement and in the financing thereof, including the issuance of any bonds and the cost of providing for increases in the local improvement guaranty fund, or providing for a separate reserve fund or other security for the payment of principal of and interest on such bonds.

(c) Any of the costs set forth in this section may be excluded from the cost and expense to be assessed against the property in the local improvement district and may be paid from any other moneys available therefor if the board of directors so designates by resolution at any time.

(d) The board may give credit for all or any portion of any property or other donation against an assessment, charge, or other required financial contribution for improvements within a local improvement district.

(2) All provisions for the assessment, equalization, levy, and collection of assessments for irrigation district purposes shall be applicable to assessments for local improvements except that no election shall be required to authorize ~~((said))~~ the improvement or the expenditures therefor or the bonds issued to meet the cost thereof or the contract authorized in RCW 87.03.485 to repay the cost thereof. In addition or as an alternative, an irrigation district may elect to apply all or a portion of the provisions for the assessment, equalization, levy, and collection of assessments applicable to city or town local improvement districts; however any duties of the city or town treasurer shall be the duties of the treasurer of the county in which the office of the district is located or other treasurer of the district if appointed pursuant to RCW 87.03.440. In connection with a hearing on the assessment roll, the board may designate a hearing officer to conduct the hearing, and the hearing officer must report recommendations on the assessment roll to the board for final action. Assessments when collected by the county treasurer for the payment for the improvement of any local improvement district shall constitute a special fund to be called "bond redemption or contract repayment fund of local improvement district No."

(3) Bonds issued under this chapter shall be eligible for disposal to and purchase by the director of ecology under the provisions of the state reclamation act.

(4) The cost or any unpaid portion thereof, of any such improvement, charged or to be charged or assessed against any tract of land may be paid in one payment under and pursuant to such rules as the board of directors may adopt, and all such amounts shall be paid over to the county treasurer who shall place the same in the appropriate fund. No such payment shall thereby release such tract from liability to assessment for deficiencies or delinquencies of the levies in such improvement district until all of the bonds or the contract, both principal and interest, issued or entered into for such local improvement district have been paid in full. The receipt given for any such payment shall have the foregoing provision printed thereon. The amount so paid shall be included on the annual assessment roll for the current year, provided, such roll has not then been delivered to the treasurer, with an appropriate notation by the secretary that the amount has been paid. If the roll for that year has been delivered to the treasurer then the payment so made shall be added to the next annual assessment roll with appropriate notation that the amount has been paid.

Sec. 7. RCW 87.03.510 and 1983 c 167 s 224 are each amended to read as follows:

There is hereby established for each irrigation district in this state having local improvement districts therein a fund for the purpose of guaranteeing to the extent of such fund and in the manner herein provided, the payment of its local improvement bonds and warrants issued or contract entered into to pay for the improvements provided for in this act. Such fund shall be designated "local improvement guarantee fund" and for the purpose of maintaining the same, every irrigation district shall hereafter levy from time to time, as other assessments authorized by RCW 87.03.240 are levied, such sums as may be necessary to meet the financial requirements thereof: PROVIDED, That such sums so assessed pursuant to RCW 87.03.240 in any year shall not be more than sufficient to pay the outstanding warrants or contract indebtedness on ~~((said))~~ the fund and to establish therein a balance which shall not exceed ~~((five))~~ ten percent of the outstanding obligations thereby guaranteed. The balance may also be established from the deposit of prepaid local improvement assessments or proceeds of local improvement district bonds. Whenever any bond redemption payment, interest payment, or contract payment of any local improvement district shall become due and there is insufficient funds in the local improvement district fund for the payment thereof, there shall be paid from ~~((said))~~ the local improvement district guarantee fund, by warrant or by such other means as is called for in the contract, a sufficient amount, which together with the balance in the local improvement district fund shall be sufficient to redeem and pay ~~((said))~~ the bond or coupon or contract payment in full. ~~((Said))~~ The warrants against ((said)) the guarantee fund shall draw interest at a rate determined by the board and ((said)) the bonds and interest payments shall be paid in their order of presentation or serial order. Whenever there shall be paid out of the guarantee fund any sum on account of principal or interest of a local improvement bond or warrant or contract the irrigation district, as trustee for the fund, shall be subrogated to all of the rights of the owner of the bond or contract amount so paid, and the proceeds thereof, or of the assessment underlying the same shall become part of the guarantee fund. There shall also be paid into such guarantee fund any interest received from bank deposits of the fund, as well as any surplus remaining in any local improvement district fund, after the payment of all of its outstanding bonds or warrants or contract indebtedness which are payable primarily out of such local improvement district fund.

Sec. 8. RCW 87.03.515 and 1983 c 167 s 225 are each amended to read as follows:

It shall be lawful for any irrigation district which has issued local improvement district bonds for ~~((said))~~ the improvements, as in this chapter provided, to issue in place thereof an amount of ((general)) local improvement district or revenue refunding bonds of the irrigation district ((not in excess of such issue of local improvement district bonds, and to sell the same, or any part thereof, or exchange the same, or any part thereof, with the owners of such previously issued local improvement district bonds for the purpose of redeeming said bonds)) in accordance with chapter 39.53 RCW: PROVIDED, HOWEVER, ((That all the provisions of this chapter regarding the authorization and issuing of bonds shall apply, and: PROVIDING, FURTHER,)) That the issuance of ((said)) the bonds shall not release the lands of the local improvement district or districts from liability for special assessments for the payment thereof: AND PROVIDED FURTHER, That the lien of any issue of bonds of the district prior in point of time to the issue of bonds or local improvement district bonds herein provided for((:)) shall be deemed a prior lien.

Sec. 9. RCW 87.03.527 and 1959 c 104 s 7 are each amended to read as follows:

Whenever ~~((a local improvement district is sought to be established within an irrigation))~~ the board establishes a local improvement district, in addition or as an alternative to the procedures provided in RCW 87.03.480 through 87.03.525, there may be employed any method authorized by law for the formation of

~~((districts or))~~ improvement districts ((so that when formed it will qualify under the provisions of chapter 89.16 RCW)) and the levying, collection, and enforcement by foreclosure of assessments therein, including without limitation the formation method employed by cities or towns.

Sec. 10. RCW 87.06.020 and 1988 c 134 s 2 are each amended to read as follows:

(1) After thirty-six calendar months from the month of the date of delinquency, or twenty-four months from the month of the date of delinquency with respect to any local improvement district assessment, the treasurer shall prepare certificates of delinquency on the property for the unpaid irrigation district assessments, and for costs and interest. An individual certificate of delinquency may be prepared for each property or the individual certificates may be compiled and issued in one general certificate including all delinquent properties. Each certificate shall contain the following information:

- (a) Description of the property assessed;
- (b) Street address of property, if available;
- (c) Years for which assessed;
- (d) Amount of delinquent assessments, costs, and interest;
- (e) Name appearing on the treasurer's most current assessment roll for the property; and

(f) A statement that interest will be charged on the amount listed in (d) of this subsection at a rate of twelve percent per year, computed monthly and without compounding, from the date of the issuance of the certificate and that additional costs, incurred as a result of the delinquency, will be imposed, including the costs of a title search((:)).

(2) The treasurer may provide for the posting of the certificates or other measures designed to advertise the certificates and encourage the payment of the amounts due.

Sec. 11. RCW 87.28.103 and 1979 ex.s. c 185 s 14 are each amended to read as follows:

When the directors of the district have decided to issue revenue bonds as herein provided, they shall call a special election in the irrigation district at which election shall be submitted to the electors thereof possessing the qualifications prescribed by law the question whether revenue bonds of the district in the amount and payable according to the plan of payment adopted by the board and for the purposes therein stated shall be issued. ~~((Said))~~ The election shall be called, noticed, conducted, and canvassed in the same manner as provided by law for irrigation district elections to authorize an original issue of bonds payable from revenues derived from annual assessments upon the real property in the district: PROVIDED, That the board of directors shall have full authority to issue revenue bonds as herein provided payable within a maximum period of forty years without a special election((: AND PROVIDED, FURTHER, That any irrigation district indebted to the state of Washington shall get the written consent of the director of the department of ecology prior to the issuance of said revenue bonds)).

Sec. 12. RCW 87.28.200 and 1979 ex.s. c 185 s 19 are each amended to read as follows:

Any irrigation district shall have the power to establish utility local improvement districts within its territory and to levy special assessments within such utility local improvement districts in the same manner as provided for irrigation district local improvement districts: PROVIDED, That it must be specified in any petition for the establishment of a utility local improvement district that the sole purpose of the assessments levied against the real property located within the utility local improvement district shall be the payment of the proceeds of those assessments into ((the)) a revenue bond fund for the payment of revenue bonds, that no warrants or bonds shall be issued in any such utility local improvement district, and that the collection of interest and principal on all assessments in such utility local improvement district, when collected, shall be paid into ((the)) that revenue bond fund, except that special assessments paid before the issuance and sale of bonds may be deposited in a fund for the

payment of costs of improvements in the utility local improvement district.

Sec. 13. RCW 89.12.050 and 2009 c 145 s 3 are each amended to read as follows:

(1) A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

(a) The district will not deliver water by means of the project works provided by the United States to or for excess lands not eligible therefor under applicable federal law.

(b) As a condition to receiving water by means of the project works, each excess landowner in the district, unless his excess lands are otherwise eligible to receive water under applicable federal law, shall be required to execute a recordable contract covering all of his excess lands within the district.

(c) All excess lands within the district not eligible to receive water by means of the project works shall be subject to assessment in the same manner and to the same extent as lands eligible to receive water, subject to such provisions as the secretary may prescribe for postponement in payment of all or part of the assessment but not beyond a date five years from the time water would have become available for such lands had they been eligible therefor.

(d) The secretary is authorized to amend any existing contract, deed, or other document to conform to the provisions of applicable federal law as it now exists. Any such amendment may be filed for record under RCW 89.12.080.

(2) A district may enter into a contract with the United States for the transfer of operations and maintenance of the works of a federal reclamation project, but the contract does not impute to the district negligence for design or construction defects or deficiencies of the transferred works. Any contract, covenant, promise, agreement, or understanding purporting to indemnify against liability for damages caused by or resulting from the negligent acts or omissions of the United States, its employees, or agents is not enforceable unless expressly authorized by state law.

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "improvements;" strike the remainder of the title and insert "amending RCW 84.34.310, 87.03.480, 87.03.485, 87.03.490, 87.03.495, 87.03.510, 87.03.515, 87.03.527, 87.06.020, 87.28.103, 87.28.200, and 89.12.050; and adding a new section to chapter 87.03 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1416 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Warnick and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1416, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1416, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SECOND SUBSTITUTE HOUSE BILL NO. 1416, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1445 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to:

(1) Protect access for complex needs patients to important technology and supporting services;

(2) Establish and improve safeguards relating to the delivery and provision of medically necessary complex rehabilitation technology; and

(3) Provide supports for complex needs patients to stay in the home or community setting, prevent institutionalization, and prevent hospitalizations and other costly secondary complications.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

(1) The authority shall establish a separate recognition for individually configured, complex rehabilitation technology products and services for complex needs patients with the medical assistance program. This separate recognition shall:

(a) Establish a budget and services category separate from other categories, such as durable medical equipment and supplies;

(b) Take into consideration the customized nature of complex rehabilitation technology and the broad range of services necessary to meet the unique medical and functional needs of people with complex medical needs; and

(c) Establish standards for the purchase of complex rehabilitation technology exclusively from qualified complex rehabilitation technology suppliers.

(2) The authority shall require complex needs patients receiving complex rehabilitation technology to be evaluated by:

(a) A licensed health care provider who performs specialty evaluations within his or her scope of practice, including a physical therapist licensed under chapter 18.74 RCW and an occupational therapist licensed under chapter 18.59 RCW, and has no financial

relationship with the qualified complex rehabilitation technology supplier; and

(b) A qualified complex rehabilitation technology professional, as identified in subsection (3)(d)(iii) of this section.

(3) As used in this section:

(a) "Complex needs patient" means an individual with a diagnosis or medical condition that results in significant physical or functional needs and capacities. "Complex needs patient" does not negate the requirement that an individual meet medical necessity requirements under authority rules to qualify for receiving a complex rehabilitation product.

(b) "Complex rehabilitation technology" means wheelchairs and seating systems classified as durable medical equipment within the medicare program as of January 1, 2013, that:

(i) Are individually configured for individuals to meet their specific and unique medical, physical, and functional needs and capacities for basic activities of daily living and instrumental activities of daily living identified as medically necessary to prevent hospitalization or institutionalization of a complex needs patient;

(ii) Are primarily used to serve a medical purpose and generally not useful to a person in the absence of an illness or injury; and

(iii) Require certain services to allow for appropriate design, configuration, and use of such item, including patient evaluation and equipment fitting and configuration.

(c) "Individually configured" means a device has a combination of features, adjustments, or modifications specific to a complex needs patient that a qualified complex rehabilitation technology supplier provides by measuring, fitting, programming, adjusting, or adapting the device as appropriate so that the device is consistent with an assessment or evaluation of the complex needs patient by a health care professional and consistent with the complex needs patient's medical condition, physical and functional needs and capacities, body size, period of need, and intended use.

(d) "Qualified complex rehabilitation technology supplier" means a company or entity that:

(i) Is accredited by a recognized accrediting organization as a supplier of complex rehabilitation technology;

(ii) Meets the supplier and quality standards established for durable medical equipment suppliers under the medicare program;

(iii) For each site that it operates, employs at least one complex rehabilitation technology professional, who has been certified by the rehabilitation engineering and assistive technology society of North America as an assistive technology professional, to analyze the needs and capacities of complex needs patients, assist in selecting appropriate covered complex rehabilitation technology items for such needs and capacities, and provide training in the use of the selected covered complex rehabilitation technology items;

(iv) Has the complex rehabilitation technology professional physically present for the evaluation and determination of the appropriate individually configured complex rehabilitation technologies for the complex needs patient;

(v) Provides service and repairs by qualified technicians for all complex rehabilitation technology products it sells; and

(vi) Provides written information to the complex needs patient at the time of delivery about how the individual may receive service and repair.

NEW SECTION. Sec. 3. This act takes effect January 1, 2014."

On page 1, line 1 of the title, after "products;" strike the remainder of the title and insert "adding a new section to chapter 74.09 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1445 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1445, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1445, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1445, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1472 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Through such initiatives as grants for high-demand career and technical education programs and participation in the Microsoft IT academy, the state has previously supported K-12 computer science education;

(b) However, even though there were nearly sixty-five thousand student enrollments in high school computer science courses in the 2011-12 school year, more than half of those enrollments were in beginning or exploratory courses. Fewer than twelve hundred students enrolled in AP computer science courses;

(c) National studies of K-12 computer science education indicate that, in part because computer science is not treated as an academic subject, students may not perceive advanced computer science as relevant to their future academic or career success;

(d) Public institutions of higher education have expanded capacity to grant certificates and degrees in computer science and related fields in response to high employer demand and high student demand. Additional expansion and improvement will be dependent on new resources, updated equipment, and the availability of expert faculty;

(e) Information technology job vacancies exist at all levels of training and education and across all industries that are critical to Washington's economy; and

(f) Strategies are needed to support additional opportunities for Washington students to have careers in the innovative, technology-based or technology-enhanced industries located in our state.

(2) Therefore the legislature intends to take additional steps to improve and expand access to computer science education, particularly in advanced courses that could prepare students for careers in the field.

Sec. 2. RCW 28A.230.097 and 2008 c 170 s 202 are each amended to read as follows:

(1) Each high school or school district board of directors shall adopt course equivalencies for career and technical high school courses offered to students in high schools and skill centers. A career and technical course equivalency may be for whole or partial credit. Each school district board of directors shall develop a course equivalency approval procedure. Boards of directors must approve AP computer science courses as equivalent to high school mathematics or science, and must denote on a student's transcript that AP computer science qualifies as a math-based quantitative course for students who take the course in their senior year. In order for a board to approve AP computer science as equivalent to high school mathematics, the student must be concurrently enrolled in or have successfully completed algebra II.

(2) Career and technical courses determined to be equivalent to academic core courses, in full or in part, by the high school or school district shall be accepted as meeting core requirements, including graduation requirements, if the courses are recorded on the student's transcript using the equivalent academic high school department designation and title. Full or partial credit shall be recorded as appropriate. The high school or school district shall also issue and keep record of course completion certificates that demonstrate that the career and technical courses were successfully completed as needed for industry certification, college credit, or preapprenticeship, as applicable. The certificate shall be either part of the student's high school and beyond plan or the student's culminating project, as determined by the student. The office of the superintendent of public instruction shall develop and make available electronic samples of certificates of course completion."

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.230.097; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1472 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hansen and Magendanz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1472, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1472, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1472, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1472.

Representative Scott, 39th District

THIRD READING

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1474 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.36.170 and 2005 c 2 s 6 are each reenacted and amended to read as follows:

((+)) For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot; the name of the candidate who received the greatest number of votes will appear first and the candidate who received the next greatest number of votes will appear second. No candidate's name may be printed on the subsequent general election ballot unless he or she receives at least one percent of the total votes cast for that office at the preceding primary, if a primary was conducted. On the ballot at the general election for an office for which no primary was held, the names of the candidates shall be listed in the order determined ((under)) pursuant to RCW ((29A.36.130)) 29A.36.131.

((2)) For the office of justice of the supreme court, judge of the court of appeals, judge of the superior court, or state superintendent of public instruction, if a candidate in a contested primary receives a majority of all the votes cast for that office or position, only the name of that candidate may be printed for that position on the ballot at the general election.)

NEW SECTION. Sec. 2. RCW 29A.36.171 (Nonpartisan candidates qualified for general election) and 2004 c 271 s 170 are each repealed."

On page 1, line 2 of the title, after "offices;" strike the remainder of the title and insert "reenacting and amending RCW 29A.36.170; and repealing RCW 29A.36.171."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1474 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1474, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1474, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1474, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1493 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 84.56 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, if the landlord of a manufactured/mobile home park takes ownership of a manufactured/mobile home or park model trailer with the intent to resell or rent the same after (a) the manufactured/mobile home or park

model trailer has been abandoned; or (b) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the manufactured/mobile home or park model trailer and title has been lawfully transferred to the landlord, the outstanding taxes become the responsibility of the landlord. After the outstanding taxes, interest, and penalties are removed from the tax rolls under subsection (2) of this section, all future taxes are the responsibility of the owner of the manufactured/mobile home or park model trailer.

(2) Upon notification by the assessor, the county treasurer must remove from the tax rolls any outstanding taxes, as well as interest and penalties, on a manufactured/mobile home or park model trailer if the landlord of a manufactured/mobile home park:

(a) Submits a signed affidavit to the assessor indicating that the landlord has taken ownership of the manufactured/mobile home or park model trailer with the intent to resell or rent after: (i) The manufactured/mobile home or park model trailer has been abandoned; or (ii) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the manufactured/mobile home or park model trailer and title has been lawfully transferred to the landlord; and

(b) The most current assessed value of the manufactured/mobile home or park model trailer is less than eight thousand dollars.

(3) For the purposes of this section, "abandoned," "manufactured/mobile home," and "park model" have the same meanings as provided in RCW 59.20.030.

Sec. 2. RCW 46.44.170 and 2010 c 161 s 1118 are each amended to read as follows:

(1) Any person moving a mobile home as defined in RCW 46.04.302 or a park model trailer as defined in RCW 46.04.622 upon public highways of the state must obtain:

(a) A special permit from the department of transportation and local authorities pursuant to RCW 46.44.090 and 46.44.093 and ~~((shall))~~ must pay the proper fee as prescribed by RCW 46.44.0941 and 46.44.096; and

(b) For mobile homes constructed before June 15, 1976, and already situated in the state: (i) A certification from the department of labor and industries that the mobile home was inspected for fire safety; or (ii) an affidavit in the form prescribed by the department of commerce signed by the owner at the county treasurer's office at the time of the application for the movement permit stating that the mobile home is being moved by the owner for his or her continued occupation or use; or (iii) a copy of the certificate of title together with an affidavit signed under penalty of perjury by the certified owner stating that the mobile home is being transferred to a wrecking yard or similar facility for disposal. In addition, the destroyed mobile home must be removed from the assessment rolls of the county and any outstanding taxes on the destroyed mobile home must be removed by the county treasurer.

(2) A special permit issued as provided in subsection (1) of this section for the movement of any mobile home or a park model trailer that is assessed for purposes of property taxes ~~((shall))~~ is not ~~((be))~~ valid until the county treasurer of the county in which the mobile home or park model trailer is located ~~((shall))~~ must endorse or attach his or her certificate that all property taxes which are a lien or which are delinquent, or both, upon the mobile home or park model trailer being moved have been satisfied. Further, any mobile home or park model trailer required to have a special movement permit under this section ~~((shall))~~ must display an easily recognizable decal. However, endorsement or certification by the county treasurer and the display of the decal is not required:

(a) When a mobile home or park model trailer is to enter the state or is being moved from a manufacturer or distributor to a retail sales outlet or directly to the purchaser's designated location or between retail and sales outlets;

(b) When a signed affidavit of destruction is filed with the county assessor and the mobile home or park model trailer is being moved to a disposal site by a landlord as defined in RCW 59.20.030 after (i) the mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (ii) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the mobile home or park model trailer and title has been lawfully transferred to the landlord. The mobile home or park model trailer will be removed from the tax rolls and, upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer will be removed by the county treasurer; or

(c) When a signed affidavit of destruction is filed with the county assessor by any mobile home or park model trailer owner or any property owner with an abandoned mobile home or park model trailer, the same (~~shall~~) must be removed from the tax rolls and upon notification by the assessor, any outstanding taxes on the destroyed mobile home or park model trailer (~~shall~~) must be removed by the county treasurer.

(3) Except as provided in section 1(1) of this act, if the landlord of a manufactured/mobile home park takes ownership of a manufactured/mobile home or park model trailer with the intent to resell or rent the same under RCW 59.20.030 after (a) the manufactured/mobile home or park model trailer has been abandoned as defined in RCW 59.20.030; or (b) a final judgment for restitution of the premises under RCW 59.18.410 has been executed in favor of the landlord with regard to the manufactured/mobile home or park model trailer and title has been lawfully transferred to the landlord, the outstanding taxes become the responsibility of the landlord.

(4) It is the responsibility of the owner of the mobile home or park model trailer subject to property taxes or the agent to obtain the endorsement and decal from the county treasurer before a mobile home or park model trailer is moved.

(5) This section does not prohibit the issuance of vehicle license plates for a mobile home or park model trailer subject to property taxes, but plates (~~shall~~) may not be issued unless the mobile home or park model trailer subject to property taxes for which plates are sought has been listed for property tax purposes in the county in which it is principally located and the appropriate fee for the license has been paid.

(6) The department of transportation, the department of labor and industries, and local authorities are authorized to adopt reasonable rules for implementing the provisions of this section. The department of transportation (~~shall~~) must adopt rules specifying the design, reflective characteristics, annual coloration, and for the uniform implementation of the decal required by this section. The department of labor and industries (~~shall~~) must adopt procedures for notifying destination local jurisdictions concerning the arrival of mobile homes that failed safety inspections."

On page 1, line 2 of the title, after "trailers;" strike the remainder of the title and insert "amending RCW 46.44.170; and adding a new section to chapter 84.56 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1493 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Springer and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1493, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1493, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED HOUSE BILL NO. 1493, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the health care authority.

(2) "Department" means the department of social and health services.

(3) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well-established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in this section.

(4) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome.

"Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(5) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the

weight of the evidence from a systemic review supports sustained outcomes as described in this subsection but does not meet the full criteria for evidence-based.

(6) "Service coordination organization" or "service contracting entity" means the authority and department, or an entity that may contract with the state to provide, directly or through subcontracts, a comprehensive delivery system of medical, behavioral, long-term care, or social support services, including entities such as regional support networks as defined in RCW 71.24.025, managed care organizations that provide medical services to clients under chapter 74.09 RCW, counties providing chemical dependency services under chapters 74.50 and 70.96A RCW, and area agencies on aging providing case management services under chapter 74.39A RCW.

NEW SECTION. Sec. 2. (1) The authority and the department shall base contract performance measures developed under section 3 of this act on the following outcomes when contracting with service contracting entities: Improvements in client health status and wellness; increases in client participation in meaningful activities; reductions in client involvement with criminal justice systems; reductions in avoidable costs in hospitals, emergency rooms, crisis services, and jails and prisons; increases in stable housing in the community; improvements in client satisfaction with quality of life; and reductions in population-level health disparities.

(2) The performance measures must demonstrate the manner in which the following principles are achieved within each of the outcomes under subsection (1) of this section:

(a) Maximization of the use of evidence-based practices will be given priority over the use of research-based and promising practices, and research-based practices will be given priority over the use of promising practices. The agencies will develop strategies to identify programs that are effective with ethnically diverse clients and to consult with tribal governments, experts within ethnically diverse communities and community organizations that serve diverse communities;

(b) The maximization of the client's independence, recovery, and employment;

(c) The maximization of the client's participation in treatment decisions; and

(d) The collaboration between consumer-based support programs in providing services to the client.

(3) In developing performance measures under section 3 of this act, the authority and the department shall consider expected outcomes relevant to the general populations that each agency serves. The authority and the department may adapt the outcomes to account for the unique needs and characteristics of discrete subcategories of populations receiving services, including ethnically diverse communities.

(4) The authority and the department shall coordinate the establishment of the expected outcomes and the performance measures between each agency as well as each program to identify expected outcomes and performance measures that are common to the clients enrolled in multiple programs and to eliminate conflicting standards among the agencies and programs.

(5) The authority and the department shall establish timelines and mechanisms for service contracting entities to report data related to performance measures and outcomes, including phased implementation of public reporting of outcome and performance measures in a form that allows for comparison of performance measures and levels of improvement between geographic regions of Washington.

NEW SECTION. Sec. 3. By September 1, 2014:

(1) The authority shall adopt performance measures to determine whether service contracting entities are achieving the outcomes described in section 2 of this act for clients enrolled in medical managed care programs operated according to Title XIX or XXI of the federal social security act.

(2) The department shall adopt performance measures to determine whether service contracting entities are achieving the outcomes described in section 2 of this act for clients receiving mental health, long-term care, or chemical dependency services.

NEW SECTION. Sec. 4. By July 1, 2015, the authority and the department shall require that contracts with service coordination organizations include provisions requiring the adoption of the outcomes and performance measures developed under this chapter and mechanisms for reporting data to support each of the outcomes and performance measures.

NEW SECTION. Sec. 5. (1) By December 1, 2014, the department and the authority shall report jointly to the legislature on the expected outcomes and the performance measures. The report must identify the performance measures and the expected outcomes established for each program, the relationship between the performance measures and expected improvements in client outcomes, mechanisms for reporting outcomes and measuring performance, and options for applying the performance measures and expected outcomes development process to other health and social service programs.

(2) By December 1, 2016, the department and the authority shall report to the legislature on the incorporation of the performance measures into contracts with service coordination organizations and progress toward achieving the identified outcomes.

NEW SECTION. Sec. 6. The outcomes and performance measures established pursuant to this chapter do not establish a standard of care in any civil action brought by a recipient of services. The failure of a service coordination organization to meet the outcomes and performance measures established pursuant to this chapter does not create civil liability on the part of the service coordination organization in a claim brought by a recipient of services.

NEW SECTION. Sec. 7. A new section is added to chapter 74.09 RCW to read as follows:

The authority shall incorporate the expected outcomes and criteria to measure the performance of service coordination organizations as provided in chapter 70.-- RCW (the new chapter created in section 11 of this act) into contracts with managed care organizations that provide services to clients under this chapter.

Sec. 8. RCW 70.96A.320 and 1990 c 151 s 9 are each amended to read as follows:

(1) A county legislative authority, or two or more counties acting jointly, may establish an alcoholism and other drug addiction program. If two or more counties jointly establish the program, they shall designate one county to provide administrative and financial services.

(2) To be eligible for funds from the department for the support of the county alcoholism and other drug addiction program, the county legislative authority shall establish a county alcoholism and other drug addiction board under RCW 70.96A.300 and appoint a county alcoholism and other drug addiction program coordinator under RCW 70.96A.310.

(3) The county legislative authority may apply to the department for financial support for the county program of alcoholism and other drug addiction. To receive financial support, the county legislative authority shall submit a plan that meets the following conditions:

(a) It shall describe the services and activities to be provided;

(b) It shall include anticipated expenditures and revenues;

(c) It shall be prepared by the county alcoholism and other drug addiction program board and be adopted by the county legislative authority;

(d) It shall reflect maximum effective use of existing services and programs; and

(e) It shall meet other conditions that the secretary may require.

(4) The county may accept and spend gifts, grants, and fees, from public and private sources, to implement its program of alcoholism and other drug addiction.

(5) The department shall require that any agreement to provide financial support to a county that performs the activities of a service coordination organization for alcoholism and other drug addiction services must incorporate the expected outcomes and criteria to measure the performance of service coordination organizations as provided in chapter 70.-- RCW (the new chapter created in section 11 of this act).

(6) The county may subcontract for detoxification, residential treatment, or outpatient treatment with treatment programs that are approved treatment programs. The county may subcontract for other services with individuals or organizations approved by the department.

~~((6))~~ (7) To continue to be eligible for financial support from the department for the county alcoholism and other drug addiction program, an increase in state financial support shall not be used to supplant local funds from a source that was used to support the county alcoholism and other drug addiction program before the effective date of the increase.

Sec. 9. RCW 71.24.330 and 2008 c 261 s 6 are each amended to read as follows:

(1)(a) Contracts between a regional support network and the department shall include mechanisms for monitoring performance under the contract and remedies for failure to substantially comply with the requirements of the contract including, but not limited to, financial penalties, termination of the contract, and procurement of the contract.

(b) The department shall incorporate the criteria to measure the performance of service coordination organizations into contracts with regional support networks as provided in chapter 70.-- RCW (the new chapter created in section 11 of this act).

(2) The regional support network procurement processes shall encourage the preservation of infrastructure previously purchased by the community mental health service delivery system, the maintenance of linkages between other services and delivery systems, and maximization of the use of available funds for services versus profits. However, a regional support network selected through the procurement process is not required to contract for services with any county-owned or operated facility. The regional support network procurement process shall provide that public funds appropriated by the legislature shall not be used to promote or deter, encourage, or discourage employees from exercising their rights under Title 29, chapter 7, subchapter II, United States Code or chapter 41.56 RCW.

(3) In addition to the requirements of RCW 71.24.035, contracts shall:

(a) Define administrative costs and ensure that the regional support network does not exceed an administrative cost of ten percent of available funds;

(b) Require effective collaboration with law enforcement, criminal justice agencies, and the chemical dependency treatment system;

(c) Require substantial implementation of department adopted integrated screening and assessment process and matrix of best practices;

(d) Maintain the decision-making independence of designated mental health professionals;

(e) Except at the discretion of the secretary or as specified in the biennial budget, require regional support networks to pay the state for the costs associated with individuals who are being served on the grounds of the state hospitals and who are not receiving long-term inpatient care as defined in RCW 71.24.025;

(f) Include a negotiated alternative dispute resolution clause; and

(g) Include a provision requiring either party to provide one hundred eighty days' notice of any issue that may cause either party to

voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to act as a regional support network. If either party decides to voluntarily terminate, refuse to renew, or refuse to sign a mandatory amendment to the contract to serve as a regional support network they shall provide ninety days' advance notice in writing to the other party.

Sec. 10. RCW 74.39A.090 and 2004 c 141 s 3 are each amended to read as follows:

(1) The legislature intends that any staff reassigned by the department as a result of shifting of the reauthorization responsibilities by contract outlined in this section shall be dedicated for discharge planning and assisting with discharge planning and information on existing discharge planning cases. Discharge planning, as directed in this section, is intended for residents and patients identified for discharge to long-term care pursuant to RCW 70.41.320, 74.39A.040, and 74.42.058. The purpose of discharge planning is to protect residents and patients from the financial incentives inherent in keeping residents or patients in a more expensive higher level of care and shall focus on care options that are in the best interest of the patient or resident.

(2) The department shall contract with area agencies on aging:

(a) To provide case management services to consumers receiving home and community services in their own home; and

(b) To reassess and reauthorize home and community services in home or in other settings for consumers consistent with the intent of this section:

(i) Who have been initially authorized by the department to receive home and community services; and

(ii) Who, at the time of reassessment and reauthorization, are receiving home and community services in their own home.

(3) In the event that an area agency on aging is unwilling to enter into or satisfactorily fulfill a contract or an individual consumer's need for case management services will be met through an alternative delivery system, the department is authorized to:

(a) Obtain the services through competitive bid; and

(b) Provide the services directly until a qualified contractor can be found.

(4)(a) The department shall include, in its oversight and monitoring of area agency on aging performance, assessment of case management roles undertaken by area agencies on aging in this section. The scope of oversight and monitoring includes, but is not limited to, assessing the degree and quality of the case management performed by area agency on aging staff for elderly and ~~((disabled))~~ persons with disabilities in the community.

(b) The department shall incorporate the expected outcomes and criteria to measure the performance of service coordination organizations into contracts with area agencies on aging as provided in chapter 70.-- RCW (the new chapter created in section 11 of this act).

(5) Area agencies on aging shall assess the quality of the in-home care services provided to consumers who are receiving services under the Medicaid personal care, community options programs entry system or chore services program through an individual provider or home care agency. Quality indicators may include, but are not limited to, home care consumers satisfaction surveys, how quickly home care consumers are linked with home care workers, and whether the plan of care under RCW 74.39A.095 has been honored by the agency or the individual provider.

(6) The department shall develop model language for the plan of care established in RCW 74.39A.095. The plan of care shall be in clear language, and written at a reading level that will ensure the ability of consumers to understand the rights and responsibilities expressed in the plan of care.

NEW SECTION. Sec. 11. Sections 1 through 6 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 2 of the title, after "organizations;" strike the remainder of the title and insert "amending RCW 70.96A.320, 71.24.330, and 74.39A.090; adding a new section to chapter 74.09 RCW; and adding a new chapter to Title 70 RCW."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1519, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1519, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1525 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.33.345 and 1993 c 81 s 3 are each amended to read as follows:

(1) The department of social and health services, adoption agencies, and independent adoption facilitators shall release the name and location of the court where a relinquishment of parental rights or

finalization of an adoption took place to an adult adoptee, a birth parent of an adult adoptee, an adoptive parent, a birth or adoptive grandparent of an adult adoptee, or an adult sibling of an adult adoptee, or the legal guardian of any of these.

(2) The department of health shall make available a noncertified copy of the original birth certificate of a child to the child's birth parents upon request.

(3)(a) For adoptions finalized after October 1, 1993, the department of health shall (~~make available~~) provide a noncertified copy of the original birth certificate to ((the adoptee after the adoptee's eighteenth birthday unless the birth parent has filed an affidavit of nondisclosure)) an adoptee eighteen years of age or older upon request, unless the birth parent has filed an affidavit of nondisclosure before the effective date of this section or a contact preference form that indicates he or she does not want the original birth certificate released: PROVIDED, That the affidavit of nondisclosure, the contact preference form, or both have not expired. (b) For adoptions finalized on or before October 1, 1993, the department of health may not provide a noncertified copy of the original birth certificate to the adoptee until after June 30, 2014. After June 30, 2014, the department of health shall provide a noncertified copy of the original birth certificate to an adoptee eighteen years of age or older upon request, unless the birth parent has filed a contact preference form that indicates he or she does not want the original birth certificate released: PROVIDED, That the contact preference form has not expired.

(c) An affidavit of nondisclosure expires upon the death of the birth parent.

(4)(a) Regardless of whether a birth parent has filed an affidavit of nondisclosure or when the adoption was finalized, a birth parent may at any time complete a contact preference form stating his or her preference about personal contact with the adoptee, which, if available, must accompany an original birth certificate provided to an adoptee under subsection (3) of this section.

(b) The contact preference form must include the following options:

(i) I would like to be contacted. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate;

(ii) I would like to be contacted only through a confidential intermediary as described in RCW 26.33.343. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate;

(iii) I prefer not to be contacted and have completed the birth parent updated medical history form. I give the department of health consent to provide the adoptee with a noncertified copy of his or her original birth certificate; and

(iv) I prefer not to be contacted and have completed the birth parent updated medical history form. I do not want a noncertified copy of the original birth certificate released to the adoptee.

(c) If the birth parent indicates he or she prefers not to be contacted, personally identifying information on the contact preference form must be kept confidential and may not be released.

(d) Nothing in this section precludes a birth parent from subsequently filing another contact preference form to rescind the previous contact preference form and state a different preference.

(e) A contact preference form expires upon the death of the birth parent.

(5) If a birth parent files a contact preference form, the birth parent must also file an updated medical history form with the department of health. Upon request of the adoptee, the department of health must provide the adoptee with the updated medical history form filed by the adoptee's birth parent.

(6) Both a completed contact preference form and birth parent updated medical history form are confidential and must be placed in the adoptee's sealed file.

(7) If a birth parent files a contact preference form within six months after the first time an adoptee requests a copy of his or her original birth certificate as provided in subsection (3) of this section, the department of health must forward the contact preference form and the birth parent updated medical history form to the address of the adoptee.

(8) The department of health may charge a fee not to exceed twenty dollars for providing a noncertified copy of a birth certificate to an adoptee.

(9) The department of health must create the contact preference form and an updated medical history form. The contact preference form must provide a method to ensure personally identifying information can be kept confidential. The updated medical history form may not require the birth parent to disclose any identifying information about the birth parent.

(10) If the department of health does not provide an adoptee with a noncertified copy of the original birth certificate because a valid affidavit of nondisclosure or contact preference form has been filed, the adoptee may request, no more than once per year, that the department of health attempt to determine if the birth parent is deceased. Upon request of the adoptee, the department of health must make a reasonable effort to search public records that are accessible and already available to the department of health to determine if the birth parent is deceased. The department of health may charge the adoptee a reasonable fee to cover the cost of conducting a search."

On page 1, line 2 of the title, after "information;" strike the remainder of the title and insert "and amending RCW 26.33.345."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1525 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Orwall and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1525, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton,

Taylor, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Van De Wege.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1525, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1556 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that more than three hundred sixty thousand people in the United States experience cardiac arrest outside of a hospital every year, and only ten percent survive because the remainder do not receive timely cardiopulmonary resuscitation. When administered immediately, cardiopulmonary resuscitation doubles or triples survival rates from cardiac arrest. Sudden cardiac arrest can happen to anyone at any time. Many victims appear healthy and have no known heart disease or other risk factors. The legislature finds that schools are the hearts of our community, and preparing students to help with a sudden cardiac arrest emergency could save the life of a child, parent, or teacher. Washington state has a longstanding history of training members of the public in cardiopulmonary resuscitation with community-based training programs. The legislature finds that training students will continue the legacy of providing high quality emergency cardiac care to its citizens. Therefore, the legislature intends to create a generation of lifesavers by putting cardiopulmonary resuscitation skills in the hands of all high school graduates and providing schools with a flexible framework to prepare for an emergency.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) An automated external defibrillator is often a critical component in the chain of survival for a cardiac arrest victim.

(2) The office of the superintendent of public instruction, in consultation with school districts and stakeholder groups, shall develop guidance for a medical emergency response and automated external defibrillator program for high schools.

(3) The medical emergency response and automated external defibrillator program must comply with current evidence-based guidance from the American heart association or other national science organization.

(4) The office of the superintendent of public instruction, in consultation with the department of health, shall assist districts in carrying out a program under this section, including providing guidelines and advice for seeking grants for the purchase of automated external defibrillators or seeking donations of automated external defibrillators. The superintendent may coordinate with local health districts or other organizations in seeking grants and donations for this purpose.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.230 RCW to read as follows:

(1) Each school district that operates a high school must offer instruction in cardiopulmonary resuscitation to students as provided in this section. Beginning with the 2013-14 school year, instruction in cardiopulmonary resuscitation must be included in at least one health class necessary for graduation.

(2) Instruction in cardiopulmonary resuscitation under this section must:

(a) Be an instructional program developed by the American heart association or the American red cross or be nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation;

(b) Include appropriate use of an automated external defibrillator, which may be taught by video; and

(c) Incorporate hands-on practice in addition to cognitive learning.

(3) School districts may offer the instruction in cardiopulmonary resuscitation directly or arrange for the instruction to be provided by available community-based providers. The instruction is not required to be provided by a certificated teacher. Certificated teachers providing the instruction are not required to be certified trainers of cardiopulmonary resuscitation. A student is not required to earn certification in cardiopulmonary resuscitation to successfully complete the instruction for the purposes of this section."

On page 1, line 2 of the title, after "arrest;" strike the remainder of the title and insert "adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.230 RCW; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1556 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Van De Wege and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1556, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1556, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; Nays, 12; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Hargrove, Holy, MacEwen, Overstreet, Pike, Scott, Shea, Short, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1556, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1556.

Representative Hargrove, 47th District

THIRD READING

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1566 with the following amendment:

On page 10, beginning on line 1, strike all of section 7, and insert the following:

"**NEW SECTION. Sec. 7.** A new section is added to chapter 74.13 RCW to read as follows:

(1) A university-based child welfare research entity shall include in its reporting the educational experiences and progress of students in children's administration out-of-home care. This data must be disaggregated in the smallest units allowable by law that do not identify an individual student, in order to learn which children's administration offices and school districts are experiencing the greatest success and challenges in achieving quality educational outcomes with students in children's administration out-of-home care.

(2) By January 1, 2015 and annually thereafter, the university-based child welfare research entity must submit a report to the legislature. To the extent possible, the report should include, but is not limited to, information on the following measures for a youth who is a dependent pursuant to chapter 13.34 RCW:

(a) Aggregate scores from the Washington state kindergarten readiness assessment;

(b) Aggregate scores from the third grade statewide student assessment in reading;

(c) Number of youth graduating from high school with a documented plan for postsecondary education, employment, or military service;

(d) Number of youth completing one year of postsecondary education, the equivalent of first-year student credits, or achieving a postsecondary certificate; and

(e) Number of youth who complete an associate or bachelor's degree.

(3) The report must identify strengths and weaknesses in practice and recommend to the legislature strategy and needed resources for improvement."

On page 1, line 2 of the title, after "13.34.069," strike "28A.300.525," and on line 4 of the title, after "13.34 RCW; adding" strike "a new section" and insert "new sections"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1566 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Carlyle and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1566, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1566, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; Nays, 12; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Crouse, Hargrove, Klippert, MacEwen, Orcutt, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

SECOND SUBSTITUTE HOUSE BILL NO. 1566, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.335.190 and 2008 c 215 s 6 are each amended to read as follows:

(1) When, in the opinion of the board of directors of any school district, the cost of any furniture, supplies, equipment, building, improvements, or repairs, or other work or purchases, except books, will equal or exceed the ~~((sum of fifty thousand dollars))~~ threshold levels specified in subsections (2) and (4) of this section, complete plans and specifications for such work or purchases shall be prepared and notice by publication given in at least one newspaper of general circulation within the district, once each week for two consecutive weeks, of the intention to receive bids and that specifications and other information may be examined at the office of the board or any other officially designated location ~~(= PROVIDED, That the board without giving such notice may make improvements or repairs to the property of the district through the shop and repair department of such district when the total of such improvements or repair does not exceed the sum of forty thousand dollars).~~ The cost of any public work, improvement, or repair for the purposes of this section shall be the aggregate of all amounts to be paid for labor, material, and equipment on one continuous or interrelated project where work is to be performed simultaneously or in close sequence. The bids shall be in writing and shall be opened and read in public on the date and in the

place named in the notice and after being opened shall be filed for public inspection.

(2) Every purchase of furniture, equipment, or supplies, except books, the cost of which is estimated to be in excess of forty thousand dollars, shall be on a competitive basis. The board of directors shall establish a procedure for securing telephone and/or written quotations for such purchases. Whenever the estimated cost is from forty thousand dollars up to seventy-five thousand dollars, the procedure shall require quotations from at least three different sources to be obtained in writing or by telephone, and recorded for public perusal. Whenever the estimated cost is in excess of seventy-five thousand dollars, the public bidding process provided in subsection (1) of this section shall be followed.

(3) Any school district may purchase goods produced or provided in whole or in part from class II inmate work programs operated by the department of corrections pursuant to RCW 72.09.100, including but not limited to furniture, equipment, or supplies. School districts are encouraged to set as a target to contract, beginning after June 30, 2006, to purchase up to one percent of the total goods required by the school districts each year, goods produced or provided in whole or in part from class II inmate work programs operated by the department of corrections.

(4) ~~((Every building, improvement, repair or other public works project, the cost of which is estimated to be in excess of forty thousand dollars, shall be on a competitive bid process.))~~ The board may make improvements or repairs to the property of the district through a department within the district without following the public bidding process provided in subsection (1) of this section when the total of such improvements or repairs does not exceed the sum of seventy-five thousand dollars. Whenever the estimated cost of a building, improvement, repair, or other public works project is one hundred thousand dollars or more, the public bidding process provided in subsection (1) of this section shall be followed unless the contract is let using the small works roster process in RCW 39.04.155 or under any other procedure authorized for school districts. One or more school districts may authorize an educational service district to establish and operate a small works roster for the school district under the provisions of RCW 39.04.155.

(5) The contract for the work or purchase shall be awarded to the lowest responsible bidder as ~~((defined))~~ described in RCW ~~((43.19.191))~~ 39.26.160(2) but the board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. On any work or purchase the board shall provide bidding information to any qualified bidder or the bidder's agent, requesting it in person.

(6) In the event of any emergency when the public interest or property of the district would suffer material injury or damage by delay, upon resolution of the board declaring the existence of such an emergency and reciting the facts constituting the same, the board may waive the requirements of this section with reference to any purchase or contract: PROVIDED, That an "emergency," for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action.

(7) This section does not apply to the direct purchase of school buses by school districts and educational services in accordance with RCW 28A.160.195.

(8) This section does not apply to the purchase of Washington grown food.

(9) At the discretion of the board, a school district may develop and implement policies and procedures to facilitate and maximize to the extent practicable, purchases of Washington grown food including, but not limited to, policies that permit a percentage price preference for the purpose of procuring Washington grown food.

(10) As used in this section, "Washington grown" has the definition in RCW 15.64.060.

(11) As used in this section, "price percentage preference" means the percent by which a responsive bid from a responsible bidder whose product is a Washington grown food may exceed the lowest responsive bid submitted by a responsible bidder whose product is not a Washington grown food."

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "and amending RCW 28A.335.190."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Magendanz and Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1633, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1633, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; Nays, 12; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Crouse, Klippert, Kristiansen, Orcutt, Overstreet, Pike, Schmick, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1642 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that progress is being made in making dual high school and college credit courses available for students:

(a) Overall dual credit program enrollments increased by almost four percent between 2009 and 2012;

(b) The number of dual credit programs offered by Washington high schools increased by almost fifteen percent between the 2009-10 school year and the 2011-12 school year; and

(c) Dual credit program participation rates for low-income students increased more than fourteen percent between the 2009-10 school year and the 2011-12 school year.

(2) However, the legislature further finds that more can be done to promote academic acceleration for all students and eliminate barriers, real or perceived, that may prevent students from enrolling in rigorous advanced courses, including dual credit courses.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Each school district board of directors is encouraged to adopt an academic acceleration policy for high school students as provided under this section.

(2) Under an academic acceleration policy:

(a) The district automatically enrolls any student who meets the state standard on the high school statewide student assessment in the next most rigorous level of advanced courses offered by the high school. Students who successfully complete such an advanced course are then enrolled in the next most rigorous level of advanced course, with the objective that students will eventually be automatically enrolled in courses that offer the opportunity to earn dual credit for high school and college.

(b) The subject matter of the advanced courses in which the student is automatically enrolled depends on the content area or areas of the statewide student assessment where the student has met the state standard. Students who meet the state standard on both end-of-course mathematics assessments are considered to have met the state standard for high school mathematics. Students who meet the state standard in both reading and writing are eligible for enrollment in advanced courses in English, social studies, humanities, and other related subjects.

(c) The district must notify students and parents or guardians regarding the academic acceleration policy and the advanced courses available to students.

(d) The district must provide a parent or guardian with an opportunity to opt out of the academic acceleration policy and enroll a student in an alternative course.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the academic acceleration incentive program is established as provided in this section. The intent of the legislature is that the funds awarded under the program be used to support teacher training, curriculum, technology, examination fees, and other costs associated with offering dual credit courses to high school students.

(2) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section on a competitive basis to provide one-time grants for high schools to expand the availability of dual credit courses. To be eligible for a grant, a school district must have adopted an academic acceleration policy as provided under section 2 of this act. In making grant awards, the office of the superintendent of public instruction must give priority to grants for high schools with a high proportion of low-income students and high schools seeking to develop new capacity for dual credit courses rather than proposing marginal expansion of current capacity.

(3) The office of the superintendent of public instruction shall allocate half of the funds appropriated for the purposes of this section to school districts as an incentive award for each student who earned

dual high school and college credit, as described under subsection (4) of this section, for courses offered by the district's high schools during the previous school year. School districts must distribute the award to the high schools that generated the funds. The award amount for low-income students eligible to participate in the federal free and reduced-price meals program who earn dual credits must be set at one hundred twenty-five percent of the base award for other students. A student who earns more than one dual credit in the same school year counts only once for the purposes of the incentive award.

(4) For the purposes of this section, the following students are considered to have earned dual high school and college credit in a course offered by a high school:

(a) Students who achieve a score of three or higher on an AP examination;

(b) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(c) Students who successfully complete a Cambridge advanced international certificate of education examination;

(d) Students who successfully complete a course through the college in the high school program under RCW 28A.600.290 and are awarded credit by the partnering institution of higher education; and

(e) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a tech prep course.

(5) If a high school provides access to online courses for students to earn dual high school and college credit at no cost to the student, such a course is considered to be offered by the high school. Students enrolled in the running start program under RCW 28A.600.300 do not generate an incentive award under this section.

(6) The office of the superintendent of public instruction shall report to the education policy committees and the fiscal committees of the legislature, by January 1st of each year, information about the demographics of the students earning dual credits in the schools receiving grants under this section for the prior school year. Demographic data shall be disaggregated pursuant to RCW 28A.300.042.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.300 RCW to read as follows:

In addition to data on student enrollment in dual credit courses, the office of the superintendent of public instruction shall collect and post on the Washington state report card web site the rates at which students earn college credit through a dual credit course, using the following criteria:

(1) Students who achieve a score of three or higher on an AP examination;

(2) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(3) Students who successfully complete a Cambridge advanced international certificate of education examination;

(4) Students who successfully complete a course through the college in the high school program under RCW 28A.600.290 and are awarded credit by the partnering institution of higher education; and

(5) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a tech prep course; and

(6) Students who successfully complete a course through the running start program under RCW 28A.600.300 and are awarded credit by the institution of higher education.

NEW SECTION. Sec. 5. If specific funding for purposes of section 3 of this act, referencing section 3 of this act by bill or chapter and section number, is not provided by June 30, 2013, in the omnibus operating appropriations act, section 3 of this act is null and void."

On page 1, line 2 of the title, after "students;" strike the remainder of the title and insert "adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating new sections."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1642 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Pettigrew and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1642, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1642, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; Nays, 9; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Harris, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

SECOND SUBSTITUTE HOUSE BILL NO. 1642, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1645 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.07.030 and 2011 1st sp.s. c 11 s 137 are each amended to read as follows:

(1) The Washington higher education facilities authority is hereby established as a public body corporate and politic, with perpetual corporate succession, constituting an agency of the state of Washington exercising essential governmental functions. The authority is a "public body" within the meaning of RCW 39.53.010.

(2) The authority shall consist of ~~((six))~~ seven members as follows: The governor, lieutenant governor, chair of the student achievement council or the chair's designee, and four public members,

one of whom shall be the president of a higher education institution at the time of appointment. The public members shall be residents of the state and appointed by the governor, subject to confirmation by the senate, on the basis of their interest or expertise in the provision of higher education and the financing of higher education. The public members of the authority shall serve for terms of four years. The initial terms of the public members shall be staggered in a manner determined by the governor. In the event of a vacancy on the authority due to death, resignation, or removal of one of the public members, and upon the expiration of the term of any public member, the governor shall appoint a successor for a term expiring on the fourth anniversary of the successor's date of the appointment. If any of the state offices are abolished, the resulting vacancy on the authority shall be filled by the state officer who shall succeed substantially to the power and duties of the abolished office. Any public member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or any other cause after notice and a public hearing, unless such notice and hearing shall be expressly waived in writing.

(3) The governor shall serve as chairperson of the authority. The authority shall elect annually one of its members as secretary. If the governor shall be absent from a meeting of the authority, the secretary shall preside. However, the governor may designate an employee of the governor's office to act on the governor's behalf in all other respects during the absence of the governor at any meeting of the authority. If the designation is in writing and is presented to the person presiding at the meetings of the authority who is included in the designation, the vote of the designee has the same effect as if cast by the governor.

(4) Any person designated by resolution of the authority shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute book or a journal of the authority, and the authority's official seal, if any. The person may cause copies to be made of all minutes and other records and documents of the authority, and may give certificates to the effect that such copies are true copies. All persons dealing with the authority may rely upon the certificates.

(5) Four members of the authority constitute a quorum. Members participating in a meeting through the use of any means of communication by which all members participating can hear each other during the meeting shall be deemed to be present in person at the meeting for all purposes. The authority may act on the basis of a motion except when authorizing the issuance and sale of bonds, in which case the authority shall act by resolution. Bond resolutions and other resolutions shall be adopted upon the affirmative vote of four members of the authority, and shall be signed by those members voting yes. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting of the authority. All actions taken by the authority shall take effect immediately without need for publication or other public notice. A vacancy in the membership of the authority does not impair the power of the authority to act under this chapter.

(6) The members of the authority shall be compensated in accordance with RCW 43.03.240 and shall be entitled to reimbursement, solely from the funds of the authority, for travel expenses as determined by the authority incurred in the discharge of their duties under this chapter."

On page 1, line 2 of the title, after "authority;" strike the remainder of the title and insert "and amending RCW 28B.07.030."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1645 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Riccelli and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1645, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1645, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Pike and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1645, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.02.010 and 2006 c 235 s 2 are each amended to read as follows:

DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" has the same meaning as in RCW 71.05.020.

(2) "Audit" means an assessment, evaluation, determination, or investigation of a health care provider by a person not employed by or affiliated with the provider to determine compliance with:

(a) Statutory, regulatory, fiscal, medical, or scientific standards;

(b) A private or public program of payments to a health care provider; or

(c) Requirements for licensing, accreditation, or certification.

((2)) (3) "Commitment" has the same meaning as in RCW 71.05.020.

(4) "Custody" has the same meaning as in RCW 71.05.020.

(5) "Deidentified" means health information that does not identify

an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.

~~(6)~~ "Department" means the department of social and health services.

~~(7)~~ "Designated mental health professional" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

~~(8)~~ "Detention" or "detain" has the same meaning as in RCW 71.05.020.

~~(9)~~ "Directory information" means information disclosing the presence, and for the purpose of identification, the name, location within a health care facility, and the general health condition of a particular patient who is a patient in a health care facility or who is currently receiving emergency health care in a health care facility.

~~((3))~~ ~~(10)~~ "Discharge" has the same meaning as in RCW 71.05.020.

~~(11)~~ "Evaluation and treatment facility" has the same meaning as in RCW 71.05.020 or 71.34.020, as applicable.

~~(12)~~ "Federal, state, or local law enforcement authorities" means an officer of any agency or authority in the United States, a state, a tribe, a territory, or a political subdivision of a state, a tribe, or a territory who is empowered by law to: (a) Investigate or conduct an official inquiry into a potential criminal violation of law; or (b) prosecute or otherwise conduct a criminal proceeding arising from an alleged violation of law.

~~((4))~~ ~~(13)~~ "General health condition" means the patient's health status described in terms of "critical," "poor," "fair," "good," "excellent," or terms denoting similar conditions.

~~((5))~~ ~~(14)~~ "Health care" means any care, service, or procedure provided by a health care provider:

(a) To diagnose, treat, or maintain a patient's physical or mental condition; or

(b) That affects the structure or any function of the human body.

~~((6))~~ ~~(15)~~ "Health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

~~((7))~~ ~~(16)~~ "Health care information" means any information, whether oral or recorded in any form or medium, that identifies or can readily be associated with the identity of a patient and directly relates to the patient's health care, including a patient's deoxyribonucleic acid and identified sequence of chemical base pairs. The term includes any required accounting of disclosures of health care information.

~~((8))~~ ~~(17)~~ "Health care operations" means any of the following activities of a health care provider, health care facility, or third-party payor to the extent that the activities are related to functions that make an entity a health care provider, a health care facility, or a third-party payor:

(a) Conducting: Quality assessment and improvement activities, including outcomes evaluation and development of clinical guidelines, if the obtaining of generalizable knowledge is not the primary purpose of any studies resulting from such activities; population-based activities relating to improving health or reducing health care costs, protocol development, case management and care coordination, contacting of health care providers and patients with information about treatment alternatives; and related functions that do not include treatment;

(b) Reviewing the competence or qualifications of health care professionals, evaluating practitioner and provider performance and third-party payor performance, conducting training programs in which students, trainees, or practitioners in areas of health care learn under supervision to practice or improve their skills as health care providers, training of nonhealth care professionals, accreditation, certification, licensing, or credentialing activities;

(c) Underwriting, premium rating, and other activities relating to the creation, renewal, or replacement of a contract of health insurance or health benefits, and ceding, securing, or placing a contract for reinsurance of risk relating to claims for health care, including stop-

loss insurance and excess of loss insurance, if any applicable legal requirements are met;

(d) Conducting or arranging for medical review, legal services, and auditing functions, including fraud and abuse detection and compliance programs;

(e) Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the health care facility or third-party payor, including formulary development and administration, development, or improvement of methods of payment or coverage policies; and

(f) Business management and general administrative activities of the health care facility, health care provider, or third-party payor including, but not limited to:

(i) Management activities relating to implementation of and compliance with the requirements of this chapter;

(ii) Customer service, including the provision of data analyses for policy holders, plan sponsors, or other customers, provided that health care information is not disclosed to such policy holder, plan sponsor, or customer;

(iii) Resolution of internal grievances;

(iv) The sale, transfer, merger, or consolidation of all or part of a health care provider, health care facility, or third-party payor with another health care provider, health care facility, or third-party payor or an entity that following such activity will become a health care provider, health care facility, or third-party payor, and due diligence related to such activity; and

(v) Consistent with applicable legal requirements, creating deidentified health care information or a limited dataset (~~and fund-raising~~) for the benefit of the health care provider, health care facility, or third-party payor.

~~((9))~~ ~~(18)~~ "Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the law of this state to provide health care in the ordinary course of business or practice of a profession.

~~((10))~~ ~~(19)~~ "Human immunodeficiency virus" or "HIV" has the same meaning as in RCW 70.24.017.

~~(20)~~ "Imminent" has the same meaning as in RCW 71.05.020.

~~(21)~~ "Information and records related to mental health services" means a type of health care information that relates to all information and records, including mental health treatment records, compiled, obtained, or maintained in the course of providing services by a mental health service agency, as defined in this section. This may include documents of legal proceedings under chapter 71.05, 71.34, or 10.77 RCW, or somatic health care information. For health care information maintained by a hospital as defined in RCW 70.41.020 or a health care facility or health care provider that participates with a hospital in an organized health care arrangement defined under federal law, "information and records related to mental health services" is limited to information and records of services provided by a mental health professional or information and records of services created by a hospital-operated community mental health program as defined in RCW 71.24.025(6).

~~(22)~~ "Information and records related to sexually transmitted diseases" means a type of health care information that relates to the identity of any person upon whom an HIV antibody test or other sexually transmitted infection test is performed, the results of such tests, and any information relating to diagnosis of or treatment for any confirmed sexually transmitted infections.

~~(23)~~ "Institutional review board" means any board, committee, or other group formally designated by an institution, or authorized under federal or state law, to review, approve the initiation of, or conduct periodic review of research programs to assure the protection of the rights and welfare of human research subjects.

~~((14))~~ ~~(24)~~ "Legal counsel" has the same meaning as in RCW 71.05.020.

~~(25)~~ "Local public health officer" has the same meaning as in

RCW 70.24.017.

(26) "Maintain," as related to health care information, means to hold, possess, preserve, retain, store, or control that information.

((42)) (27) "Mental health professional" has the same meaning as in RCW 71.05.020.

(28) "Mental health service agency" means a public or private agency that provides services to persons with mental disorders as defined under RCW 71.05.020 or 71.34.020 and receives funding from public sources. This includes evaluation and treatment facilities as defined in RCW 71.34.020, community mental health service delivery systems, or community mental health programs, as defined in RCW 71.24.025, and facilities conducting competency evaluations and restoration under chapter 10.77 RCW.

(29) "Mental health treatment records" include registration records, as defined in RCW 71.05.020, and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staff, and by treatment facilities. "Mental health treatment records" include mental health information contained in a medical bill including, but not limited to, mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. "Mental health treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others.

(30) "Minor" has the same meaning as in RCW 71.34.020.

(31) "Parent" has the same meaning as in RCW 71.34.020.

(32) "Patient" means an individual who receives or has received health care. The term includes a deceased individual who has received health care.

((43)) (33) "Payment" means:

(a) The activities undertaken by:

(i) A third-party payor to obtain premiums or to determine or fulfill its responsibility for coverage and provision of benefits by the third-party payor; or

(ii) A health care provider, health care facility, or third-party payor, to obtain or provide reimbursement for the provision of health care; and

(b) The activities in (a) of this subsection that relate to the patient to whom health care is provided and that include, but are not limited to:

(i) Determinations of eligibility or coverage, including coordination of benefits or the determination of cost-sharing amounts, and adjudication or subrogation of health benefit claims;

(ii) Risk adjusting amounts due based on enrollee health status and demographic characteristics;

(iii) Billing, claims management, collection activities, obtaining payment under a contract for reinsurance, including stop-loss insurance and excess of loss insurance, and related health care data processing;

(iv) Review of health care services with respect to medical necessity, coverage under a health plan, appropriateness of care, or justification of charges;

(v) Utilization review activities, including precertification and preauthorization of services, and concurrent and retrospective review of services; and

(vi) Disclosure to consumer reporting agencies of any of the following health care information relating to collection of premiums or reimbursement:

(A) Name and address;

(B) Date of birth;

(C) Social security number;

(D) Payment history;

(E) Account number; and

(F) Name and address of the health care provider, health care facility, and/or third-party payor.

((14)) (34) "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

((15)) (35) "Professional person" has the same meaning as in RCW 71.05.020.

(36) "Psychiatric advanced registered nurse practitioner" has the same meaning as in RCW 71.05.020.

(37) "Reasonable fee" means the charges for duplicating or searching the record, but shall not exceed sixty-five cents per page for the first thirty pages and fifty cents per page for all other pages. In addition, a clerical fee for searching and handling may be charged not to exceed fifteen dollars. These amounts shall be adjusted biennially in accordance with changes in the consumer price index, all consumers, for Seattle-Tacoma metropolitan statistical area as determined by the secretary of health. However, where editing of records by a health care provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.

((16)) (38) "Release" has the same meaning as in RCW 71.05.020.

(39) "Resource management services" has the same meaning as in RCW 71.05.020.

(40) "Serious violent offense" has the same meaning as in RCW 71.05.020.

(41) "Sexually transmitted infection" or "sexually transmitted disease" has the same meaning as "sexually transmitted disease" in RCW 70.24.017.

(42) "Test for a sexually transmitted disease" has the same meaning as in RCW 70.24.017.

(43) "Third-party payor" means an insurer regulated under Title 48 RCW authorized to transact business in this state or other jurisdiction, including a health care service contractor, and health maintenance organization; or an employee welfare benefit plan, excluding fitness or wellness plans; or a state or federal health benefit program.

((17)) (44) "Treatment" means the provision, coordination, or management of health care and related services by one or more health care providers or health care facilities, including the coordination or management of health care by a health care provider or health care facility with a third party; consultation between health care providers or health care facilities relating to a patient; or the referral of a patient for health care from one health care provider or health care facility to another.

Sec. 2. RCW 70.02.020 and 2005 c 468 s 2 are each amended to read as follows:

DISCLOSURE BY HEALTH CARE PROVIDER--PATIENT WRITTEN AUTHORIZATION REQUIRED. (1) Except as authorized ((in RCW 70.02.050)) elsewhere in this chapter, a health care provider, an individual who assists a health care provider in the delivery of health care, or an agent and employee of a health care provider may not disclose health care information about a patient to any other person without the patient's written authorization. A disclosure made under a patient's written authorization must conform to the authorization.

(2) A patient has a right to receive an accounting of all disclosures of mental health treatment records except disclosures made under RCW 71.05.425.

(3) A patient has a right to receive an accounting of disclosures of health care information, except for mental health treatment records which are addressed in subsection (2) of this section, made by a health care provider or a health care facility in the six years before the date on which the accounting is requested, except for disclosures:

(a) To carry out treatment, payment, and health care operations;

- (b) To the patient of health care information about him or her;
- (c) Incident to a use or disclosure that is otherwise permitted or required;
- (d) Pursuant to an authorization where the patient authorized the disclosure of health care information about himself or herself;
- (e) Of directory information;
- (f) To persons involved in the patient's care;
- (g) For national security or intelligence purposes if an accounting of disclosures is not permitted by law;
- (h) To correctional institutions or law enforcement officials if an accounting of disclosures is not permitted by law; and
- (i) Of a limited data set that excludes direct identifiers of the patient or of relatives, employers, or household members of the patient.

Sec. 3. RCW 70.02.050 and 2007 c 156 s 12 are each amended to read as follows:

DISCLOSURE WITHOUT PATIENT'S AUTHORIZATION--NEED-TO-KNOW BASIS. (1) A health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases which are addressed in section 6 of this act, about a patient without the patient's authorization to the extent a recipient needs to know the information, if the disclosure is:

- (a) To a person who the provider or facility reasonably believes is providing health care to the patient;
- (b) To any other person who requires health care information for health care education, or to provide planning, quality assurance, peer review, or administrative, legal, financial, actuarial services to, or other health care operations for or on behalf of the health care provider or health care facility; or for assisting the health care provider or health care facility in the delivery of health care and the health care provider or health care facility reasonably believes that the person:
 - (i) Will not use or disclose the health care information for any other purpose; and
 - (ii) Will take appropriate steps to protect the health care information;
- (c) ~~(To any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;~~
- ~~(d)) To any person if the health care provider or health care facility reasonably believes that disclosure will avoid or minimize an imminent danger to the health or safety of the patient or any other individual, however there is no obligation under this chapter on the part of the provider or facility to so disclose. The fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies is not subject to disclosure unless disclosure is permitted in section 7 of this act;~~
- ~~((e) To immediate family members of the patient, including a patient's state registered domestic partner, or any other individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;~~
- ~~(f) To a health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;~~
- ~~(g) For use in a research project that an institutional review board has determined:~~
 - ~~(i) Is of sufficient importance to outweigh the intrusion into the privacy of the patient that would result from the disclosure;~~
 - ~~(ii) Is impracticable without the use or disclosure of the health~~

- ~~care information in individually identifiable form;~~
- ~~— (iii) Contains reasonable safeguards to protect the information from redisclosure;~~
- ~~— (iv) Contains reasonable safeguards to protect against identifying, directly or indirectly, any patient in any report of the research project; and~~
- ~~— (v) Contains procedures to remove or destroy at the earliest opportunity, consistent with the purposes of the project, information that would enable the patient to be identified, unless an institutional review board authorizes retention of identifying information for purposes of another research project;~~
- ~~— (h) To a person who obtains information for purposes of an audit, if that person agrees in writing to:~~
 - ~~— (i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and~~
 - ~~— (ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;~~
- ~~— (i)) (d) To an official of a penal or other custodial institution in which the patient is detained;~~
 - ~~((j) To provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;~~
 - ~~— (k) To fire, police, sheriff, or another public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;~~
 - ~~— (l) To federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor;~~
 - ~~— (m) To another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(8) (a) and (b);)) or~~
 - ~~((n)) (e) For payment, including information necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he or she may be entitled.~~
- (2) A health care provider shall disclose health care information, except for information and records related to sexually transmitted diseases, unless otherwise authorized in section 6 of this act, about a patient without the patient's authorization if the disclosure is:
 - (a) To federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal licensure, certification or registration rules or laws, or to investigate unprofessional conduct or ability to practice with reasonable skill and safety under chapter 18.130 RCW. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW; or
 - (b) When needed to protect the public health:
 - (b) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;
 - (c) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the

~~patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:~~

- ~~— (i) The name of the patient;~~
- ~~— (ii) The patient's residence;~~
- ~~— (iii) The patient's sex;~~
- ~~— (iv) The patient's age;~~
- ~~— (v) The patient's condition;~~
- ~~— (vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;~~
- ~~— (vii) Whether the patient was conscious when admitted;~~
- ~~— (viii) The name of the health care provider making the determination in (e)(v), (vi), and (vii) of this subsection;~~
- ~~— (ix) Whether the patient has been transferred to another facility;~~
- ~~and~~
- ~~— (x) The patient's discharge time and date;~~
- ~~— (d) To county coroners and medical examiners for the investigations of deaths;~~
- ~~— (e) Pursuant to compulsory process in accordance with RCW 70.02.060.~~

~~— (3) All state or local agencies obtaining patient health care information pursuant to this section shall adopt rules establishing their record acquisition, retention, and security policies that are consistent with this chapter).~~

NEW SECTION. Sec. 4. A new section is added to chapter 70.02 RCW to read as follows:

DISCLOSURE WITHOUT PATIENT'S AUTHORIZATION-- PERMITTED AND MANDATORY DISCLOSURES. (1) In addition to the disclosures authorized by RCW 70.02.050 and section 5 of this act, a health care provider or health care facility may disclose health care information, except for information and records related to sexually transmitted diseases and information related to mental health services which are addressed by sections 6 through 10 of this act, about a patient without the patient's authorization, to:

- (a) Any other health care provider or health care facility reasonably believed to have previously provided health care to the patient, to the extent necessary to provide health care to the patient, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;
- (b) Immediate family members of the patient, including a patient's state registered domestic partner, or any other individual with whom the patient is known to have a close personal relationship, if made in accordance with good medical or other professional practice, unless the patient has instructed the health care provider or health care facility in writing not to make the disclosure;
- (c) A health care provider or health care facility who is the successor in interest to the health care provider or health care facility maintaining the health care information;
- (d) A person who obtains information for purposes of an audit, if that person agrees in writing to:
 - (i) Remove or destroy, at the earliest opportunity consistent with the purpose of the audit, information that would enable the patient to be identified; and
 - (ii) Not to disclose the information further, except to accomplish the audit or report unlawful or improper conduct involving fraud in payment for health care by a health care provider or patient, or other unlawful conduct by the health care provider;
- (e) Provide directory information, unless the patient has instructed the health care provider or health care facility not to make the disclosure;

(f) Fire, police, sheriff, or other public authority, that brought, or caused to be brought, the patient to the health care facility or health care provider if the disclosure is limited to the patient's name, residence, sex, age, occupation, condition, diagnosis, estimated or actual discharge date, or extent and location of injuries as determined by a physician, and whether the patient was conscious when admitted;

(g) Federal, state, or local law enforcement authorities and the health care provider, health care facility, or third-party payor believes in good faith that the health care information disclosed constitutes evidence of criminal conduct that occurred on the premises of the health care provider, health care facility, or third-party payor; and

(h) Another health care provider, health care facility, or third-party payor for the health care operations of the health care provider, health care facility, or third-party payor that receives the information, if each entity has or had a relationship with the patient who is the subject of the health care information being requested, the health care information pertains to such relationship, and the disclosure is for the purposes described in RCW 70.02.010(17) (a) and (b).

(2) In addition to the disclosures required by RCW 70.02.050 and section 5 of this act, a health care provider shall disclose health care information, except for information related to sexually transmitted diseases and information related to mental health services which are addressed by sections 6 through 10 of this act, about a patient without the patient's authorization if the disclosure is:

- (a) To federal, state, or local law enforcement authorities to the extent the health care provider is required by law;
- (b) To federal, state, or local law enforcement authorities, upon receipt of a written or oral request made to a nursing supervisor, administrator, or designated privacy official, in a case in which the patient is being treated or has been treated for a bullet wound, gunshot wound, powder burn, or other injury arising from or caused by the discharge of a firearm, or an injury caused by a knife, an ice pick, or any other sharp or pointed instrument which federal, state, or local law enforcement authorities reasonably believe to have been intentionally inflicted upon a person, or a blunt force injury that federal, state, or local law enforcement authorities reasonably believe resulted from a criminal act, the following information, if known:
 - (i) The name of the patient;
 - (ii) The patient's residence;
 - (iii) The patient's sex;
 - (iv) The patient's age;
 - (v) The patient's condition;
 - (vi) The patient's diagnosis, or extent and location of injuries as determined by a health care provider;
 - (vii) Whether the patient was conscious when admitted;
 - (viii) The name of the health care provider making the determination in (b)(v), (vi), and (vii) of this subsection;
 - (ix) Whether the patient has been transferred to another facility;
 - and
 - (x) The patient's discharge time and date;
- (c) Pursuant to compulsory process in accordance with RCW 70.02.060.

NEW SECTION. Sec. 5. A new section is added to chapter 70.02 RCW to read as follows:

DISCLOSURE WITHOUT PATIENT'S AUTHORIZATION-- RESEARCH. (1) A health care provider or health care facility may disclose health care information about a patient without the patient's authorization to the extent a recipient needs to know the information, if the disclosure is for use in a research project that an institutional review board has determined:

- (a) Is of sufficient importance to outweigh the intrusion into the privacy of the patient that would result from the disclosure;
- (b) Is impracticable without the use or disclosure of the health care information in individually identifiable form;
- (c) Contains reasonable safeguards to protect the information from redisclosure;

(d) Contains reasonable safeguards to protect against identifying, directly or indirectly, any patient in any report of the research project; and

(e) Contains procedures to remove or destroy at the earliest opportunity, consistent with the purposes of the project, information that would enable the patient to be identified, unless an institutional review board authorizes retention of identifying information for purposes of another research project.

(2) In addition to the disclosures required by RCW 70.02.050 and section 4 of this act, a health care provider or health care facility shall disclose health care information about a patient without the patient's authorization if:

(a) The disclosure is to county coroners and medical examiners for the investigations of deaths;

(b) The disclosure is to a procurement organization or person to whom a body part passes for the purpose of examination necessary to assure the medical suitability of the body part; or

(c) The disclosure is to a person subject to the jurisdiction of the federal food and drug administration in regards to a food and drug administration-regulated product or activity for which that person has responsibility for quality, safety, or effectiveness of activities.

NEW SECTION. Sec. 6. A new section is added to chapter 70.02 RCW to read as follows:

SEXUALLY TRANSMITTED DISEASES--PERMITTED AND MANDATORY DISCLOSURES. (1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this section, section 5 of this act, or chapter 70.24 RCW.

(2) No person may disclose or be compelled to disclose information and records related to sexually transmitted diseases, except as authorized by this section, section 5 of this act, or chapter 70.24 RCW. A person may disclose information related to sexually transmitted diseases about a patient without the patient's authorization, to the extent a recipient needs to know the information, if the disclosure is to:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor fourteen years of age or over and otherwise competent;

(b) The state public health officer as defined in RCW 70.24.017, a local public health officer, or the centers for disease control of the United States public health service in accordance with reporting requirements for a diagnosed case of a sexually transmitted disease;

(c) A health facility or health care provider that procures, processes, distributes, or uses: (i) A human body part, tissue, or blood from a deceased person with respect to medical information regarding that person; (ii) semen, including that was provided prior to March 23, 1988, for the purpose of artificial insemination; or (iii) blood specimens;

(d) Any state or local public health officer conducting an investigation pursuant to RCW 70.24.024, so long as the record was obtained by means of court-ordered HIV testing pursuant to RCW 70.24.340 or 70.24.024;

(e) A person allowed access to the record by a court order granted after application showing good cause therefor. In assessing good cause, the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of the order, the court, in determining the extent to which any disclosure of all or any part of the record of any such test is necessary, shall impose appropriate safeguards against unauthorized disclosure. An order authorizing disclosure must: (i) Limit disclosure to those parts of the patient's record deemed essential to fulfill the objective for which the order was granted; (ii) limit disclosure to those persons whose need for information is the basis for the order; and (iii) include any other

appropriate measures to keep disclosure to a minimum for the protection of the patient, the physician-patient relationship, and the treatment services;

(f) Persons who, because of their behavioral interaction with the infected individual, have been placed at risk for acquisition of a sexually transmitted disease, as provided in RCW 70.24.022, if the health officer or authorized representative believes that the exposed person was unaware that a risk of disease exposure existed and that the disclosure of the identity of the infected person is necessary;

(g) A law enforcement officer, firefighter, health care provider, health care facility staff person, department of correction's staff person, jail staff person, or other persons as defined by the board of health in rule pursuant to RCW 70.24.340(4), who has requested a test of a person whose bodily fluids he or she has been substantially exposed to, pursuant to RCW 70.24.340(4), if a state or local public health officer performs the test;

(h) Claims management personnel employed by or associated with an insurer, health care service contractor, health maintenance organization, self-funded health plan, state administered health care claims payer, or any other payer of health care claims where such disclosure is to be used solely for the prompt and accurate evaluation and payment of medical or related claims. Information released under this subsection must be confidential and may not be released or available to persons who are not involved in handling or determining medical claims payment; and

(i) A department of social and health services worker, a child placing agency worker, or a guardian ad litem who is responsible for making or reviewing placement or case-planning decisions or recommendations to the court regarding a child, who is less than fourteen years of age, has a sexually transmitted disease, and is in the custody of the department of social and health services or a licensed child placing agency. This information may also be received by a person responsible for providing residential care for such a child when the department of social and health services or a licensed child placing agency determines that it is necessary for the provision of child care services.

(3) No person to whom the results of a test for a sexually transmitted disease have been disclosed pursuant to subsection (2) of this section may disclose the test results to another person except as authorized by that subsection.

(4) The release of sexually transmitted disease information regarding an offender or detained person, except as provided in subsection (2)(d) of this section, is governed as follows:

(a) The sexually transmitted disease status of a department of corrections offender who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by department of corrections health care providers and local public health officers to the department of corrections health care administrator or infection control coordinator of the facility in which the offender is housed. The information made available to the health care administrator or the infection control coordinator under this subsection (4)(a) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. The information may be submitted to transporting officers and receiving facilities, including facilities that are not under the department of corrections' jurisdiction according to the provisions of (d) and (e) of this subsection.

(b) The sexually transmitted disease status of a person detained in a jail who has had a mandatory test conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370 must be made available by the local public health officer to a jail health care administrator or infection control coordinator. The information made available to a health care administrator under this subsection (4)(b) may be used only for disease prevention or control and for protection of the safety and security of the staff, offenders, detainees, and the public. The

information may be submitted to transporting officers and receiving facilities according to the provisions of (d) and (e) of this subsection.

(c) Information regarding the sexually transmitted disease status of an offender or detained person is confidential and may be disclosed by a correctional health care administrator or infection control coordinator or local jail health care administrator or infection control coordinator only as necessary for disease prevention or control and for protection of the safety and security of the staff, offenders, and the public. Unauthorized disclosure of this information to any person may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080 or any other penalties as may be prescribed by law.

(d) Notwithstanding the limitations on disclosure contained in (a), (b), and (c) of this subsection, whenever any member of a jail staff or department of corrections staff has been substantially exposed to the bodily fluids of an offender or detained person, then the results of any tests conducted pursuant to RCW 70.24.340(1), 70.24.360, or 70.24.370, must be immediately disclosed to the staff person in accordance with the Washington Administrative Code rules governing employees' occupational exposure to bloodborne pathogens. Disclosure must be accompanied by appropriate counseling for the staff member, including information regarding follow-up testing and treatment. Disclosure must also include notice that subsequent disclosure of the information in violation of this chapter or use of the information to harass or discriminate against the offender or detainee may result in disciplinary action, in addition to the penalties prescribed in RCW 70.24.080, and imposition of other penalties prescribed by law.

(e) The staff member must also be informed whether the offender or detained person had any other communicable disease, as defined in RCW 72.09.251(3), when the staff person was substantially exposed to the offender's or detainee's bodily fluids.

(f) The test results of voluntary and anonymous HIV testing or HIV-related condition, as defined in RCW 70.24.017, may not be disclosed to a staff person except as provided in this section and RCW 70.02.050(1)(e) and 70.24.340(4). A health care administrator or infection control coordinator may provide the staff member with information about how to obtain the offender's or detainee's test results under this section and RCW 70.02.050(1)(e) and 70.24.340(4).

(5) The requirements of this section do not apply to the customary methods utilized for the exchange of medical information among health care providers in order to provide health care services to the patient, nor do they apply within health care facilities where there is a need for access to confidential medical information to fulfill professional duties.

(6) Upon request of the victim, disclosure of test results under this section to victims of sexual offenses under chapter 9A.44 RCW must be made if the result is negative or positive. The county prosecuting attorney shall notify the victim of the right to such disclosure. The disclosure must be accompanied by appropriate counseling, including information regarding follow-up testing.

(7) A person, including a health care facility or health care provider, shall disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease and information and records related to sexually transmitted diseases to federal, state, or local public health authorities, to the extent the health care provider is required by law to report health care information; when needed to determine compliance with state or federal certification or registration rules or laws; or when needed to protect the public health. Any health care information obtained under this subsection is exempt from public inspection and copying pursuant to chapter 42.56 RCW.

NEW SECTION. Sec. 7. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES, CONFIDENTIALITY OF RECORDS--PERMITTED DISCLOSURES. (1) Except as provided

in this section, RCW 70.02.050, 71.05.445, 70.96A.150, 74.09.295, sections 5, 8, 9, and 10 of this act, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.

(2) Information and records related to mental health services, other than those obtained through treatment under chapter 71.34 RCW, may be disclosed only:

(a) In communications between qualified professional persons to meet the requirements of chapter 71.05 RCW, in the provision of services or appropriate referrals, or in the course of guardianship proceedings if provided to a professional person:

- (i) Employed by the facility;
- (ii) Who has medical responsibility for the patient's care;
- (iii) Who is a designated mental health professional;
- (iv) Who is providing services under chapter 71.24 RCW;
- (v) Who is employed by a state or local correctional facility

where the person is confined or supervised; or

(vi) Who is providing evaluation, treatment, or follow-up services under chapter 10.77 RCW;

(b) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing services to the operator of a facility in which the patient resides or will reside;

(c)(i) When the person receiving services, or his or her guardian, designates persons to whom information or records may be released, or if the person is a minor, when his or her parents make such a designation;

(ii) A public or private agency shall release to a person's next of kin, attorney, personal representative, guardian, or conservator, if any:

(A) The information that the person is presently a patient in the facility or that the person is seriously physically ill;

(B) A statement evaluating the mental and physical condition of the patient, and a statement of the probable duration of the patient's confinement, if such information is requested by the next of kin, attorney, personal representative, guardian, or conservator; and

(iii) Other information requested by the next of kin or attorney as may be necessary to decide whether or not proceedings should be instituted to appoint a guardian or conservator;

(d)(i) To the courts as necessary to the administration of chapter 71.05 RCW or to a court ordering an evaluation or treatment under chapter 10.77 RCW solely for the purpose of preventing the entry of any evaluation or treatment order that is inconsistent with any order entered under chapter 71.05 RCW.

(ii) To a court or its designee in which a motion under chapter 10.77 RCW has been made for involuntary medication of a defendant for the purpose of competency restoration.

(iii) Disclosure under this subsection is mandatory for the purpose of the federal health insurance portability and accountability act;

(e)(i) When a mental health professional is requested by a representative of a law enforcement or corrections agency, including a police officer, sheriff, community corrections officer, a municipal attorney, or prosecuting attorney to undertake an investigation or provide treatment under RCW 71.05.150, 10.31.110, or 71.05.153, the mental health professional shall, if requested to do so, advise the representative in writing of the results of the investigation including a statement of reasons for the decision to detain or release the person investigated. The written report must be submitted within seventy-two hours of the completion of the investigation or the request from the law enforcement or corrections representative, whichever occurs later.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(f) To the attorney of the detained person;

(g) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2), 71.05.340(1)(b), and 71.05.335. The prosecutor must be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information must be disclosed only after giving notice to the committed person and the person's counsel;

(h)(i) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of commitment, admission, discharge, or release, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(i)(i) To appropriate corrections and law enforcement agencies all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not so long as the decision was reached in good faith and without gross negligence.

(ii) Disclosure under this subsection is mandatory for the purposes of the health insurance portability and accountability act;

(j) To the persons designated in RCW 71.05.425 for the purposes described in those sections;

(k) Upon the death of a person. The person's next of kin, personal representative, guardian, or conservator, if any, must be notified. Next of kin who are of legal age and competent must be notified under this section in the following order: Spouse, parents, children, brothers and sisters, and other relatives according to the degree of relation. Access to all records and information compiled, obtained, or maintained in the course of providing services to a deceased patient are governed by RCW 70.02.140;

(l) To mark headstones or otherwise memorialize patients interred at state hospital cemeteries. The department of social and health services shall make available the name, date of birth, and date of death of patients buried in state hospital cemeteries fifty years after the death of a patient;

(m) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(ii). The extent of information that may be released is limited as follows:

(i) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(ii) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(ii);

(iii) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(n) When a patient would otherwise be subject to the provisions of this section and disclosure is necessary for the protection of the patient or others due to his or her unauthorized disappearance from the facility, and his or her whereabouts is unknown, notice of the disappearance, along with relevant information, may be made to relatives, the department of corrections when the person is under the supervision of the department, and governmental law enforcement agencies designated by the physician or psychiatric advanced registered nurse practitioner in charge of the patient or the professional person in charge of the facility, or his or her professional designee;

(o) Pursuant to lawful order of a court;

(p) To qualified staff members of the department, to the director of regional support networks, to resource management services responsible for serving a patient, or to service providers designated by resource management services as necessary to determine the progress and adequacy of treatment and to determine whether the person should be transferred to a less restrictive or more appropriate treatment modality or facility;

(q) Within the treatment facility where the patient is receiving treatment, confidential information may be disclosed to persons employed, serving in bona fide training programs, or participating in supervised volunteer programs, at the facility when it is necessary to perform their duties;

(r) Within the department as necessary to coordinate treatment for mental illness, developmental disabilities, alcoholism, or drug abuse of persons who are under the supervision of the department;

(s) To a licensed physician or psychiatric advanced registered nurse practitioner who has determined that the life or health of the person is in danger and that treatment without the information contained in the mental health treatment records could be injurious to the patient's health. Disclosure must be limited to the portions of the records necessary to meet the medical emergency;

(t) Consistent with the requirements of the federal health information portability and accountability act, to a licensed mental health professional or a health care professional licensed under chapter 18.71, 18.71A, 18.57, 18.57A, 18.79, or 18.36A RCW who is providing care to a person, or to whom a person has been referred for evaluation or treatment, to assure coordinated care and treatment of that person. Psychotherapy notes, as defined in 45 C.F.R. Sec. 164.501, may not be released without authorization of the person who is the subject of the request for release of information;

(u) To administrative and office support staff designated to obtain medical records for those licensed professionals listed in (t) of this subsection;

(v) To a facility that is to receive a person who is involuntarily committed under chapter 71.05 RCW, or upon transfer of the person from one treatment facility to another. The release of records under this subsection is limited to the mental health treatment records required by law, a record or summary of all somatic treatments, and a discharge summary. The discharge summary may include a statement of the patient's problem, the treatment goals, the type of treatment which has been provided, and recommendation for future treatment, but may not include the patient's complete treatment record;

(w) To the person's counsel or guardian ad litem, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patient's rights under chapter 71.05 RCW;

(x) To staff members of the protection and advocacy agency or to staff members of a private, nonprofit corporation for the purpose of protecting and advocating the rights of persons with mental disorders or developmental disabilities. Resource management services may limit the release of information to the name, birthdate, and county of residence of the patient, information regarding whether the patient

was voluntarily admitted, or involuntarily committed, the date and place of admission, placement, or commitment, the name and address of a guardian of the patient, and the date and place of the guardian's appointment. Any staff member who wishes to obtain additional information must notify the patient's resource management services in writing of the request and of the resource management services' right to object. The staff member shall send the notice by mail to the guardian's address. If the guardian does not object in writing within fifteen days after the notice is mailed, the staff member may obtain the additional information. If the guardian objects in writing within fifteen days after the notice is mailed, the staff member may not obtain the additional information;

(y) To all current treating providers of the patient with prescriptive authority who have written a prescription for the patient within the last twelve months. For purposes of coordinating health care, the department may release without written authorization of the patient, information acquired for billing and collection purposes as described in RCW 70.02.050(1)(e). The department shall notify the patient that billing and collection information has been released to named providers, and provide the substance of the information released and the dates of such release. The department may not release counseling, inpatient psychiatric hospitalization, or drug and alcohol treatment information without a signed written release from the client;

(z)(i) To the secretary of social and health services for either program evaluation or research, or both so long as the secretary adopts rules for the conduct of the evaluation or research, or both. Such rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/"

(ii) Nothing in this chapter may be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary.

(3) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for chemical dependency, the department may restrict the release of the information as necessary to comply with federal law and regulations.

(4) Civil liability and immunity for the release of information about a particular person who is committed to the department of social and health services under RCW 71.05.280(3) and 71.05.320(3)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by RCW 4.24.550.

(5) The fact of admission to a provider of mental health services, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to chapter 71.05 RCW are not admissible as evidence in any legal proceeding outside that chapter without the written authorization of the person who was the subject of the proceeding except as provided in section 10 of this act, in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(3)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial, in a civil commitment proceeding pursuant to chapter

71.09 RCW, or, in the case of a minor, a guardianship or dependency proceeding. The records and files maintained in any court proceeding pursuant to chapter 71.05 RCW must be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his or her attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

(6)(a) Except as provided in RCW 4.24.550, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this section, for the greater of the following amounts:

(i) One thousand dollars; or

(ii) Three times the amount of actual damages sustained, if any.

(b) It is not a prerequisite to recovery under this subsection that the plaintiff suffered or was threatened with special, as contrasted with general, damages.

(c) Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this section, and may in the same action seek damages as provided in this subsection.

(d) The court may award to the plaintiff, should he or she prevail in any action authorized by this subsection, reasonable attorney fees in addition to those otherwise provided by law.

(e) If an action is brought under this subsection, no action may be brought under RCW 70.02.170.

NEW SECTION. Sec. 8. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES--MINORS--PERMITTED DISCLOSURES. The fact of admission and all information and records related to mental health services obtained through treatment under chapter 71.34 RCW is confidential, except as authorized in RCW 70.02.050 and sections 5, 7, 9, and 10 of this act. Such confidential information may be disclosed only:

(1) In communications between mental health professionals to meet the requirements of chapter 71.34 RCW, in the provision of services to the minor, or in making appropriate referrals;

(2) In the course of guardianship or dependency proceedings;

(3) To the minor, the minor's parent, and the minor's attorney, subject to RCW 13.50.100;

(4) To the courts as necessary to administer chapter 71.34 RCW;

(5) To law enforcement officers or public health officers as necessary to carry out the responsibilities of their office. However, only the fact and date of admission, and the date of discharge, the name and address of the treatment provider, if any, and the last known address must be disclosed upon request;

(6) To law enforcement officers, public health officers, relatives, and other governmental law enforcement agencies, if a minor has escaped from custody, disappeared from an evaluation and treatment facility, violated conditions of a less restrictive treatment order, or failed to return from an authorized leave, and then only such information as may be necessary to provide for public safety or to assist in the apprehension of the minor. The officers are obligated to keep the information confidential in accordance with this chapter;

(7) To the secretary of social and health services for assistance in data collection and program evaluation or research so long as the secretary adopts rules for the conduct of such evaluation and research. The rules must include, but need not be limited to, the requirement that all evaluators and researchers sign an oath of confidentiality substantially as follows:

"As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information

obtained in the course of such evaluation or research regarding minors who have received services in a manner such that the minor is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under state law.

/s/";

(8) To appropriate law enforcement agencies, upon request, all necessary and relevant information in the event of a crisis or emergent situation that poses a significant and imminent risk to the public. The mental health service agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence;

(9) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure must be made by the professional person in charge of the public or private agency or his or her designee and must include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only any other information that is pertinent to the threat or harassment. The agency or its employees are not civilly liable for the decision to disclose or not, so long as the decision was reached in good faith and without gross negligence;

(10) To a minor's next of kin, attorney, guardian, or conservator, if any, the information that the minor is presently in the facility or that the minor is seriously physically ill and a statement evaluating the mental and physical condition of the minor as well as a statement of the probable duration of the minor's confinement;

(11) Upon the death of a minor, to the minor's next of kin;

(12) To a facility in which the minor resides or will reside;

(13) To law enforcement officers and to prosecuting attorneys as are necessary to enforce RCW 9.41.040(2)(a)(ii). The extent of information that may be released is limited as follows:

(a) Only the fact, place, and date of involuntary commitment, an official copy of any order or orders of commitment, and an official copy of any written or oral notice of ineligibility to possess a firearm that was provided to the person pursuant to RCW 9.41.047(1), must be disclosed upon request;

(b) The law enforcement and prosecuting attorneys may only release the information obtained to the person's attorney as required by court rule and to a jury or judge, if a jury is waived, that presides over any trial at which the person is charged with violating RCW 9.41.040(2)(a)(ii);

(c) Disclosure under this subsection is mandatory for the purposes of the federal health insurance portability and accountability act;

(14) This section may not be construed to prohibit the compilation and publication of statistical data for use by government or researchers under standards, including standards to assure maintenance of confidentiality, set forth by the secretary of the department of social and health services. The fact of admission and all information obtained pursuant to chapter 71.34 RCW are not admissible as evidence in any legal proceeding outside chapter 71.34 RCW, except guardianship or dependency, without the written consent of the minor or the minor's parent;

(15) For the purpose of a correctional facility participating in the postinstitutional medical assistance system supporting the expedited medical determinations and medical suspensions as provided in RCW 74.09.555 and 74.09.295;

(16) Pursuant to a lawful order of a court.

NEW SECTION. Sec. 9. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES--DEPARTMENT OF CORRECTIONS. (1) Information and records related to mental health services delivered to a person subject to chapter 9.94A or 9.95

RCW must be released, upon request, by a mental health service agency to department of corrections personnel for whom the information is necessary to carry out the responsibilities of their office. The information must be provided only for the purpose of completing presentence investigations, supervision of an incarcerated person, planning for and provision of supervision of a person, or assessment of a person's risk to the community. The request must be in writing and may not require the consent of the subject of the records.

(2) The information to be released to the department of corrections must include all relevant records and reports, as defined by rule, necessary for the department of corrections to carry out its duties, including those records and reports identified in subsection (1) of this section.

(3) The department shall, subject to available resources, electronically, or by the most cost-effective means available, provide the department of corrections with the names, last dates of services, and addresses of specific regional support networks and mental health service agencies that delivered mental health services to a person subject to chapter 9.94A or 9.95 RCW pursuant to an agreement between the departments.

(4) The department and the department of corrections, in consultation with regional support networks, mental health service agencies as defined in RCW 70.02.010, mental health consumers, and advocates for persons with mental illness, shall adopt rules to implement the provisions of this section related to the type and scope of information to be released. These rules must:

(a) Enhance and facilitate the ability of the department of corrections to carry out its responsibility of planning and ensuring community protection with respect to persons subject to sentencing under chapter 9.94A or 9.95 RCW, including accessing and releasing or disclosing information of persons who received mental health services as a minor; and

(b) Establish requirements for the notification of persons under the supervision of the department of corrections regarding the provisions of this section.

(5) The information received by the department of corrections under this section must remain confidential and subject to the limitations on disclosure outlined in chapter 71.34 RCW, except as provided in RCW 72.09.585.

(6) No mental health service agency or individual employed by a mental health service agency may be held responsible for information released to or used by the department of corrections under the provisions of this section or rules adopted under this section.

(7) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(8) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under this chapter.

NEW SECTION. Sec. 10. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES--REQUESTS FOR INFORMATION AND RECORDS. (1)(a) A mental health service agency shall release to the persons authorized under subsection (2) of this section, upon request:

(i) The fact, place, and date of an involuntary commitment, the fact and date of discharge or release, and the last known address of a person who has been committed under chapter 71.05 RCW.

(ii) Information and records related to mental health services, in the format determined under subsection (9) of this section, concerning a person who:

(A) Is currently committed to the custody or supervision of the department of corrections or the indeterminate sentence review board under chapter 9.94A or 9.95 RCW;

(B) Has been convicted or found not guilty by reason of insanity of a serious violent offense; or

(C) Was charged with a serious violent offense and the charges were dismissed under RCW 10.77.086.

(b) Legal counsel may release such information to the persons authorized under subsection (2) of this section on behalf of the mental health service agency, so long as nothing in this subsection requires the disclosure of attorney work product or attorney-client privileged information.

(2) The information subject to release under subsection (1) of this section must be released to law enforcement officers, personnel of a county or city jail, designated mental health professionals, public health officers, therapeutic court personnel as defined in RCW 71.05.020, or personnel of the department of corrections, including the indeterminate sentence review board and personnel assigned to perform board-related duties, when such information is requested during the course of business and for the purpose of carrying out the responsibilities of the requesting person's office. No mental health service agency or person employed by a mental health service agency, or its legal counsel, may be liable for information released to or used under the provisions of this section or rules adopted under this section except under RCW 71.05.680.

(3) A person who requests information under subsection (1)(a)(ii) of this section must comply with the following restrictions:

(a) Information must be requested only for the purposes permitted by this subsection and for the purpose of carrying out the responsibilities of the requesting person's office. Appropriate purposes for requesting information under this section include:

(i) Completing presence investigations or risk assessment reports;

(ii) Assessing a person's risk to the community;

(iii) Assessing a person's risk of harm to self or others when confined in a city or county jail;

(iv) Planning for and provision of supervision of an offender, including decisions related to sanctions for violations of conditions of community supervision; and

(v) Responding to an offender's failure to report for department of corrections supervision;

(b) Information may not be requested under this section unless the requesting person has reasonable suspicion that the individual who is the subject of the information:

(i) Has engaged in activity indicating that a crime or a violation of community custody or parole has been committed or, based upon his or her current or recent past behavior, is likely to be committed in the near future; or

(ii) Is exhibiting signs of a deterioration in mental functioning which may make the individual appropriate for civil commitment under chapter 71.05 RCW; and

(c) Any information received under this section must be held confidential and subject to the limitations on disclosure outlined in this chapter, except:

(i) The information may be shared with other persons who have the right to request similar information under subsection (2) of this section, solely for the purpose of coordinating activities related to the individual who is the subject of the information in a manner consistent with the official responsibilities of the persons involved;

(ii) The information may be shared with a prosecuting attorney acting in an advisory capacity for a person who receives information under this section. A prosecuting attorney under this subsection is subject to the same restrictions and confidentiality limitations as the person who requested the information; and

(iii) As provided in RCW 72.09.585.

(4) A request for information and records related to mental health services under this section does not require the consent of the subject of the records. The request must be provided in writing, except to the extent authorized in subsection (5) of this section. A written request may include requests made by e-mail or facsimile so long as the requesting person is clearly identified. The request must specify the information being requested.

(5) In the event of an emergency situation that poses a significant risk to the public or the offender, a mental health service agency, or its legal counsel, shall release information related to mental health services delivered to the offender and, if known, information regarding where the offender is likely to be found to the department of corrections or law enforcement upon request. The initial request may be written or oral. All oral requests must be subsequently confirmed in writing. Information released in response to an oral request is limited to a statement as to whether the offender is or is not being treated by the mental health service agency and the address or information about the location or whereabouts of the offender.

(6) Disclosure under this section to state or local law enforcement authorities is mandatory for the purposes of the federal health insurance portability and accountability act.

(7) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(8) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under this chapter.

(9) In collaboration with interested organizations, the department shall develop a standard form for requests for information related to mental health services made under this section and a standard format for information provided in response to the requests. Consistent with the goals of the health information privacy provisions of the federal health insurance portability and accountability act, in developing the standard form for responsive information, the department shall design the form in such a way that the information disclosed is limited to the minimum necessary to serve the purpose for which the information is requested.

NEW SECTION. Sec. 11. A new section is added to chapter 70.02 RCW to read as follows:

HEALTH CARE INFORMATION--USE OR DISCLOSURE PROHIBITED. (1) No person who receives health care information for health care education, or to provide planning, quality assurance, peer review, or administrative, legal, financial, or actuarial services, or other health care operations for or on behalf of a health care provider or health care facility, may use or disclose any health care information received from the health care provider or health care facility in any manner that is inconsistent with the duties of the health care provider or health care facility under this chapter.

(2) A health care provider or health care facility that has a contractual relationship with a person to provide services described under subsection (1) of this section must terminate the contractual relationship with the person if the health care provider or health care facility learns that the person has engaged in a pattern of activity that violates the person's duties under subsection (1) of this section, unless the person took reasonable steps to correct the breach of confidentiality or has discontinued the violating activity.

NEW SECTION. Sec. 12. A new section is added to chapter 70.02 RCW to read as follows:

HEALTH CARE PROVIDERS AND FACILITIES--PROHIBITED ACTIONS. A health care provider, health care facility, and their assistants, employees, agents, and contractors may not:

(1) Use or disclose health care information for marketing or fund-raising purposes, unless permitted by federal law;

(2) Sell health care information to a third party, except in a form that is deidentified and aggregated; or

(3) Sell health care information to a third party, except for the following purposes:

- (a) Treatment or payment;
- (b) Sale, transfer, merger, or consolidation of a business;
- (c) Remuneration to a third party for services;
- (d) Disclosures required by law;
- (e) Providing access to or accounting of disclosures to an individual;
- (f) Public health purposes;
- (g) Research;
- (h) With an individual's authorization;
- (i) Where a reasonable cost-based fee is paid to prepare and transmit health information, where authority to disclose the information is provided in this chapter.

NEW SECTION. Sec. 13. A new section is added to chapter 70.02 RCW to read as follows:

AGENCY RULE-MAKING REQUIREMENTS. All state or local agencies obtaining patient health care information pursuant to RCW 70.02.050 and sections 4 through 8 of this act that are not health care facilities or providers shall adopt rules establishing their record acquisition, retention, and security policies that are consistent with this chapter.

NEW SECTION. Sec. 14. A new section is added to chapter 70.02 RCW to read as follows:

SEXUALLY TRANSMITTED DISEASES--REQUIRED STATEMENT UPON DISCLOSURE. Whenever disclosure is made of information and records related to sexually transmitted diseases pursuant to this chapter, except for RCW 70.02.050(1)(a) and section 6 (2) (a) and (b) and (7) of this act, it must be accompanied by a statement in writing which includes the following or substantially similar language: "This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written authorization of the person to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is NOT sufficient for this purpose." An oral disclosure must be accompanied or followed by such a notice within ten days.

NEW SECTION. Sec. 15. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES--RECORDS. (1) Resource management services shall establish procedures to provide reasonable and timely access to individual mental health treatment records. However, access may not be denied at any time to records of all medications and somatic treatments received by the person.

(2) Following discharge, a person who has received mental health services has a right to a complete record of all medications and somatic treatments prescribed during evaluation, admission, or commitment and to a copy of the discharge summary prepared at the time of his or her discharge. A reasonable and uniform charge for reproduction may be assessed.

(3) Mental health treatment records may be modified prior to inspection to protect the confidentiality of other patients or the names of any other persons referred to in the record who gave information on the condition that his or her identity remain confidential. Entire documents may not be withheld to protect such confidentiality.

(4) At the time of discharge resource management services shall inform all persons who have received mental health services of their rights as provided in this chapter and RCW 71.05.620.

NEW SECTION. Sec. 16. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH SERVICES--MINORS--NOTE IN RECORD UPON DISCLOSURE. When disclosure of information and records related to mental services pertaining to a minor, as

defined in RCW 71.34.020, is made, the date and circumstances under which the disclosure was made, the name or names of the persons or agencies to whom such disclosure was made and their relationship if any, to the minor, and the information disclosed must be entered promptly in the minor's clinical record.

NEW SECTION. Sec. 17. A new section is added to chapter 70.02 RCW to read as follows:

OBTAINING CONFIDENTIAL RECORDS UNDER FALSE PRETENSES--PENALTY. Any person who requests or obtains confidential information and records related to mental health services pursuant to this chapter under false pretenses is guilty of a gross misdemeanor.

NEW SECTION. Sec. 18. A new section is added to chapter 70.02 RCW to read as follows:

MENTAL HEALTH TREATMENT RECORDS--AGENCY RULE-MAKING AUTHORITY. The department of social and health services shall adopt rules related to the disclosure of mental health treatment records in this chapter.

NEW SECTION. Sec. 19. A new section is added to chapter 70.02 RCW to read as follows:

DEPARTMENT OF SOCIAL AND HEALTH SERVICES--RELEASE OF INFORMATION TO PROTECT THE PUBLIC. In addition to any other information required to be released under this chapter, the department of social and health services is authorized, pursuant to RCW 4.24.550, to release relevant information that is necessary to protect the public, concerning a specific person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex offense as defined in RCW 9.94A.030.

Sec. 20. RCW 70.02.900 and 2011 c 305 s 10 are each amended to read as follows:

CONFLICTING LAWS. (1) This chapter does not restrict a health care provider, a third-party payor, or an insurer regulated under Title 48 RCW from complying with obligations imposed by federal or state health care payment programs or federal or state law.

(2) This chapter does not modify the terms and conditions of disclosure under Title 51 RCW and chapters 13.50, 26.09, 70.24, 70.96A, ((71.05, 71.34,)) and 74.09 RCW and rules adopted under these provisions.

Sec. 21. RCW 71.05.660 and 2009 c 217 s 9 are each amended to read as follows:

TREATMENT RECORDS--PRIVILEGED COMMUNICATIONS UNAFFECTED. Nothing in this chapter or chapter 70.02, 70.96A, ((71.05,)) 71.34, or 70.96B RCW shall be construed to interfere with communications between physicians, psychiatric advanced registered nurse practitioners, or psychologists and patients and attorneys and clients.

Sec. 22. RCW 71.05.680 and 2005 c 504 s 713 are each amended to read as follows:

TREATMENT RECORDS--ACCESS UNDER FALSE PRETENSES, PENALTY. Any person who requests or obtains confidential information pursuant to RCW 71.05.620 ((through 71.05.690)) under false pretenses shall be guilty of a gross misdemeanor.

Sec. 23. RCW 71.05.620 and 2005 c 504 s 111 are each amended to read as follows:

COURT FILES AND RECORDS. (1) The files and records of court proceedings under this chapter and chapters 70.96A, 71.34, and 70.96B RCW shall be closed but shall be accessible to any person who is the subject of a petition and to the person's attorney, guardian ad litem, resource management services, or service providers authorized to receive such information by resource management services.

(2) The department shall adopt rules to implement this section.

Sec. 24. RCW 71.24.035 and 2011 c 148 s 4 are each amended to read as follows:

STATE MENTAL HEALTH AUTHORITY, PROGRAM. (1) The department is designated as the state mental health authority.

(2) The secretary shall provide for public, client, and licensed service provider participation in developing the state mental health program, developing contracts with regional support networks, and any waiver request to the federal government under medicaid.

(3) The secretary shall provide for participation in developing the state mental health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state mental health program.

(4) The secretary shall be designated as the regional support network if the regional support network fails to meet state minimum standards or refuses to exercise responsibilities under RCW 71.24.045, until such time as a new regional support network is designated under RCW 71.24.320.

(5) The secretary shall:

(a) Develop a biennial state mental health program that incorporates regional biennial needs assessments and regional mental health service plans and state services for adults and children with mental illness. The secretary shall also develop a six-year state mental health plan;

(b) Assure that any regional or county community mental health program provides access to treatment for the region's residents, including parents who are respondents in dependency cases, in the following order of priority: (i) Persons with acute mental illness; (ii) adults with chronic mental illness and children who are severely emotionally disturbed; and (iii) persons who are seriously disturbed. Such programs shall provide:

(A) Outpatient services;

(B) Emergency care services for twenty-four hours per day;

(C) Day treatment for persons with mental illness which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment. In the case of a child, day treatment includes age-appropriate basic living and social skills, educational and prevocational services, day activities, and therapeutic treatment;

(D) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of admission;

(E) Employment services, which may include supported employment, transitional work, placement in competitive employment, and other work-related services, that result in persons with mental illness becoming engaged in meaningful and gainful full or part-time work. Other sources of funding such as the division of vocational rehabilitation may be utilized by the secretary to maximize federal funding and provide for integration of services;

(F) Consultation and education services; and

(G) Community support services;

(c) Develop and adopt rules establishing state minimum standards for the delivery of mental health services pursuant to RCW 71.24.037 including, but not limited to:

(i) Licensed service providers. These rules shall permit a county-operated mental health program to be licensed as a service provider subject to compliance with applicable statutes and rules. The secretary shall provide for deeming of compliance with state minimum standards for those entities accredited by recognized behavioral health accrediting bodies recognized and having a current agreement with the department;

(ii) Regional support networks; and

(iii) Inpatient services, evaluation and treatment services and facilities under chapter 71.05 RCW, resource management services, and community support services;

(d) Assure that the special needs of persons who are minorities, elderly, disabled, children, low-income, and parents who are respondents in dependency cases are met within the priorities established in this section;

(e) Establish a standard contract or contracts, consistent with state minimum standards, RCW 71.24.320 and 71.24.330, which shall be used in contracting with regional support networks. The standard contract shall include a maximum fund balance, which shall be consistent with that required by federal regulations or waiver stipulations;

(f) Establish, to the extent possible, a standardized auditing procedure which minimizes paperwork requirements of regional support networks and licensed service providers. The audit procedure shall focus on the outcomes of service and not the processes for accomplishing them;

(g) Develop and maintain an information system to be used by the state and regional support networks that includes a tracking method which allows the department and regional support networks to identify mental health clients' participation in any mental health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and ~~((in RCW 71.05.390, 71.05.420, and 71.05.440))~~ chapter 70.02 RCW;

(h) License service providers who meet state minimum standards;

(i) Certify regional support networks that meet state minimum standards;

(j) Periodically monitor the compliance of certified regional support networks and their network of licensed service providers for compliance with the contract between the department, the regional support network, and federal and state rules at reasonable times and in a reasonable manner;

(k) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections;

(l) Monitor and audit regional support networks and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;

(m) Adopt such rules as are necessary to implement the department's responsibilities under this chapter;

(n) Assure the availability of an appropriate amount, as determined by the legislature in the operating budget by amounts appropriated for this specific purpose, of community-based, geographically distributed residential services;

(o) Certify crisis stabilization units that meet state minimum standards;

(p) Certify clubhouses that meet state minimum standards; and

(q) Certify triage facilities that meet state minimum standards.

(6) The secretary shall use available resources only for regional support networks, except to the extent authorized, and in accordance with any priorities or conditions specified, in the biennial appropriations act.

(7) Each certified regional support network and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A certified regional support network or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may have its certification or license revoked or suspended.

(8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to: (a) The law; (b) applicable rules and regulations; (c) applicable standards; or (d) state minimum standards.

(9) The superior court may restrain any regional support network or service provider from operating without certification or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.

(10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any regional support network or service provider refusing to consent to inspection or examination by the authority.

(11) Notwithstanding the existence or pursuit of any other remedy, the secretary may file an action for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a regional support network or service provider without certification or a license under this chapter.

(12) The standards for certification of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapters 71.05 and 71.34 RCW, and shall otherwise assure the effectuation of the purposes of these chapters.

(13) The standards for certification of crisis stabilization units shall include standards that:

(a) Permit location of the units at a jail facility if the unit is physically separate from the general population of the jail;

(b) Require administration of the unit by mental health professionals who direct the stabilization and rehabilitation efforts; and

(c) Provide an environment affording security appropriate with the alleged criminal behavior and necessary to protect the public safety.

(14) The standards for certification of a clubhouse shall at a minimum include:

(a) The facilities may be peer-operated and must be recovery-focused;

(b) Members and employees must work together;

(c) Members must have the opportunity to participate in all the work of the clubhouse, including administration, research, intake and orientation, outreach, hiring, training and evaluation of staff, public relations, advocacy, and evaluation of clubhouse effectiveness;

(d) Members and staff and ultimately the clubhouse director must be responsible for the operation of the clubhouse, central to this responsibility is the engagement of members and staff in all aspects of clubhouse operations;

(e) Clubhouse programs must be comprised of structured activities including but not limited to social skills training, vocational rehabilitation, employment training and job placement, and community resource development;

(f) Clubhouse programs must provide in-house educational programs that significantly utilize the teaching and tutoring skills of members and assist members by helping them to take advantage of adult education opportunities in the community;

(g) Clubhouse programs must focus on strengths, talents, and abilities of its members;

(h) The work-ordered day may not include medication clinics, day treatment, or other therapy programs within the clubhouse.

(15) The department shall distribute appropriated state and federal funds in accordance with any priorities, terms, or conditions specified in the appropriations act.

(16) The secretary shall assume all duties assigned to the nonparticipating regional support networks under chapters 71.05(3) and 71.34(3) RCW and ((71.24 RCW)) this chapter. Such responsibilities shall include those which would have been assigned to the nonparticipating counties in regions where there are not participating regional support networks.

The regional support networks, or the secretary's assumption of all responsibilities under chapters 71.05(3) and 71.34(3) RCW and ((71.24 RCW)) this chapter, shall be included in all state and federal plans affecting the state mental health program including at least those required by this chapter, the medicaid program, and P.L. 99-

660. Nothing in these plans shall be inconsistent with the intent and requirements of this chapter.

(17) The secretary shall:

(a) Disburse funds for the regional support networks within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with regional support networks. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; and (iii) emergency response systems.

(c) Notify regional support networks of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(d) Deny all or part of the funding allocations to regional support networks based solely upon formal findings of noncompliance with the terms of the regional support network's contract with the department. Regional support networks disputing the decision of the secretary to withhold funding allocations are limited to the remedies provided in the department's contracts with the regional support networks.

(18) The department, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for services provided by freestanding evaluation and treatment facilities certified under chapter 71.05 RCW. The department shall periodically report its efforts to the appropriate committees of the senate and the house of representatives.

Sec. 25. RCW 43.185C.030 and 2005 c 484 s 6 are each amended to read as follows:

WASHINGTON HOMELESS CENSUS OR COUNT. The department shall annually conduct a Washington homeless census or count consistent with the requirements of RCW ((43.63A.655)) 43.185C.180. The census shall make every effort to count all homeless individuals living outdoors, in shelters, and in transitional housing, coordinated, when reasonably feasible, with already existing homeless census projects including those funded in part by the United States department of housing and urban development under the McKinney-Vento homeless assistance program. The department shall determine, in consultation with local governments, the data to be collected.

All personal information collected in the census is confidential, and the department and each local government shall take all necessary steps to protect the identity and confidentiality of each person counted.

The department and each local government are prohibited from disclosing any personally identifying information about any homeless individual when there is reason to believe or evidence indicating that the homeless individual is an adult or minor victim of domestic violence, dating violence, sexual assault, or stalking or is the parent or guardian of a child victim of domestic violence, dating violence, sexual assault, or stalking; or revealing other confidential information regarding HIV/AIDS status, as found in ((RCW 70.24.105)) section 6 of this act. The department and each local government shall not ask any homeless housing provider to disclose personally identifying information about any homeless individuals when the providers implementing those programs have reason to believe or evidence indicating that those clients are adult or minor victims of domestic violence, dating violence, sexual assault, or stalking or are the parents or guardians of child victims of domestic violence, dating violence, sexual assault, or stalking. Summary data for the provider's facility or program may be substituted.

The Washington homeless census shall be conducted annually on a schedule created by the department. The department shall make summary data by county available to the public each year. This data,

and its analysis, shall be included in the department's annual updated homeless housing program strategic plan.

Based on the annual census and provider information from the local government plans, the department shall, by the end of year four, implement an online information and referral system to enable local governments and providers to identify available housing for a homeless person. The department shall work with local governments and their providers to develop a capacity for continuous case management to assist homeless persons.

By the end of year four, the department shall implement an organizational quality management system.

Sec. 26. RCW 70.05.070 and 2007 c 343 s 10 are each amended to read as follows:

LOCAL HEALTH OFFICER. The local health officer, acting under the direction of the local board of health or under direction of the administrative officer appointed under RCW 70.05.040 or 70.05.035, if any, shall:

(1) Enforce the public health statutes of the state, rules of the state board of health and the secretary of health, and all local health rules, regulations and ordinances within his or her jurisdiction including imposition of penalties authorized under RCW 70.119A.030 and 70.118.130, the confidentiality provisions in (~~RCW 70.24.105~~) section 6 of this act and rules adopted to implement those provisions, and filing of actions authorized by RCW 43.70.190;

(2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his or her jurisdiction;

(3) Control and prevent the spread of any dangerous, contagious or infectious diseases that may occur within his or her jurisdiction;

(4) Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion and improvement of health within his or her jurisdiction;

(5) Prevent, control or abate nuisances which are detrimental to the public health;

(6) Attend all conferences called by the secretary of health or his or her authorized representative;

(7) Collect such fees as are established by the state board of health or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules of the state board of health;

(8) Inspect, as necessary, expansion or modification of existing public water systems, and the construction of new public water systems, to assure that the expansion, modification, or construction conforms to system design and plans;

(9) Take such measures as he or she deems necessary in order to promote the public health, to participate in the establishment of health educational or training activities, and to authorize the attendance of employees of the local health department or individuals engaged in community health programs related to or part of the programs of the local health department.

Sec. 27. RCW 70.24.450 and 1999 c 391 s 3 are each amended to read as follows:

CONFIDENTIALITY OF REPORTED INFORMATION--UNAUTHORIZED DISCLOSURE. (1) In order to assure compliance with the protections under this chapter and the rules of the board, and to assure public confidence in the confidentiality of reported information, the department shall:

(a) Report annually to the board any incidents of unauthorized disclosure by the department, local health departments, or their employees of information protected under (~~RCW 70.24.105~~) section 6 of this act. The report shall include recommendations for preventing future unauthorized disclosures and improving the system of confidentiality for reported information; and

(b) Assist health care providers, facilities that conduct tests, local health departments, and other persons involved in disease reporting to understand, implement, and comply with this chapter and the rules of the board related to disease reporting.

(2) This section is exempt from RCW 70.24.084, 70.05.070, and 70.05.120.

Sec. 28. RCW 74.13.280 and 2009 c 520 s 72 are each amended to read as follows:

CHILDREN PLACED IN OUT-OF-HOME CARE--CLIENT INFORMATION. (1) Except as provided in (~~RCW 70.24.105~~) section 6 of this act, whenever a child is placed in out-of-home care by the department or a supervising agency, the department or agency shall share information known to the department or agency about the child and the child's family with the care provider and shall consult with the care provider regarding the child's case plan. If the child is dependent pursuant to a proceeding under chapter 13.34 RCW, the department or supervising agency shall keep the care provider informed regarding the dates and location of dependency review and permanency planning hearings pertaining to the child.

(2) Information about the child and the child's family shall include information known to the department or agency as to whether the child is a sexually reactive child, has exhibited high-risk behaviors, or is physically assaultive or physically aggressive, as defined in this section.

(3) Information about the child shall also include information known to the department or agency that the child:

(a) Has received a medical diagnosis of fetal alcohol syndrome or fetal alcohol effect;

(b) Has been diagnosed by a qualified mental health professional as having a mental health disorder;

(c) Has witnessed a death or substantial physical violence in the past or recent past; or

(d) Was a victim of sexual or severe physical abuse in the recent past.

(4) Any person who receives information about a child or a child's family pursuant to this section shall keep the information confidential and shall not further disclose or disseminate the information except as authorized by law. Care providers shall agree in writing to keep the information that they receive confidential and shall affirm that the information will not be further disclosed or disseminated, except as authorized by law.

(5) Nothing in this section shall be construed to limit the authority of the department or supervising agencies to disclose client information or to maintain client confidentiality as provided by law.

(6) As used in this section:

(a) "Sexually reactive child" means a child who exhibits sexual behavior problems including, but not limited to, sexual behaviors that are developmentally inappropriate for their age or are harmful to the child or others.

(b) "High-risk behavior" means an observed or reported and documented history of one or more of the following:

(i) Suicide attempts or suicidal behavior or ideation;

(ii) Self-mutilation or similar self-destructive behavior;

(iii) Fire-setting or a developmentally inappropriate fascination with fire;

(iv) Animal torture;

(v) Property destruction; or

(vi) Substance or alcohol abuse.

(c) "Physically assaultive or physically aggressive" means a child who exhibits one or more of the following behaviors that are developmentally inappropriate and harmful to the child or to others:

(i) Observed assaultive behavior;

(ii) Reported and documented history of the child willfully assaulting or inflicting bodily harm; or

(iii) Attempting to assault or inflict bodily harm on other children or adults under circumstances where the child has the apparent ability or capability to carry out the attempted assaults including threats to use a weapon.

Sec. 29. RCW 74.13.289 and 2009 c 520 s 76 are each amended to read as follows:

CHILDREN PLACED IN OUT-OF-HOME CARE--BLOOD-BORNE PATHOGENS, TRAINING. (1) Upon any placement, the department or supervising agency shall inform each out-of-home care provider if the child to be placed in that provider's care is infected with a blood-borne pathogen, and shall identify the specific blood-borne pathogen for which the child was tested if known by the department or supervising agency.

(2) All out-of-home care providers licensed by the department shall receive training related to blood-borne pathogens, including prevention, transmission, infection control, treatment, testing, and confidentiality.

(3) Any disclosure of information related to HIV must be in accordance with ~~((RCW 70.24.105))~~ section 6 of this act.

(4) The department of health shall identify by rule the term "blood-borne pathogen" as used in this section.

Sec. 30. RCW 71.05.425 and 2011 c 305 s 5 are each amended to read as follows:

PERSONS COMMITTED FOLLOWING DISMISSAL OF SEX, VIOLENT, OR FELONY HARASSMENT OFFENSE--NOTIFICATION OF CONDITIONAL RELEASE, FINAL RELEASE, LEAVE, TRANSFER, OR ESCAPE. (1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than thirty days before conditional release, final release, authorized leave under RCW 71.05.325(2), or transfer to a facility other than a state mental hospital, the superintendent shall send written notice of conditional release, release, authorized leave, or transfer of a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) to the following:

(i) The chief of police of the city, if any, in which the person will reside; and

(ii) The sheriff of the county in which the person will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4):

(i) The victim of the sex, violent, or felony harassment offense that was dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3)(c) or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings;

(iii) Any person specified in writing by the prosecuting attorney. Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter; and

(iv) The chief of police of the city, if any, and the sheriff of the county, if any, which had jurisdiction of the person on the date of the applicable offense.

(c) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical transfers.

(d) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.

(2) If a person committed under RCW 71.05.280(3) or 71.05.320(3)(c) following dismissal of a sex, violent, or felony harassment offense pursuant to RCW 10.77.086(4) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person escaped and in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex, violent, or felony harassment offense that was

dismissed pursuant to RCW 10.77.086(4) preceding commitment under RCW 71.05.280(3) or 71.05.320(3) or the victim's next of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to ~~((RCW 71.05.390(18)))~~ section 7(2)(n) of this act. If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.

(4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) "Violent offense" means a violent offense under RCW 9.94A.030;

(b) "Sex offense" means a sex offense under RCW 9.94A.030;

(c) "Next of kin" means a person's spouse, state registered domestic partner, parents, siblings, and children;

(d) "Felony harassment offense" means a crime of harassment as defined in RCW 9A.46.060 that is a felony.

Sec. 31. RCW 71.05.445 and 2009 c 320 s 4 are each amended to read as follows:

COURT-ORDERED MENTAL HEALTH TREATMENT--NOTIFICATIONS. (1)(a) When a mental health service provider conducts its initial assessment for a person receiving court-ordered treatment, the service provider shall inquire and shall be told by the offender whether he or she is subject to supervision by the department of corrections.

(b) When a person receiving court-ordered treatment or treatment ordered by the department of corrections discloses to his or her mental health service provider that he or she is subject to supervision by the department of corrections, the mental health service provider shall notify the department of corrections that he or she is treating the offender and shall notify the offender that his or her community corrections officer will be notified of the treatment, provided that if the offender has received relief from disclosure pursuant to RCW 9.94A.562, 70.96A.155, or 71.05.132 and the offender has provided the mental health service provider with a copy of the order granting relief from disclosure pursuant to RCW 9.94A.562, 70.96A.155, or 71.05.132, the mental health service provider is not required to notify the department of corrections that the mental health service provider is treating the offender. The notification may be written or oral and shall not require the consent of the offender. If an oral notification is made, it must be confirmed by a written notification. For purposes of this section, a written notification includes notification by e-mail or facsimile, so long as the notifying mental health service provider is clearly identified.

(2) The information to be released to the department of corrections shall include all relevant records and reports, as defined by rule, necessary for the department of corrections to carry out its duties.

(3) The department and the department of corrections, in consultation with regional support networks, mental health service providers as defined in RCW 71.05.020, mental health consumers, and advocates for persons with mental illness, shall adopt rules to implement the provisions of this section related to the type and scope of information to be released. These rules shall:

(a) Enhance and facilitate the ability of the department of corrections to carry out its responsibility of planning and ensuring community protection with respect to persons subject to sentencing under chapter 9.94A or 9.95 RCW, including accessing and releasing

or disclosing information of persons who received mental health services as a minor; and

(b) Establish requirements for the notification of persons under the supervision of the department of corrections regarding the provisions of this section.

(4) The information received by the department of corrections under this section shall remain confidential and subject to the limitations on disclosure outlined in chapter 71.05 RCW, except as provided in RCW 72.09.585.

(5) No mental health service provider or individual employed by a mental health service provider shall be held responsible for information released to or used by the department of corrections under the provisions of this section or rules adopted under this section ((except under RCW 71.05.440)).

(6) Whenever federal law or federal regulations restrict the release of information contained in the treatment records of any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(7) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under chapter 70.24 RCW.

(8) The department shall, subject to available resources, electronically, or by the most cost-effective means available, provide the department of corrections with the names, last dates of services, and addresses of specific regional support networks and mental health service providers that delivered mental health services to a person subject to chapter 9.94A or 9.95 RCW pursuant to an agreement between the departments.

Sec. 32. RCW 72.09.585 and 2011 1st sp.s. c 40 s 24 are each amended to read as follows:

MENTAL HEALTH SERVICES, INFORMATION--DEPARTMENT OF CORRECTIONS--REQUIRED INQUIRIES AND DISCLOSURES. (1) When the department is determining an offender's risk management level, the department shall inquire of the offender and shall be told whether the offender is subject to court-ordered treatment for mental health services or chemical dependency services. The department shall request and the offender shall provide an authorization to release information form that meets applicable state and federal requirements and shall provide the offender with written notice that the department will request the offender's mental health and substance abuse treatment information. An offender's failure to inform the department of court-ordered treatment is a violation of the conditions of supervision if the offender is in the community and an infraction if the offender is in confinement, and the violation or infraction is subject to sanctions.

(2) When an offender discloses that he or she is subject to court-ordered mental health services or chemical dependency treatment, the department shall provide the mental health services provider or chemical dependency treatment provider with a written request for information and any necessary authorization to release information forms. The written request shall comply with rules adopted by the department of social and health services or protocols developed jointly by the department and the department of social and health services. A single request shall be valid for the duration of the offender's supervision in the community. Disclosures of information related to mental health services made pursuant to a department request shall not require consent of the offender.

(3) The information received by the department under RCW 71.05.445 or ((71.34.345)) section 9 of this act may be released to the indeterminate sentence review board as relevant to carry out its responsibility of planning and ensuring community protection with respect to persons under its jurisdiction. Further disclosure by the indeterminate sentence review board is subject to the limitations set forth in subsections (5) and (6) of this section and must be consistent with the written policy of the indeterminate sentence review board.

The decision to disclose or not shall not result in civil liability for the indeterminate sentence review board or staff assigned to perform board-related duties provided that the decision was reached in good faith and without gross negligence.

(4) The information received by the department under RCW 71.05.445 or ((71.34.345)) section 9 of this act may be used to meet the statutory duties of the department to provide evidence or report to the court. Disclosure to the public of information provided to the court by the department related to mental health services shall be limited in accordance with RCW 9.94A.500 or this section.

(5) The information received by the department under RCW 71.05.445 or ((71.34.345)) section 9 of this act may be disclosed by the department to other state and local agencies as relevant to plan for and provide offenders transition, treatment, and supervision services, or as relevant and necessary to protect the public and counteract the danger created by a particular offender, and in a manner consistent with the written policy established by the secretary. The decision to disclose or not shall not result in civil liability for the department or its employees so long as the decision was reached in good faith and without gross negligence. The information received by a state or local agency from the department shall remain confidential and subject to the limitations on disclosure set forth in chapters 70.02, 71.05, and 71.34 RCW and, subject to these limitations, may be released only as relevant and necessary to counteract the danger created by a particular offender.

(6) The information received by the department under RCW 71.05.445 or ((71.34.345)) section 9 of this act may be disclosed by the department to individuals only with respect to offenders who have been determined by the department to have a high risk of reoffending by a risk assessment, as defined in RCW 9.94A.030, only as relevant and necessary for those individuals to take reasonable steps for the purpose of self-protection, or as provided in RCW 72.09.370(2). The information may not be disclosed for the purpose of engaging the public in a system of supervision, monitoring, and reporting offender behavior to the department. The department must limit the disclosure of information related to mental health services to the public to descriptions of an offender's behavior, risk he or she may present to the community, and need for mental health treatment, including medications, and shall not disclose or release to the public copies of treatment documents or records, except as otherwise provided by law. All disclosure of information to the public must be done in a manner consistent with the written policy established by the secretary. The decision to disclose or not shall not result in civil liability for the department or its employees so long as the decision was reached in good faith and without gross negligence. Nothing in this subsection prevents any person from reporting to law enforcement or the department behavior that he or she believes creates a public safety risk.

Sec. 33. RCW 9.94A.500 and 2008 c 231 s 2 are each amended to read as follows:

SENTENCING HEARINGS--PREVENTION OF WRONGFUL DISCLOSURE OF MENTAL HEALTH SERVICES RECORDS AND INFORMATION. (1) Before imposing a sentence upon a defendant, the court shall conduct a sentencing hearing. The sentencing hearing shall be held within forty court days following conviction. Upon the motion of either party for good cause shown, or on its own motion, the court may extend the time period for conducting the sentencing hearing.

Except in cases where the defendant shall be sentenced to a term of total confinement for life without the possibility of release or, when authorized by RCW 10.95.030 for the crime of aggravated murder in the first degree, sentenced to death, the court may order the department to complete a risk assessment report. If available before sentencing, the report shall be provided to the court.

Unless specifically waived by the court, the court shall order the department to complete a chemical dependency screening report

before imposing a sentence upon a defendant who has been convicted of a violation of the uniform controlled substances act under chapter 69.50 RCW, a criminal solicitation to commit such a violation under chapter 9A.28 RCW, or any felony where the court finds that the offender has a chemical dependency that has contributed to his or her offense. In addition, the court shall, at the time of plea or conviction, order the department to complete a presentence report before imposing a sentence upon a defendant who has been convicted of a felony sexual offense. The department of corrections shall give priority to presentence investigations for sexual offenders. If the court determines that the defendant may be a mentally ill person as defined in RCW 71.24.025, although the defendant has not established that at the time of the crime he or she lacked the capacity to commit the crime, was incompetent to commit the crime, or was insane at the time of the crime, the court shall order the department to complete a presentence report before imposing a sentence.

The court shall consider the risk assessment report and presentence reports, if any, including any victim impact statement and criminal history, and allow arguments from the prosecutor, the defense counsel, the offender, the victim, the survivor of the victim, or a representative of the victim or survivor, and an investigative law enforcement officer as to the sentence to be imposed.

A criminal history summary relating to the defendant from the prosecuting authority or from a state, federal, or foreign governmental agency shall be prima facie evidence of the existence and validity of the convictions listed therein. If the court is satisfied by a preponderance of the evidence that the defendant has a criminal history, the court shall specify the convictions it has found to exist. All of this information shall be part of the record. Copies of all risk assessment reports and presentence reports presented to the sentencing court and all written findings of facts and conclusions of law as to sentencing entered by the court shall be sent to the department by the clerk of the court at the conclusion of the sentencing and shall accompany the offender if the offender is committed to the custody of the department. Court clerks shall provide, without charge, certified copies of documents relating to criminal convictions requested by prosecuting attorneys.

(2) To prevent wrongful disclosure of information and records related to mental health services, as ~~((defined))~~ described in RCW 71.05.445 and ~~((71.34.345))~~ section 9 of this act, a court may take only those steps necessary during a sentencing hearing or any hearing in which the department presents information related to mental health services to the court. The steps may be taken on motion of the defendant, the prosecuting attorney, or on the court's own motion. The court may seal the portion of the record relating to information relating to mental health services, exclude the public from the hearing during presentation or discussion of information and records relating to mental health services, or grant other relief to achieve the result intended by this subsection, but nothing in this subsection shall be construed to prevent the subsequent release of information and records related to mental health services as authorized by RCW 71.05.445, ~~((71.34.345))~~ section 9 of this act, or 72.09.585. Any person who otherwise is permitted to attend any hearing pursuant to chapter 7.69 or 7.69A RCW shall not be excluded from the hearing solely because the department intends to disclose or discloses information related to mental health services.

NEW SECTION. Sec. 34. REPEALERS. The following acts or parts of acts are each repealed:

(1) RCW 70.24.105 (Disclosure of HIV antibody test or testing or treatment of sexually transmitted diseases--Exchange of medical information) and 2011 c 232 s 1;

(2) RCW 71.05.390 (Confidential information and records--Disclosure) and 2011 c 305 s 4;

(3) RCW 71.05.640 (Treatment records--Access procedures) and 2005 c 504 s 712, 2005 c 504 s 113, 2000 c 94 s 11, & 1999 c 13 s 9;

(4) RCW 71.05.385 (Information subject to disclosure to authorized persons--Restrictions) and 2011 1st sp.s. c 40 s 23 & 2009 c 320 s 2;

(5) RCW 71.05.420 (Records of disclosure) and 2009 c 217 s 7, 2005 c 504 s 110, 1990 c 3 s 113, & 1973 1st ex.s. c 142 s 47;

(6) RCW 71.05.440 (Action for unauthorized release of confidential information--Liquidated damages--Treble damages--Injunction) and 1990 c 3 s 114, 1974 ex.s. c 145 s 28, & 1973 1st ex.s. c 142 s 49;

(7) RCW 71.05.427 (Persons committed following dismissal of sex offense--Release of information authorized) and 1990 c 3 s 110;

(8) RCW 71.05.630 (Treatment records--Confidential--Release) and 2009 c 398 s 1, 2009 c 320 s 5, 2009 c 217 s 8, 2007 c 191 s 1, 2005 c 504 s 112, 2000 c 75 s 5, & 1989 c 205 s 13;

(9) RCW 71.05.690 (Treatment records--Rules) and 2005 c 504 s 714 & 1999 c 13 s 12;

(10) RCW 71.34.340 (Information concerning treatment of minors confidential--Disclosure--Admissible as evidence with written consent) and 2011 c 305 s 9, 2005 c 453 s 6, 2000 c 75 s 7, & 1985 c 354 s 18;

(11) RCW 71.34.345 (Mental health services information--Release to department of corrections--Rules) and 2004 c 166 s 8, 2002 c 39 s 1, & 2000 c 75 s 2; and

(12) RCW 71.34.350 (Disclosure of information or records--Required entries in minor's clinical record) and 1985 c 354 s 22.

NEW SECTION. Sec. 35. EFFECTIVE DATE. Except for section 5 of this act, this act takes effect July 1, 2014.

NEW SECTION. Sec. 36. EMERGENCY CLAUSE--EFFECTIVE DATE. Section 5 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "information;" strike the remainder of the title and insert "amending RCW 70.02.010, 70.02.020, 70.02.050, 70.02.900, 71.05.660, 71.05.680, 71.05.620, 71.24.035, 43.185C.030, 70.05.070, 70.24.450, 74.13.280, 74.13.289, 71.05.425, 71.05.445, 72.09.585, and 9.94A.500; adding new sections to chapter 70.02 RCW; repealing RCW 70.24.105, 71.05.390, 71.05.640, 71.05.385, 71.05.420, 71.05.440, 71.05.427, 71.05.630, 71.05.690, 71.34.340, 71.34.345, and 71.34.350; prescribing penalties; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1679, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1679, as amended by the Senate, and the

bill passed the House by the following vote: Yeas, 88; Nays, 7; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Holy, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that preserving a safe and beneficial learning environment for all students requires the establishment and enforcement of appropriate student discipline policies. The legislature further finds that although physical restraint and isolation of a student should be avoided, there may be circumstances where school district boards of directors have authorized these actions to preserve the safety of other students and school staff. Nevertheless, if an incident of student restraint or isolation occurs, school personnel should be held accountable for providing a thorough explanation of the circumstances.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Isolation" means excluding a student from his or her regular instructional area and restricting the student alone within a room or any other form of enclosure, from which the student may not leave.

(b) "Restraint" means physical intervention or force used to control a student, including the use of a restraint device.

(c) "Restraint device" means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons.

(2) The provisions of this section apply only to any restraint of a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973 that results in a physical injury to a student or a staff member, any restraint of a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973, and any isolation of a student who has an individualized education program or plan developed under section 504 of the rehabilitation act of 1973. The provisions of this section apply only to incidents of restraint or isolation that occur while a student who has an individualized education program or plan developed under section 504 of the

rehabilitation act of 1973 is participating in school-sponsored instruction or activities.

(3) Following the release of a student from the use of restraint or isolation, the school must implement follow-up procedures. These procedures must include reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed.

(4) Any school employee, resource officer, or school security officer who uses any chemical spray, mechanical restraint, or physical force on a student during school-sponsored instruction or activities must inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the district office. The written report should include, at a minimum, the following information:

(a) The date and time of the incident;

(b) The name and job title of the individual who administered the restraint or isolation;

(c) A description of the activity that led to the restraint or isolation;

(d) The type of restraint or isolation used on the student, including the duration; and

(e) Whether the student or staff was physically injured during the restraint or isolation and any medical care provided.

(5) The principal or principal's designee must make a reasonable effort to verbally inform the student's parent or guardian within twenty-four hours of the incident, and must send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school or school district customarily provides the parent or guardian with school-related information in a language other than English, the written report under this section must be provided to the parent or guardian in that language.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.155 RCW to read as follows:

A school that is required to develop an individualized education program as required by federal law must include within the plan procedures for notification of a parent or guardian regarding the use of restraint or isolation.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.600 RCW to read as follows:

Parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the district policy on the use of isolation and restraint at the time that the program or plan is created."

On page 1, line 2 of the title, after "schools;" strike the remainder of the title and insert "adding new sections to chapter 28A.600 RCW; adding a new section to chapter 28A.155 RCW; and creating a new section."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Stonier and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1688, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1688, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1736 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) In order to enhance the efficiency and effectiveness of operations of institutions of higher education, the office of financial management shall work with the department of enterprise services, the department of transportation, the department of commerce, institutions of higher education, and others as necessary to comprehensively review reporting requirements related to the provisions in RCW 19.27A.020, 19.27A.150, 70.235.020, 39.35D.020, 43.19.565, 43.41.130, 47.01.440, 70.94.151, 70.94.161, 70.94.527, 70.120A.010, 70.120A.050, 70.235.030, 70.235.040, 70.235.050, 70.235.060, 70.235.070, 80.80.030, 80.80.040, and 80.80.080. By September 1, 2014, the office of financial management shall report to the governor and the higher education committees of the legislature. The report shall include recommendations for coordinating and streamlining reporting, and promoting the most efficient use of state resources at institutions of higher education.

(2) This section expires August 1, 2015.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.10 RCW to read as follows:

(1) Institutions of higher education and state higher education agencies may use or accept secure electronic signatures for any human resource, benefits, or payroll processes that require a signature. Such signatures are valid and enforceable.

(2) The definitions in this subsection apply throughout this section.

(a) "Electronic signature" means an electronic sound, symbol, or process, attached to, or logically associated with, a contract or other record and executed or adopted by a person with the intent to sign the record.

(b) "Secure electronic signature" means an electronic signature that:

- (i) Is unique to the person making the signature;
- (ii) Uses a technology or process to make the signature that is under the sole control of the person making the signature;
- (iii) Uses a technology or process that can identify the person using the technology or process; and
- (iv) Can be linked with an electronic record in such a way that it can be used to determine whether the electronic record has been changed since the electronic signature was incorporated in, attached to, or associated with the electronic record.

Sec. 3. RCW 28B.85.020 and 2012 c 229 s 543 are each amended to read as follows:

(1) The council:

(a) Shall adopt by rule, in accordance with chapter 34.05 RCW, minimum standards for degree-granting institutions concerning granting of degrees, quality of education, unfair business practices, financial stability, and other necessary measures to protect citizens of this state against substandard, fraudulent, or deceptive practices. The rules shall require that an institution operating in Washington:

- (i) Be accredited;
- (ii) Have applied for accreditation and such application is pending before the accrediting agency;
- (iii) Have been granted a waiver by the council waiving the requirement of accreditation; or
- (iv) Have been granted an exemption by the council from the requirements of this subsection (1)(a);

(b) May investigate any entity the council reasonably believes to be subject to the jurisdiction of this chapter. In connection with the investigation, the council may administer oaths and affirmations, issue subpoenas and compel attendance, take evidence, and require the production of any books, papers, correspondence, memorandums, or other records which the council deems relevant or material to the investigation. The council, including its staff and any other authorized persons, may conduct site inspections, the cost of which shall be borne by the institution, and examine records of all institutions subject to this chapter;

(c) May negotiate and enter into interstate reciprocity agreements with other state or multistate entities if the agreements are consistent with the purposes in this chapter as determined by the council;

(d) May enter into agreements with degree-granting institutions of higher education based in this state, that are otherwise exempt under the provisions of subsection (1)(a) of this section, for the purpose of ensuring consistent consumer protection in interstate distance delivery of higher education;

(e) Shall develop an interagency agreement with the workforce training and education coordinating board to regulate degree-granting private vocational schools with respect to degree and nondegree programs; and

~~((f))~~ (f) Shall develop and disseminate information to the public about entities that sell or award degrees without requiring appropriate academic achievement at the postsecondary level, including but not limited to, a description of the substandard and potentially fraudulent practices of these entities, and advice about how the public can recognize and avoid the entities. To the extent feasible, the information shall include links to additional resources that may assist the public in identifying specific institutions offering substandard or fraudulent degree programs.

(2) Financial disclosures provided to the council by degree-granting private vocational schools are not subject to public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.15 RCW to read as follows:

(1) One student advisory committee may be formed at each four-year institution of higher education by that institution's recognized student government organization for the purpose of advising and assisting the administration of that four-year institution of higher education on issues that directly affect students' ability to access and succeed in their educational programs. Issues that the student advisory committee may consider include:

- (a) The institution's annual budget;
- (b) Tuition and fee levels;
- (c) Financial aid policies;
- (d) Long-range budget priorities and allocation planning; and
- (e) Admission and enrollment policies.

(2) Members of a student advisory committee may be appointed in a manner that is consistent with policies adopted by the recognized student government organizations at each institution. If there is both an undergraduate and graduate recognized student government organization at one institution, members of the student advisory committee may be appointed in a manner consistent with policies adopted by both organizations.

(3) The administration of each four-year institution of higher education must: (a) Make readily available all nonconfidential information, documents, and reports requested by the student advisory committee and that are necessary for the committee to provide informed recommendations; and (b) provide the opportunity to present recommendations to the boards of regents or trustees before final decisions of the administration that relate to the issues described in subsection (1) of this section.

(4) A student advisory committee must: (a) Make reasonable efforts to solicit feedback from students regarding the issues described in subsection (1) of this section and matters that are of general interest and impact students; and (b) take reasonable steps to keep students informed of deliberations and actions of the student advisory committee."

On page 1, line 1 of the title, after "efficiencies;" strike the remainder of the title and insert "amending RCW 28B.85.020; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.15 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1736 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Zeiger and Riccelli spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1736, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1736, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Pike and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1736, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1737 with the following amendment:

On page 3, line 30, after "supervision" insert ": (a) more than three physician assistants who are working in remote sites; or (b)"

On page 5, line 2, after "supervision" insert ": (a) more than three physician assistants who are working in remote sites; or (b)"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1737 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Morrell and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1737, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1737, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins,

Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1737, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that the goals of the child welfare system are to protect the safety, permanence, and well-being of the children it serves. The legislature further recognizes the importance of maintaining publicly accessible data that tracks the performance of the child welfare system, leading to transparency and public understanding of the system.

(2) The legislature believes it is important to measure safety, permanence, and well-being such that the public and the legislature may understand how the child welfare system is performing. This information will also serve the legislature in determining priorities for investment of public dollars as well as need for substantive legislative changes to facilitate improvement.

(3) The reports to the legislature under section 2 of this act will be used to provide feedback to the department of social and health services. The agencies referenced in section 2 of this act will not disclose individually identifiable private information except as allowable under federal and state law.

NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW to read as follows:

(1) A university-based child welfare research entity and the department, in collaboration with other stakeholders, shall develop measurements in the areas of safety, permanency, and well-being, using existing and available data. Measurements must be calculated from data used in the routine work of the state agencies' data and information technology departments. Any new record linkage or data-matching activities required in fulfillment of this section may be performed by the research entity pursuant to agreements developed under subsection (6) of this section.

(2) For the purposes of this section, "state agencies" means any agency or subagency providing data used in the integrated client database maintained by the research and data analysis division of the department. Any exchange of data must be in accordance with applicable federal and state law.

(3) All measurements must use a methodology accepted by the scientific community. All measurements must address any disproportionate racial and ethnic inequality. The initial measurements must be developed by December 1, 2013.

(4) The measurements may not require the state agencies to revise their data collection systems, and may not require the state agencies to provide individually identifiable information.

(5) The state agencies shall provide the research entity with all measurement data related to the measurements developed under this

section at least quarterly beginning July 1, 2014. The research entity shall make any nonidentifiable data publicly available. The research entity shall report on the data to the legislature and the governor annually starting December 31, 2014.

(6) By January 1, 2014, the state agencies shall execute agreements with the research entity to enable sharing of data pursuant to RCW 42.48.020 sufficient to comply with this section.

(7) The fact that the research entity has chosen to use a specific measure, use a specific baseline, or compare any measure to a baseline is not admissible as evidence of negligence by the department in a civil action.

Sec. 3. RCW 74.13B.020 and 2012 c 205 s 3 are each amended to read as follows:

(1) No later than ~~((December 1, 2013))~~ July 1, 2014, the department shall enter into performance-based contracts for the provision of family support and related services. The department may enter into performance-based contracts for additional services, other than case management.

~~(2) ((Beginning December 1, 2013, the department may not renew its current contracts with individuals or entities for the provision of the child welfare services included in performance-based contracts under this section for services in geographic areas served by network administrators under such contracts, except as mutually agreed upon between the department and the network administrator to allow for the successful transition of services that meet the needs of children and families.~~

~~—((3))~~ The department shall conduct a procurement process to enter into performance-based contracts with one or more network administrators for family support and related services. As part of the procurement process, the department shall consult with department caseworkers, the exclusive bargaining representative for employees of the department, tribal representatives, parents who were formerly involved in the child welfare system, youth currently or previously in foster care, child welfare services researchers, and the Washington state institute for public policy to assist in identifying the categories of family support and related services that will be included in the procurement. The categories of family support and related services shall be defined no later than July 15, 2012. In identifying services, the department must review current data and research related to the effectiveness of family support and related services that mitigate child safety concerns and promote permanency, including reunification, and child well-being. Expenditures for family support and related services purchased under this section must remain within the levels appropriated in the operating budget.

~~((4))~~ ~~(3)~~(a) Network administrators shall, directly or through subcontracts with service providers:

(i) Assist caseworkers in meeting their responsibility for implementation of case plans and individual service and safety plans; and

(ii) Provide the family support and related services within the categories of contracted services that are included in a child or family's case plan or individual service and safety plan within funds available under contract.

(b) While the department caseworker retains responsibility for case management, nothing in chapter 205, Laws of 2012 limits the ability of the department to continue to contract for the provision of case management services by child-placing agencies, behavioral rehabilitation services agencies, or other entities that provided case management under contract with the department prior to July 1, 2005.

~~((5))~~ ~~(4)~~ In conducting the procurement, the department shall actively consult with other state agencies with relevant expertise, such as the health care authority, and with philanthropic entities with expertise in performance-based contracting for child welfare services. The director of the office of financial management must approve the request for proposal prior to its issuance.

~~((6))~~ (5) The procurement process must be developed and implemented in a manner that complies with applicable provisions of intergovernmental agreements between the state of Washington and tribal governments and must provide an opportunity for tribal governments to contract for service delivery through network administrators.

~~((7))~~ (6) The procurement and resulting contracts must include, but are not limited to, the following standards and requirements:

(a) The use of family engagement approaches to successfully motivate families to engage in services and training of the network's contracted providers to apply such approaches;

(b) The use of parents and youth who are successful veterans of the child welfare system to act as mentors through activities that include, but are not limited to, helping families navigate the system, facilitating parent engagement, and minimizing distrust of the child welfare system;

(c) The establishment of qualifications for service providers participating in provider networks, such as appropriate licensure or certification, education, and accreditation by professional accrediting entities;

(d) Adequate provider capacity to meet the anticipated service needs in the network administrator's contracted service area. The network administrator must be able to demonstrate that its provider network is culturally competent and has adequate capacity to address disproportionality, including utilization of tribal and other ethnic providers capable of serving children and families of color or who need language-appropriate services;

(e) Fiscal solvency of network administrators and providers participating in the network;

(f) The use of evidence-based, research-based, and promising practices, where appropriate, including fidelity and quality assurance provisions;

(g) Network administrator quality assurance activities, including monitoring of the performance of providers in their provider network, with respect to meeting measurable service outcomes;

(h) Network administrator data reporting, including data on contracted provider performance and service outcomes; and

(i) Network administrator compliance with applicable provisions of intergovernmental agreements between the state of Washington and tribal governments and the federal and Washington state Indian child welfare act.

~~((8))~~ (7) As part of the procurement process under this section, the department shall issue the request for proposals or request for information no later than December 31, ~~((2012. The department shall notify the apparently successful bidders no later than June 30, 2013))~~ 2013, shall begin implementation of performance-based contracting no later than July 1, 2014, and shall fully implement performance-based contracting no later than July 1, 2015.

~~((9))~~ (8) Performance-based payment methodologies must be used in network administrator contracting. Performance measures should relate to successful engagement by a child or parent in services included in their case plan, and resulting improvement in identified problem behaviors and interactions. For the initial three-year period of implementation of performance-based contracting, the department may transfer financial risk for the provision of services to network administrators only to the limited extent necessary to implement a performance-based payment methodology, such as phased payment for services. However, the department may develop a shared savings methodology through which the network administrator will receive a defined share of any savings that result from improved performance. If the department receives a Title IV-E waiver, the shared savings methodology must be consistent with the terms of the waiver. If a shared savings methodology is adopted, the network administrator shall reinvest the savings in enhanced services to better meet the needs of the families and children they serve.

~~((10))~~ (9) The department must actively monitor network administrator compliance with the terms of contracts executed under this section.

~~((11))~~ (10) The use of performance-based contracts under this section must be done in a manner that does not adversely affect the state's ability to continue to obtain federal funding for child welfare-related functions currently performed by the state and with consideration of options to further maximize federal funding opportunities and increase flexibility in the use of such funds, including use for preventive and in-home child welfare services.

Sec. 4. RCW 74.13.360 and 2012 c 205 s 8 are each amended to read as follows:

(1) No later than December 30, ~~((2015))~~ 2016;

(a) In the demonstration sites selected under RCW 74.13.368(4)(a), child welfare services shall be provided by supervising agencies with whom the department has entered into performance-based contracts. Supervising agencies may enter into subcontracts with other licensed agencies; and

(b) Except as provided in subsection (3) of this section, and notwithstanding any law to the contrary, the department may not directly provide child welfare services to families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a).

(2) No later than December 30, ~~((2015))~~ 2016, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department is responsible for only the following:

(a) Monitoring the quality of services for which the department contracts under this chapter;

(b) Ensuring that the services are provided in accordance with federal law and the laws of this state, including the Indian child welfare act;

(c) Providing child protection functions and services, including intake and investigation of allegations of child abuse or neglect, emergency shelter care functions under RCW 13.34.050, and referrals to appropriate providers; and

(d) Issuing licenses pursuant to chapter 74.15 RCW.

(3) No later than December 30, ~~((2015))~~ 2016, for families and children provided child welfare services by supervising agencies in the demonstration sites selected under RCW 74.13.368(4)(a), the department may provide child welfare services only:

(a) For the limited purpose of establishing a control or comparison group as deemed necessary by the child welfare transformation design committee, with input from the Washington state institute for public policy, to implement the demonstration sites selected and defined pursuant to RCW 74.13.368(4)(a) in which the performance in achieving measurable outcomes will be compared and evaluated pursuant to RCW 74.13.370; or

(b) In an emergency or as a provider of last resort. The department shall adopt rules describing the circumstances under which the department may provide those services. For purposes of this section, "provider of last resort" means the department is unable to contract with a private agency to provide child welfare services in a particular geographic area or, after entering into a contract with a private agency, either the contractor or the department terminates the contract.

(4) For purposes of this chapter, on and after September 1, 2010, performance-based contracts shall be structured to hold the supervising agencies accountable for achieving the following goals in order of importance: Child safety; child permanency, including reunification; and child well-being.

(5) A federally recognized tribe located in this state may enter into a performance-based contract with the department to provide child welfare services to Indian children whether or not they reside on a reservation. Nothing in this section prohibits a federally recognized Indian tribe located in this state from providing child welfare services

to its members or other Indian children pursuant to existing tribal law, regulation, or custom, or from directly entering into agreements for the provision of such services with the department, if the department continues to otherwise provide such services, or with federal agencies.

NEW SECTION. Sec. 5. RCW 74.13.368 (Performance-based contracts--Child welfare transformation design committee) and 2012 c 205 s 10, 2010 c 291 s 2, & 2009 c 520 s 8 are each suspended as of the effective date of this section until December 1, 2015."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "measuring performance and performance-based contracting of the child welfare system; amending RCW 74.13B.020 and 74.13.360; adding a new section to chapter 74.13 RCW; and creating new sections."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Freeman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1774, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1774, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1800 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.64.011 and 2009 c 549 s 1008 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, definitions of terms shall be as indicated when used in this chapter.

(1) "Administer" means the direct application of a drug or device, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.

(2) "Board" means the Washington state board of pharmacy.

(3) "Compounding" shall be the act of combining two or more ingredients in the preparation of a prescription.

(4) "Controlled substance" means a drug or substance, or an immediate precursor of such drug or substance, so designated under or pursuant to the provisions of chapter 69.50 RCW.

(5) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a drug or device, whether or not there is an agency relationship.

(6) "Department" means the department of health.

(7) "Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (a) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals, or (b) to affect the structure or any function of the body of human beings or other animals.

(8) "Dispense" means the interpretation of a prescription or order for a drug, biological, or device and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(9) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(10) The words "drug" and "devices" shall not include surgical or dental instruments or laboratory materials, gas and oxygen, therapy equipment, X-ray apparatus or therapeutic equipment, their component parts or accessories, or equipment, instruments, apparatus, or contrivances used to render such articles effective in medical, surgical, or dental treatment, or for use or consumption in or for mechanical, industrial, manufacturing, or scientific applications or purposes, nor shall the word "drug" include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended, nor medicated feed intended for and used exclusively as a feed for animals other than human beings.

(11) "Drugs" means:

(a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of human beings or other animals; or

(d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

(12) "Health care entity" means an organization that provides health care services in a setting that is not otherwise licensed by the state. Health care entity includes a freestanding outpatient surgery center or a freestanding cardiac care center. It does not include an individual practitioner's office or a multipractitioner clinic.

(13) "Labeling" shall mean the process of preparing and affixing a label to any drug or device container. The label must include all information required by current federal and state law and pharmacy rules.

(14) "Legend drugs" means any drugs which are required by any applicable federal or state law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

(15) "Manufacture" means the production, preparation, propagation, compounding, or processing of a drug or other substance or device or the packaging or repackaging of such substance or device, or the labeling or relabeling of the commercial container of such substance or device, but does not include the activities of a practitioner who, as an incident to his or her administration or dispensing such substance or device in the course of his or her professional practice, personally prepares, compounds, packages, or labels such substance or device. "Manufacture" includes the distribution of a licensed pharmacy compounded drug product to other state licensed persons or commercial entities for subsequent resale or distribution, unless a specific product item has approval of the board. The term does not include:

(a) The activities of a licensed pharmacy that compounds a product on or in anticipation of an order of a licensed practitioner for use in the course of their professional practice to administer to patients, either personally or under their direct supervision;

(b) The practice of a licensed pharmacy when repackaging commercially available medication in small, reasonable quantities for a practitioner legally authorized to prescribe the medication for office use only;

(c) The distribution of a drug product that has been compounded by a licensed pharmacy to other appropriately licensed entities under common ownership or control of the facility in which the compounding takes place; or

(d) The delivery of finished and appropriately labeled compounded products dispensed pursuant to a valid prescription to alternate delivery locations, other than the patient's residence, when requested by the patient, or the prescriber to administer to the patient, or to another licensed pharmacy to dispense to the patient.

(16) "Manufacturer" shall mean a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(17) "Master license system" means the mechanism established by chapter 19.02 RCW by which master licenses, endorsed for individual state-issued licenses, are issued and renewed utilizing a master application and a master license expiration date common to each renewable license endorsement.

(18) "Nonlegend" or "nonprescription" drugs means any drugs which may be lawfully sold without a prescription.

(19) "Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(20) "Pharmacist" means a person duly licensed by the Washington state board of pharmacy to engage in the practice of pharmacy.

(21) "Pharmacy" means every place properly licensed by the board of pharmacy where the practice of pharmacy is conducted.

(22) The word "poison" shall not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended.

(23) "Practice of pharmacy" includes the practice of and responsibility for: Interpreting prescription orders; the compounding, dispensing, labeling, administering, and distributing of drugs and devices; the monitoring of drug therapy and use; the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs; the participating in drug utilization reviews and drug product selection; the proper and safe storing and distributing of drugs and devices and maintenance of proper records thereof; the providing of information on legend drugs which may include, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(24) "Practitioner" means a physician, dentist, veterinarian, nurse, or other person duly authorized by law or rule in the state of Washington to prescribe drugs.

(25) "Prescription" means an order for drugs or devices issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe drugs or devices in the course of his or her professional practice for a legitimate medical purpose.

(26) "Secretary" means the secretary of health or the secretary's designee.

(27) "Wholesaler" shall mean a corporation, individual, or other entity which buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

Sec. 2. RCW 18.64.270 and 2003 c 53 s 137 are each amended to read as follows:

(1) Every proprietor of a wholesale or retail drug store shall be held responsible for the quality of all drugs, chemicals or medicines sold or dispensed by him or her except those sold in original packages of the manufacturer and except those articles or preparations known as patent or proprietary medicines.

(2) Any medicinal products that are compounded for patient administration or distribution to a licensed practitioner for patient use or administration shall, at a minimum, meet the standards of the official United States pharmacopeia as it applies to nonsterile products and sterile administered products.

(3) Any person who shall knowingly, willfully or fraudulently falsify or adulterate any drug or medicinal substance or preparation authorized or recognized by an official compendium or used or intended to be used in medical practice, or shall willfully, knowingly or fraudulently offer for sale, sell or cause the same to be sold for medicinal purposes, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not less than seventy-five nor more than one hundred and fifty dollars or by imprisonment in the county jail for a period of not less than one month nor more than three months, and any person convicted a third time for violation of this section may suffer both fine and imprisonment. In any case he or she shall forfeit to the state of Washington all drugs or preparations so falsified or adulterated.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "medications;" strike the remainder of the title and insert "amending RCW 18.67.270; reenacting and amending RCW 18.64.011; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1800 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1800, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1800, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 1800, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1826 with the following amendment:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 19.280.010 and 2006 c 195 s 1 are each amended to read as follows:

It is the intent of the legislature to encourage the development of new safe, clean, and reliable energy resources to meet demand in Washington for affordable and reliable electricity. To achieve this end, the legislature finds it essential that electric utilities in Washington develop comprehensive resource plans that explain the mix of generation and demand-side resources they plan to use to meet their customers' electricity needs in both the short term and the long term. The legislature intends that information obtained from integrated resource planning under this chapter will be used to assist in identifying and developing: (1) New energy generation(;) (2) conservation and efficiency resources(;) (3) methods, commercially available technologies, and facilities for integrating renewable resources, including addressing any overgeneration event; and (4) related infrastructure to meet the state's electricity needs.

Sec. 2. RCW 19.280.020 and 2009 c 565 s 19 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission.

(2) "Conservation and efficiency resources" means any reduction in electric power consumption that results from increases in the efficiency of energy use, production, transmission, or distribution.

(3) "Consumer-owned utility" includes a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, a mutual corporation or association formed under chapter 24.06 RCW, a port district formed under Title 53 RCW, or a water-sewer district formed

under Title 57 RCW, that is engaged in the business of distributing electricity to one or more retail electric customers in the state.

(4) "Department" means the department of commerce.

(5) "Electric utility" means a consumer-owned or investor-owned utility.

(6) "Full requirements customer" means an electric utility that relies on the Bonneville power administration for all power needed to supply its total load requirement other than that served by nondispatchable generating resources totaling no more than six megawatts or renewable resources.

(7) "Governing body" means the elected board of directors, city council, commissioners, or board of any consumer-owned utility.

(8) "High efficiency cogeneration" means the sequential production of electricity and useful thermal energy from a common fuel source, where, under normal operating conditions, the facility has a useful thermal energy output of no less than thirty-three percent of the total energy output.

(9) "Integrated resource plan" means an analysis describing the mix of generating resources ~~((and))~~, conservation, methods, technologies, and resources to integrate renewable resources and, where applicable, address overgeneration events, and efficiency resources that will meet current and projected needs at the lowest reasonable cost to the utility and its ratepayers and that complies with the requirements specified in RCW 19.280.030(1).

(10) "Investor-owned utility" means a corporation owned by investors that meets the definition in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(11) "Lowest reasonable cost" means the lowest cost mix of generating resources and conservation and efficiency resources determined through a detailed and consistent analysis of a wide range of commercially available resources. At a minimum, this analysis must consider resource cost, market-volatility risks, demand-side resource uncertainties, resource dispatchability, resource effect on system operation, the risks imposed on the utility and its ratepayers, public policies regarding resource preference adopted by Washington state or the federal government, and the cost of risks associated with environmental effects including emissions of carbon dioxide.

(12) "Plan" means either an "integrated resource plan" or a "resource plan."

(13) "Renewable resources" means electricity generation facilities fueled by: (a) Water; (b) wind; (c) solar energy; (d) geothermal energy; (e) landfill gas; (f) biomass energy utilizing animal waste, solid organic fuels from wood, forest, or field residues or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (g) by-products of pulping or wood manufacturing processes, including but not limited to bark, wood chips, sawdust, and lignin in spent pulping liquors; (h) ocean thermal, wave, or tidal power; or (i) gas from sewage treatment facilities.

(14) "Resource plan" means an assessment that estimates electricity loads and resources over a defined period of time and complies with the requirements in RCW 19.280.030(2).

(15) "Overgeneration event" means an event within an operating period of a balancing authority when the electricity supply, including generation from intermittent renewable resources, exceeds the demand for electricity for that utility's energy delivery obligations and when there is a negatively priced regional market.

Sec. 3. RCW 19.280.030 and 2011 c 180 s 305 are each amended to read as follows:

Each electric utility must develop a plan consistent with this section.

(1) Utilities with more than twenty-five thousand customers that are not full requirements customers shall develop or update an integrated resource plan by September 1, 2008. At a minimum, progress reports reflecting changing conditions and the progress of

the integrated resource plan must be produced every two years thereafter. An updated integrated resource plan must be developed at least every four years subsequent to the 2008 integrated resource plan. The integrated resource plan, at a minimum, must include:

(a) A range of forecasts, for at least the next ten years or longer, of projected customer demand which takes into account econometric data and customer usage;

(b) An assessment of commercially available conservation and efficiency resources. Such assessment may include, as appropriate, high efficiency cogeneration, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources;

(c) An assessment of commercially available, utility scale renewable and nonrenewable generating technologies including a comparison of the benefits and risks of purchasing power or building new resources;

(d) A comparative evaluation of renewable and nonrenewable generating resources, including transmission and distribution delivery costs, and conservation and efficiency resources using "lowest reasonable cost" as a criterion;

(e) An assessment of methods, commercially available technologies, or facilities for integrating renewable resources, and addressing overgeneration events, if applicable to the utility's resource portfolio;

(f) The integration of the demand forecasts and resource evaluations into a long-range assessment describing the mix of supply side generating resources and conservation and efficiency resources that will meet current and projected needs, including mitigating overgeneration events, at the lowest reasonable cost and risk to the utility and its ratepayers; and

~~((#))~~ (g) A short-term plan identifying the specific actions to be taken by the utility consistent with the long-range integrated resource plan.

(2) All other utilities may elect to develop a full integrated resource plan as set forth in subsection (1) of this section or, at a minimum, shall develop a resource plan that:

(a) Estimates loads for the next five and ten years;

(b) Enumerates the resources that will be maintained and/or acquired to serve those loads; and

(c) Explains why the resources in (b) of this subsection were chosen and, if the resources chosen are not: (i) Renewable resources ~~((#))~~; (ii) methods, commercially available technologies, or facilities for integrating renewable resources, including addressing any overgeneration event; or (iii) conservation and efficiency resources, why such a decision was made.

(3) An electric utility that is required to develop a resource plan under this section must complete its initial plan by September 1, 2008.

(4) Resource plans developed under this section must be updated on a regular basis, at a minimum on intervals of two years.

(5) Plans shall not be a basis to bring legal action against electric utilities.

(6) Each electric utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

Sec. 4. RCW 19.280.060 and 2006 c 195 s 6 are each amended to read as follows:

The department shall review the plans of consumer-owned utilities and investor-owned utilities, and data available from other state, regional, and national sources, and prepare an electronic report to the legislature aggregating the data and assessing the overall adequacy of Washington's electricity supply. The report shall include a statewide summary of utility load forecasts, load/resource balance, and utility plans for the development of thermal generation, renewable resources, ~~((and))~~ conservation and efficiency resources, and an examination of assessment methods used by utilities to address

overgeneration events. The commission shall provide the department with data summarizing the plans of investor-owned utilities for use in the department's statewide summary. The department may submit its report within the biennial report required under RCW 43.21F.045."

On page 1, line 2 of the title, after "markets;" strike the remainder of the title and insert "and amending RCW 19.280.010, 19.280.020, 19.280.030, and 19.280.060."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 1826 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Morris and Short spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1826, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1826, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; Nays, 9; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hawkins, Holy, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED HOUSE BILL NO. 1826, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.43.715 and 2012 c 87 s 13 are each amended to read as follows:

(1) Consistent with federal law, the commissioner, in consultation with the board and the health care authority, shall, by rule, select the largest small group plan in the state by enrollment as the benchmark plan for the individual and small group market for purposes of establishing the essential health benefits in Washington state under P.L. 111-148 of 2010, as amended.

(2) If the essential health benefits benchmark plan for the individual and small group market does not include all of the ten benefit categories specified by section 1302 of P.L. 111-148, as amended, the commissioner, in consultation with the board and the health care authority, shall, by rule, supplement the benchmark plan benefits as needed to meet the minimum requirements of section 1302.

(3) A health plan required to offer the essential health benefits, other than a health plan offered through the federal basic health program or medicaid, under P.L. 111-148 of 2010, as amended, may not be offered in the state unless the commissioner finds that it is substantially equal to the benchmark plan. When making this determination, the commissioner (~~must~~):

(a) Must ensure that the plan covers the ten essential health benefits categories specified in section 1302 of P.L. 111-148 of 2010, as amended; (~~and~~)

(b) May consider whether the health plan has a benefit design that would create a risk of biased selection based on health status and whether the health plan contains meaningful scope and level of benefits in each of the ten essential health benefit categories specified by section 1302 of P.L. 111-148 of 2010, as amended;

(c) Notwithstanding the foregoing, for benefit years beginning January 1, 2015, and only to the extent permitted by federal law and guidance, must establish by rule the review and approval requirements and procedures for pediatric oral services when offered in stand-alone dental plans in the nongrandfathered individual and small group markets outside of the exchange; and

(d) Unless prohibited by federal law and guidance, must allow health carriers to also offer pediatric oral services within the health benefit plan in the nongrandfathered individual and small group markets outside of the exchange.

(4) Beginning December 15, 2012, and every year thereafter, the commissioner shall submit to the legislature a list of state-mandated health benefits, the enforcement of which will result in federally imposed costs to the state related to the plans sold through the exchange because the benefits are not included in the essential health benefits designated under federal law. The list must include the anticipated costs to the state of each state-mandated health benefit on the list and any statutory changes needed if funds are not appropriated to defray the state costs for the listed mandate. The commissioner may enforce a mandate on the list for the entire market only if funds are appropriated in an omnibus appropriations act specifically to pay the state portion of the identified costs.

Sec. 2. RCW 48.46.243 and 2008 c 217 s 56 are each amended to read as follows:

(1) Subject to subsection (2) of this section, every contract between a health maintenance organization and its participating providers of health care services shall be in writing and shall set forth that in the event the health maintenance organization fails to pay for health care services as set forth in the agreement, the enrolled participant shall not be liable to the provider for any sums owed by the health maintenance organization. Every such contract shall provide that this requirement shall survive termination of the contract.

(2) The provisions of subsection (1) of this section shall not apply:

(a) To emergency care from a provider who is not a participating provider(,);

(b) To out-of-area services;

(c) To the delivery of covered pediatric oral services that are

substantially equal to the essential health benefits benchmark plan; or(,)

(d) In exceptional situations approved in advance by the commissioner, if the health maintenance organization is unable to negotiate reasonable and cost-effective participating provider contracts.

(3)(a) Each participating provider contract form shall be filed with the commissioner fifteen days before it is used.

(b) Any contract form not affirmatively disapproved within fifteen days of filing shall be deemed approved, except that the commissioner may extend the approval period an additional fifteen days upon giving notice before the expiration of the initial fifteen-day period. The commissioner may approve such a contract form for immediate use at any time. Approval may be subsequently withdrawn for cause.

(c) Subject to the right of the health maintenance organization to demand and receive a hearing under chapters 48.04 and 34.05 RCW, the commissioner may disapprove such a contract form if it is in any respect in violation of this chapter or if it fails to conform to minimum provisions or standards required by the commissioner by rule under chapter 34.05 RCW.

(4) No participating provider, or insurance producer, trustee, or assignee thereof, may maintain an action against an enrolled participant to collect sums owed by the health maintenance organization.

Sec. 3. RCW 48.14.0201 and 2011 c 47 s 8 are each amended to read as follows:

(1) As used in this section, "taxpayer" means a health maintenance organization as defined in RCW 48.46.020, a health care service contractor as defined in (~~RCW 48.44.010~~) chapter 48.44 RCW, or a self-funded multiple employer welfare arrangement as defined in RCW 48.125.010.

(2) Each taxpayer must pay a tax on or before the first day of March of each year to the state treasurer through the insurance commissioner's office. The tax must be equal to the total amount of all premiums and prepayments for health care services collected or received by the taxpayer under RCW 48.14.090 during the preceding calendar year multiplied by the rate of two percent. For tax purposes, the reporting of premiums and prepayments must be on a written basis or on a paid-for basis consistent with the basis required by the annual statement.

(3) Taxpayers must prepay their tax obligations under this section. The minimum amount of the prepayments is the percentages of the taxpayer's tax obligation for the preceding calendar year recomputed using the rate in effect for the current year. For the prepayment of taxes due during the first calendar year, the minimum amount of the prepayments is the percentages of the taxpayer's tax obligation that would have been due had the tax been in effect during the previous calendar year. The tax prepayments must be paid to the state treasurer through the commissioner's office by the due dates and in the following amounts:

(a) On or before June 15, forty-five percent;

(b) On or before September 15, twenty-five percent;

(c) On or before December 15, twenty-five percent.

(4) For good cause demonstrated in writing, the commissioner may approve an amount smaller than the preceding calendar year's tax obligation as recomputed for calculating the health maintenance organization's, health care service contractor's, self-funded multiple employer welfare arrangement's, or certified health plan's prepayment obligations for the current tax year.

(5) Moneys collected under this section are deposited in the general fund.

(6) The taxes imposed in this section do not apply to:

(a) Amounts received by any taxpayer from the United States or any instrumentality thereof as prepayments for health care services

provided under Title XVIII (medicare) of the federal social security act.

(b) Amounts received by any taxpayer from the state of Washington as prepayments for health care services provided under:

(i) The medical care services program as provided in RCW 74.09.035; or

(ii) The Washington basic health plan on behalf of subsidized enrollees as provided in chapter 70.47 RCW.

(c) Amounts received by any health care service contractor~~(s)~~ as defined in ~~((RCW 48.44.010))~~ chapter 48.44 RCW, or any health maintenance organization as defined in chapter 48.46 RCW, as prepayments for health care services included within the definition of practice of dentistry under RCW 18.32.020, except amounts received for pediatric oral services that qualify as coverage for the minimum essential coverage requirement under P.L. 111-148 (2010), as amended.

(d) Participant contributions to self-funded multiple employer welfare arrangements that are not taxable in this state.

(7) Beginning January 1, 2000, the state preempts the field of imposing excise or privilege taxes upon taxpayers and no county, city, town, or other municipal subdivision has the right to impose any such taxes upon such taxpayers. This subsection is limited to premiums and payments for health benefit plans offered by health care service contractors under chapter 48.44 RCW, health maintenance organizations under chapter 48.46 RCW, and self-funded multiple employer welfare arrangements as defined in RCW 48.125.010. The preemption authorized by this subsection must not impair the ability of a county, city, town, or other municipal subdivision to impose excise or privilege taxes upon the health care services directly delivered by the employees of a health maintenance organization under chapter 48.46 RCW.

(8)(a) The taxes imposed by this section apply to a self-funded multiple employer welfare arrangement only in the event that they are not preempted by the employee retirement income security act of 1974, as amended, 29 U.S.C. Sec. 1001 et seq. The arrangements and the commissioner must initially request an advisory opinion from the United States department of labor or obtain a declaratory ruling from a federal court on the legality of imposing state premium taxes on these arrangements. Once the legality of the taxes has been determined, the multiple employer welfare arrangement certified by the insurance commissioner must begin payment of these taxes.

(b) If there has not been a final determination of the legality of these taxes, then beginning on the earlier of (i) the date the fourth multiple employer welfare arrangement has been certified by the insurance commissioner, or (ii) April 1, 2006, the arrangement must deposit the taxes imposed by this section into an interest bearing escrow account maintained by the arrangement. Upon a final determination that the taxes are not preempted by the employee retirement income security act of 1974, as amended, 29 U.S.C. Sec. 1001 et seq., all funds in the interest bearing escrow account must be transferred to the state treasurer.

(9) The effect of transferring contracts for health care services from one taxpayer to another taxpayer is to transfer the tax prepayment obligation with respect to the contracts.

(10) On or before June 1st of each year, the commissioner must notify each taxpayer required to make prepayments in that year of the amount of each prepayment and must provide remittance forms to be used by the taxpayer. However, a taxpayer's responsibility to make prepayments is not affected by failure of the commissioner to send, or the taxpayer to receive, the notice or forms.

Sec. 4. RCW 48.14.020 and 2009 c 161 s 3 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection ~~((2))~~ (3) of

this section, such tax shall be in the amount of two percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer under RCW 48.14.090 during the preceding calendar year other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For tax purposes, the reporting of premiums shall be on a written basis or on a paid-for basis consistent with the basis required by the annual statement. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) The taxes imposed in this section do not apply to amounts received by any life and disability insurer for health care services included within the definition of practice of dentistry under RCW 18.32.020 except amounts received for pediatric oral services that qualify as coverage for the minimum essential coverage requirement under P.L. 111-148 (2010), as amended.

(3) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

~~((3))~~ (4) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-five one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((4))~~ (5) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their appointed insurance producers, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or these insurance producers.

~~((5))~~ (6) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums."

On page 1, line 1 of the title, after "coverage;" strike the remainder of the title and insert "and amending RCW 48.43.715, 48.46.243, 48.14.0201, and 48.14.020."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Schmick and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1846, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1846, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1883 with the following amendment:

On page 35, beginning on line 14, after "required to be" strike "licensed under chapter 46.16 RCW" and insert "registered under chapter 46.16A RCW"

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1883 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Fitzgibbon and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1883, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1883, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Scott.

Excused: Representatives DeBolt, Manweller and McCoy.

SUBSTITUTE HOUSE BILL NO. 1883, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.215.210 and 2006 c 265 s 302 are each amended to read as follows:

The chief of the Washington state patrol, through the director of fire protection, shall have the power and it shall be his or her duty:

(1) In consultation with the director and with the advice and assistance of persons representative of the various type agencies to be licensed, to adopt recognized minimum standard requirements pertaining to each category of agency established pursuant to this chapter necessary to protect all persons residing therein from fire hazards;

(2) To adopt licensing minimum standard requirements to allow children who attend classes in a school building during school hours to remain in the same building to participate in before-school or after-school programs and to allow participation in such before-school and after-school programs by children who attend other schools and are transported to attend such before-school and after-school programs;

(3) To make or cause to be made such inspections and investigations of agencies as he or she deems necessary;

~~((3))~~ (4) To make a periodic review of requirements under RCW 43.215.200(5) and to adopt necessary changes after consultation as required in subsection (1) of this section;

~~((4))~~ (5) To issue to applicants for licenses under this chapter who comply with the requirements, a certificate of compliance, a

copy of which shall be presented to the department before a license shall be issued, except that an initial license may be issued as provided in RCW 43.215.280.

NEW SECTION. Sec. 2. The chief of the Washington state patrol, through the director of fire protection, shall have the power and it shall be his or her duty to adopt licensing minimum standard requirements for before-school and after-school programs in existing buildings approved by the state fire marshal."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 43.215.210; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1968, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1968, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives DeBolt, Manweller and McCoy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2024, by Representatives Pedersen, Rodne, Jinkins, Klippert, Orwall, O'Ban, Wylie, Ormsby,

Kirby, Buys, Roberts, Nealey, Goodman, Hansen, Kagi, Hunter, Ryu, Appleton and Manweller

Concerning legal proceedings by the attorney general on behalf of state officers.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2024.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2024, and the bill passed the House by the following vote: Yeas, 85; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Bergquist, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, Moeller, Morrell, Morris, Moscoso, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Blake, Freeman, Nealey, Pollet, Sells, Takko, Upthegrove, Van De Wege and Warnick.

Excused: Representatives DeBolt, Manweller and McCoy.

HOUSE BILL NO. 2024, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1115
SUBSTITUTE HOUSE BILL NO. 1116
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1134
SUBSTITUTE HOUSE BILL NO. 1216
HOUSE BILL NO. 1277
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383
ENGROSSED HOUSE BILL NO. 1394
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432
SUBSTITUTE HOUSE BILL NO. 1541
HOUSE BILL NO. 1547

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652
ENGROSSED HOUSE BILL NO. 1808

The Speaker called upon Representative Moeller to preside.

There being no objection, the House adjourned until 1:30 p.m.,
April 23, 2013, the 100th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDREDTH DAY

House Chamber, Olympia, Tuesday, April 23, 2013

The House was called to order at 1:30 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

April 22, 2013

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andres Toquica and Olivia Elston. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Jeff Knight, The Rock Church, Monroe, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 22, 2013

MR. SPEAKER:

The Senate has passed: ENGROSSED SENATE BILL NO. 5903 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1115
SUBSTITUTE HOUSE BILL NO. 1116
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1134
SUBSTITUTE HOUSE BILL NO. 1216
HOUSE BILL NO. 1277
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1383
ENGROSSED HOUSE BILL NO. 1394
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1432
SUBSTITUTE HOUSE BILL NO. 1541
HOUSE BILL NO. 1547
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652
ENGROSSED HOUSE BILL NO. 1808

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 22, 2013

MR. SPEAKER: The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5905 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 22, 2013

MR. SPEAKER: The Senate has passed SUBSTITUTE SENATE BILL NO. 5898 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 22, 2013

MR. SPEAKER: The Senate has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5296 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082
ENGROSSED SUBSTITUTE SENATE BILL NO. 5153
SUBSTITUTE SENATE BILL NO. 5227
SUBSTITUTE SENATE BILL NO. 5282
ENGROSSED SENATE BILL NO. 5305
SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5324
SENATE BILL NO. 5344
SENATE BILL NO. 5417
SUBSTITUTE SENATE BILL NO. 5437
SENATE BILL NO. 5472
ENGROSSED SUBSTITUTE SENATE BILL NO. 5491
SUBSTITUTE SENATE BILL NO. 5615
ENGROSSED SENATE BILL NO. 5616
ENGROSSED SUBSTITUTE SENATE BILL NO. 5709
SUBSTITUTE SENATE BILL NO. 5761
SUBSTITUTE SENATE BILL NO. 5767
SUBSTITUTE SENATE BILL NO. 5786
SENATE JOINT MEMORIAL NO. 8005

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 22, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5002
SUBSTITUTE SENATE BILL NO. 5022
SENATE BILL NO. 5050
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078
SENATE BILL NO. 5161
SECOND SUBSTITUTE SENATE BILL NO. 5197
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5329
SENATE BILL NO. 5355
SENATE BILL NO. 5359
SUBSTITUTE SENATE BILL NO. 5434
SUBSTITUTE SENATE BILL NO. 5565
SUBSTITUTE SENATE BILL NO. 5591
SENATE BILL NO. 5809

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

ESSB 5024 by Senate Committee on Transportation (originally sponsored by Senators King, Eide and McAuliffe)

AN ACT Relating to transportation funding and appropriations; amending RCW 47.64.170, 47.64.270, 43.19.642, 46.12.630, 46.18.060, 46.68.113, 46.68.170, 46.68.325, 47.29.170, 47.56.403, 47.56.876, 46.20.745,

46.68.370, 47.12.244, 47.12.340, 46.63.180, 82.70.020, 82.70.040, and 82.70.900; amending 2012 c 86 ss 201, 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 302, 303, 305, 306, 307, 308, 309, 310, 401, 402, 404, 405, 406, 407, and 701 (uncodified); amending 2011 c 367 s 601 (uncodified); reenacting and amending RCW 46.63.170 and 46.68.060; adding a new section to chapter 47.06A RCW; creating new sections; repealing 2012 c 86 ss 702, 703, 704, 705, 706, 707, 709, 710, 711, 712, 713, 714, 715, and 716 (uncodified); prescribing penalties; making appropriations and authorizing expenditures for capital improvements; providing an effective date; providing expiration dates; providing contingent effective dates; and declaring an emergency.

Referred to Committee on Transportation.

ESSB 5785 by Senate Committee on Transportation (originally sponsored by Senators Ericksen, Rolfes, King, Ranker and Eide)

AN ACT Relating to the display and replacement of license plates; amending RCW 46.16A.200, 46.16A.020, 46.17.200, and 46.18.130; reenacting and amending RCW 46.16A.110 and 46.18.140; and creating a new section.

Referred to Committee on Transportation.

ESSB 5857 by Senate Committee on Transportation (originally sponsored by Senators King and Eide)

AN ACT Relating to vehicle-related fees; amending RCW 46.25.060, 46.25.100, 46.20.202, 46.17.040, 46.17.050, 46.17.060, 46.12.650, 46.17.400, and 46.37.420; adding new sections to chapter 46.68 RCW; adding a new section to chapter 46.16A RCW; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 11, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1242 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.01.140 and 2012 c 261 s 10 are each amended to read as follows:

(1) **County auditor/agent duties.** A county auditor or other agent appointed by the director must:

(a) Enter into a standard contract provided by the director;

(b) Provide all services authorized by the director for vehicle certificates of title and vehicle registration applications and issuance under the direction and supervision of the director including, but not limited to:

(i) Processing reports of sale;
(ii) Processing transitional ownership transactions;
(iii) Processing mail-in vehicle registration renewals until directed otherwise by legislative authority;

(iv) Issuing registrations and temporary ORV use permits for off-road vehicles as required under chapter 46.09 RCW;

(v) Issuing registrations for snowmobiles as required under chapter 46.10 RCW; and

(vi) Collecting fees and taxes as required;

(c) If authorized by the director, offer for sale discover passes as provided in chapter 79A.80 RCW.

(2) **County auditor/agent assistants and subagents.** A county auditor or other agent appointed by the director may, with approval of the director:

(a) Appoint assistants as special deputies to accept applications for vehicle certificates of title and to issue vehicle registrations; and

(b) Recommend and request that the director appoint subagencies within the county to accept applications for vehicle certificates of title and vehicle registration application issuance.

(3) **Appointing subagents.** A county auditor or other agent appointed by the director who requests a subagency must, with approval of the director:

(a) Use an open competitive process including, but not limited to, a written business proposal and oral interview to determine the qualifications of all interested applicants; and

(b) Submit all proposals to the director with a recommendation for appointment of one or more subagents who have applied through the open competitive process. If a qualified successor who is an existing subagent's sibling, spouse, or child, or a subagency employee has applied, the county auditor must provide the name of the qualified successor and the name of one other applicant who is qualified and was chosen through the open competitive process.

(4) **Subagent duties.** A subagent appointed by the director must:

(a) Enter into a standard contract with the county auditor or agent provided by the director;

(b) Provide all services authorized by the director for vehicle certificates of title and vehicle registration applications and issuance under the direction and supervision of the county auditor or agent and the director including, but not limited to:

(i) Processing reports of sale;

(ii) Processing transitional ownership transactions;

(iii) Mailing out vehicle registrations and replacement plates to internet payment option customers until directed otherwise by legislative authority;

(iv) Issuing registrations and temporary ORV use permits for off-road vehicles as required under chapter 46.09 RCW;

(v) Issuing registrations for snowmobiles as required under chapter 46.10 RCW; and

(vi) Collecting fees and taxes as required; and

(c) If authorized by the director, offer for sale discover passes as provided in chapter 79A.80 RCW.

(5) **Subagent successorship.** A subagent appointed by the director who no longer wants his or her appointment may recommend a successor who is the subagent's sibling, spouse, or child, or a subagency employee. The recommended successor must participate in the open competitive process used to select an applicant. In making successor recommendations and appointment determinations, the following provisions apply:

(a) If a subagency is held by a partnership or corporate entity, the nomination must be submitted on behalf of, and agreed to by, all partners or corporate officers;

(b) A subagent may not receive any direct or indirect compensation or remuneration from any party or entity in recognition of a successor nomination. A subagent may not receive any financial benefit from the transfer or termination of an appointment: ~~(and)~~

(c) The appointment of a successor is intended to assist in the efficient transfer of appointments to minimize public inconvenience. The appointment of a successor does not create a proprietary or property interest in the appointment;

(d) A subagent appointee who is planning to retire within twelve months may recommend a successor without resigning his or her appointment by submitting a letter of intent to retire with a successor recommendation to the county auditor or other agent appointed by the director. The county auditor or other agent appointed by the director shall, within sixty days, respond in writing to the subagent appointee indicating if the recommended successor would be considered in the open competitive process. If there are negative factors or deficiencies pertaining to the subagency operation or the recommended successor, the county auditor or other agent appointed by the director must state these factors in writing to the subagent appointee. The subagent appointee may withdraw the letter of intent to retire any time prior to the start of the open competitive process by writing to the county auditor or other agent appointed by the director and filing a copy with the director;

(e) A subagent appointee may name a recommended successor at any time during his or her appointment by notifying the county auditor or other agent appointed by the director in writing and filing a copy with the director. The purpose of this recommendation is for the county auditor or other agent appointed by the director to know the wishes of the subagent appointee in the event of the death or incapacitation of a sole subagent appointee or last remaining subagent appointee that could lead to the inability of the subagent to continue to fulfill the obligations of the appointment; and

(f) If the county auditor or other agent appointed by the director does not select the recommended successor for appointment as a result of the open competitive process, the county auditor or other agent appointed by the director must contact the subagent appointee by letter and explain the decision. The subagent appointee must be provided an opportunity to respond in writing. Any response by the subagent appointee must be included in the open competitive process materials submitted to the department.

(6) **Standard contracts.** The standard contracts provided by the director in this section may include provisions that the director deems necessary to ensure that readily accessible and acceptable service is provided to the citizens of the state, including the full collection of fees and taxes. The standard contracts must include provisions that:

(a) Describe responsibilities and liabilities of each party related to service expectations and levels;

(b) Describe the equipment to be supplied by the department and equipment maintenance;

(c) Require specific types of insurance or bonds, or both, to protect the state against any loss of collected revenue or loss of equipment;

(d) Specify the amount of training that will be provided by each of the parties;

(e) Describe allowable costs that may be charged for vehicle registration activities as described in subsection (7) of this section; and

(f) Describe causes and procedures for termination of the contract, which may include mediation and binding arbitration.

(7) **County auditor/agent cost reimbursement.** A county auditor or other agent appointed by the director who does not cover expenses for services provided by the standard contract may submit to the department a request for cost-coverage moneys. The request must be submitted on a form developed by the department. The department must develop procedures to standardize and identify allowable costs and to verify whether a request is reasonable. Payment must be made on those requests found to be allowable from the licensing services account.

(8) **County auditor/agent revenue disbursement.** County revenues that exceed the cost of providing services described in the

standard contract, calculated in accordance with the procedures in subsection (7) of this section, must be expended as determined by the county legislative authority during the process established by law for adoption of county budgets.

(9) **Appointment authority.** The director has final appointment authority for county auditors or other agents or subagents.

(10) **Rules.** The director may adopt rules to implement this section."

On page 1, line 1 of the title, after "subagents;" strike the remainder of the title and insert "and amending RCW 46.01.140."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1242 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Moscoso and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) excused Representative DeBolt.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1242, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1242, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1242, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 88.02.640 and 2012 c 74 s 16 are each amended to read as follows:

(1) In addition to any other fees and taxes required by law, the department, county auditor or other agent, or subagent appointed by the director shall charge the following vessel fees and surcharge:

FEE	AMOUNT	AUTHORITY	DISTRIBUTION
(a) Dealer temporary permit	\$5.00	RCW	88.02.800(2)
General fund			
(b) Derelict vessel and invasive species removal		Subsection (3) of this section	
section		Subsection (3) of this section	
(c) Derelict vessel removal surcharge	\$1.00	Subsection (4) of this section	
(d) Duplicate certificate of title	\$1.25	RCW 88.02.530(1)(c)	General fund
(e) Duplicate registration	\$1.25	RCW 88.02.590(1)(c)	
(f) Filing	RCW 46.17.005	RCW	88.02.560(2)
RCW 46.68.400			
(g) License plate technology	RCW 46.17.015	RCW	88.02.560(2)
RCW 46.68.370			
(h) License service	RCW 46.17.025	RCW	88.02.560(2)
RCW 46.68.220			
(i) Nonresident vessel permit	\$25.00	RCW 88.02.620(3)	Subsection (5) of this section
(j) Quick title service	\$50.00	RCW 88.02.540(3)	Subsection (7) of this section
(k) Registration	\$10.50	RCW 88.02.560(2)	RCW 88.02.650
(l) Replacement decal	\$1.25	RCW	88.02.595(1)(c)
General fund			
(m) Title application	\$5.00	RCW 88.02.515	General fund
(n) Transfer	\$1.00	RCW 88.02.560(7)	General fund
(o) Vessel visitor permit	\$30.00	RCW	88.02.610(3)
Subsection (6) of this section			

(2) The five dollar dealer temporary permit fee required in subsection (1) of this section must be credited to the payment of registration fees at the time application for registration is made.

(3) ~~((a))~~ The derelict vessel and invasive species removal fee required in subsection (1) of this section is five dollars and must be distributed as follows:

~~((i))~~ (a) One dollar and fifty cents must be deposited in the aquatic invasive species prevention account created in RCW 77.12.879;

~~((ii))~~ (b) One dollar must be deposited into the aquatic algae control account created in RCW 43.21A.667;

~~((iii))~~ (c) Fifty cents must be deposited into the aquatic invasive species enforcement account created in RCW 43.43.400; and

~~((iv))~~ (d) Two dollars must be deposited in the derelict vessel removal account created in RCW 79.100.100.

~~((b))~~ If the department of natural resources indicates that the balance of the derelict vessel removal account, not including any

~~transfer or appropriation of funds into the account or funds deposited into the account collected under subsection (5) of this section reaches one million dollars as of March 1st of any year, the collection of the two dollars of the derelict vessel and invasive species removal fee that is deposited into the derelict vessel removal account as authorized in (a)(iv) of this subsection must be suspended for the following fiscal year.)~~

~~((4))~~ (4) ~~((Until January 1, 2014))~~ In addition to other fees required in this section, an annual derelict vessel removal surcharge of one dollar must be charged with each vessel registration. The surcharge ~~((is to address the significant backlog of derelict vessels accumulated in Washington ((state)) waters that pose a threat to the health and safety of the people and to the environment((; (b) Is to be used only for the removal of vessels that are less than seventy five feet in length;))~~ and

~~((e))~~ (e) must be deposited into the derelict vessel removal account created in RCW 79.100.100.

(5) The twenty-five dollar nonresident vessel permit fee must be paid by the vessel owner to the department for the cost of providing the identification document by the department. Any moneys remaining from the fee after the payment of costs must be allocated to counties by the state treasurer for approved boating safety programs under RCW 88.02.650.

(6) The thirty dollar vessel visitor permit fee must be distributed ~~to the general fund~~

(a) Five dollars must be deposited in the derelict vessel removal account created in RCW 79.100.100;

(b) The department may keep an amount to cover costs for providing the vessel visitor permit;

(c) Any moneys remaining must be allocated to counties by the state treasurer for approved boating safety programs under RCW 88.02.650; and

(d) Any fees required for licensing agents under RCW 46.17.005 are in addition to any other fee or tax due for the titling and registration of vessels.

(7)(a) The fifty dollar quick title service fee must be distributed as follows:

(i) If the fee is paid to the director, the fee must be deposited to the general fund.

(ii) If the fee is paid to the participating county auditor or other agent or subagent appointed by the director, twenty-five dollars must be deposited to the general fund. The remainder must be retained by the county treasurer in the same manner as other fees collected by the county auditor.

(b) For the purposes of this subsection, "quick title" has the same meaning as in RCW 88.02.540.

Sec. 2. RCW 79.100.100 and 2010 c 161 s 1161 are each amended to read as follows:

(1)(a) The derelict vessel removal account is created in the state treasury. All receipts from RCW 79.100.050 and 79.100.060 and those moneys specified in RCW 88.02.640 must be deposited into the account. The account is authorized to receive fund transfers and appropriations from the general fund, deposits from the derelict vessel removal surcharge under RCW 88.02.640(4), as well as gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income according to the terms of the gifts, grants, or endowments provided those terms do not conflict with any provisions of this section or any guidelines developed to prioritize reimbursement of removal projects associated with this chapter.

(b) Moneys in the account may only be spent after appropriation. Expenditures from the account ~~((must))~~ may only be used by the department for developing and administering the vessel turn-in program created in section 42 of this act and to reimburse authorized public entities for up to ninety percent of the total reasonable and

auditable administrative, removal, disposal, and environmental damage costs of abandoned or derelict vessels when the previous owner is either unknown after a reasonable search effort or insolvent. Reimbursement may not be made unless the department determines that the public entity has made reasonable efforts to identify and locate the party responsible for the vessel, or any other person or entity that has incurred secondary liability under section 38 of this act, regardless of the title of owner of the vessel.

(c) Funds in the account resulting from transfers from the general fund or from the deposit of funds from the watercraft excise tax as provided for under RCW 82.49.030 must be used to reimburse one hundred percent of ~~(these)~~ costs and should be prioritized for the removal of large vessels.

(d) Costs associated with the removal and disposal of an abandoned or derelict vessel under the authority granted in RCW 53.08.320 also qualify for reimbursement from the derelict vessel removal account.

(e) In each biennium, up to twenty percent of the expenditures from the derelict vessel removal account may be used for administrative expenses of the department of licensing and department of natural resources in implementing this chapter.

~~(2) (If the balance of the account reaches one million dollars as of March 1st of any year, exclusive of any transfer or appropriation of funds into the account or funds deposited into the account collected under RCW 88.02.640(5), the department must notify the department of licensing and the collection of any fees associated with this account must be suspended for the following fiscal year.~~

~~(3))~~ (3) Priority for use of this account is for the removal of derelict and abandoned vessels that are in danger of sinking, breaking up, or blocking navigation channels, or that present environmental risks such as leaking fuel or other hazardous substances. The department must develop criteria, in the form of informal guidelines, to prioritize removal projects associated with this chapter, but may not consider whether the applicant is a state or local entity when prioritizing. The guidelines must also include guidance to the authorized public entities as to what removal activities and associated costs are reasonable and eligible for reimbursement.

~~((4))~~ (3) The department must keep all authorized public entities ~~((apprized))~~ apprised of the balance of the derelict vessel removal account and the funds available for reimbursement. The guidelines developed by the department must also be made available to the other authorized public entities. This subsection ~~((4))~~ (3) must be satisfied by utilizing the least costly method, including maintaining the information on the department's internet web site, or any other cost-effective method.

~~((5))~~ (4) An authorized public entity may contribute its ten percent of costs that are not eligible for reimbursement by using in-kind services, including the use of existing staff, equipment, and volunteers.

~~((6))~~ (5) This chapter does not guarantee reimbursement for an authorized public entity. Authorized public entities seeking certainty in reimbursement prior to taking action under this chapter may first notify the department of their proposed action and the estimated total costs. Upon notification by an authorized public entity, the department must make the authorized public entity aware of the status of the fund and the likelihood of reimbursement being available. The department may offer technical assistance and assure reimbursement for up to two years following the removal action if an assurance is appropriate given the balance of the fund and the details of the proposed action.

Sec. 3. RCW 79A.65.020 and 2002 c 286 s 21 are each amended to read as follows:

(1) The commission may take reasonable measures, including but not limited to the use of anchors, chains, ropes, and locks, or removal from the water, to secure unauthorized vessels located at or on a commission facility so that the unauthorized vessels are in the possession and control of the commission. At least ten days before

securing any unauthorized registered vessel, the commission shall send notification by registered mail to the last registered owner or registered owners of the vessel at their last known address or addresses.

(2) The commission may take reasonable measures, including but not limited to the use of anchors, chains, ropes, locks, or removal from the water, to secure any vessel if the vessel, in the opinion of the commission, is a nuisance, is in danger of sinking or creating other damage to a commission facility, or is otherwise a threat to the health, safety, or welfare of the public or environment at a commission facility. The costs of any such procedure shall be paid by the vessel's owner.

(3) At the time of securing any vessel under subsection (1) or (2) of this section, the commission shall attach to the vessel a readily visible notice or, when practicable, shall post such notice in a conspicuous location at the commission facility in the event the vessel is removed from the premises. The notice shall be of a reasonable size and shall contain the following information:

(a) The date and time the notice was attached or posted;

(b) A statement that the vessel has been secured by the commission and that if the commission's charges, if any, are not paid and the vessel is not removed by (the thirty-fifth consecutive day following the date of attachment or posting of the notice), the vessel will be considered abandoned and will be sold at public auction to satisfy the charges;

(c) The address and telephone number where additional information may be obtained concerning the securing of the vessel and conditions for its release; and

(d) A description of the owner's or secured party's rights under this chapter.

(4) With respect to registered vessels: Within five days of the date that notice is attached or posted under subsection (3) of this section, the commission shall send such notice, by registered mail, to each registered owner.

(5) If a vessel is secured under subsection (1) or (2) of this section, the owner, or any person with a legal right to possess the vessel, may claim the vessel by:

(a) Making arrangements satisfactory to the commission for the immediate removal of the vessel from the commission's control or for authorized storage or moorage; and

(b) Making payment to the commission of all reasonable charges incurred by the commission in securing the vessel under subsections (1) and (2) of this section and of all moorage fees owed to the commission.

(6) A vessel is considered abandoned if, within the thirty-five day period following the date of attachment or posting of notice in subsection (3) of this section, the vessel has not been claimed under subsection (5) of this section.

(7) If the owner or owners of a vessel are unable to reimburse the commission for all reasonable charges under subsections (1) and (2) of this section within a reasonable time, the commission may seek reimbursement of ~~((seventy-five))~~ ninety percent of all reasonable and auditable costs from the derelict vessel removal account established in RCW 79.100.100.

Sec. 4. RCW 79.100.130 and 2011 c 247 s 2 are each amended to read as follows:

(1) A ~~((marina))~~ private moorage facility owner, as those terms are defined in RCW 88.26.010, may contract with a local government for the purpose of participating in the derelict vessel removal program.

(2) If a contract is completed under this section, the local government shall serve as the authorized public entity for the removal of ~~((the))~~ a derelict or abandoned vessel from the ~~((marina owner's))~~ property of the private moorage facility owner. The contract must provide for the ~~((marina owner))~~ private moorage facility owner to be financially responsible for the removal and disposal costs that are not reimbursed by the department as provided under RCW 79.100.100, and any

additional reasonable administrative costs incurred by the local government during the removal of the derelict or abandoned vessel.

(3) Prior to the commencement of any removal which will seek reimbursement from the derelict vessel removal program, the contract and the proposed vessel removal shall be submitted to the department for review and approval. The local government shall use the procedure specified under RCW 79.100.100(6).

(4) If the private moorage facility owner has already seized the vessel under chapter 88.26 RCW and title has reverted to the moorage facility, the moorage facility is not considered the owner under this chapter for purposes of cost recovery for actions taken under this section.

Sec. 5. RCW 43.19.1919 and 2011 1st sp.s. c 43 s 215 are each amended to read as follows:

(1) The department shall sell or exchange personal property belonging to the state for which the agency, office, department, or educational institution having custody thereof has no further use, at public or private sale, and cause the moneys realized from the sale of any such property to be paid into the fund from which such property was purchased or, if such fund no longer exists, into the state general fund. This requirement is subject to the following exceptions and limitations:

~~((1))~~ (a) This section does not apply to property under RCW 27.53.045, 28A.335.180, or 43.19.1920;

~~((2))~~ (b) Sales of capital assets may be made by the department and a credit established for future purchases of capital items as provided for in RCW 43.19.190 through 43.19.1939;

~~((3))~~ (c) Personal property, excess to a state agency, including educational institutions, shall not be sold or disposed of prior to reasonable efforts by the department to determine if other state agencies have a requirement for such personal property. Such determination shall follow sufficient notice to all state agencies to allow adequate time for them to make their needs known. Surplus items may be disposed of without prior notification to state agencies if it is determined by the director to be in the best interest of the state. The department shall maintain a record of disposed surplus property, including date and method of disposal, identity of any recipient, and approximate value of the property;

~~((4))~~ (d) This section does not apply to personal property acquired by a state organization under federal grants and contracts if in conflict with special title provisions contained in such grants or contracts;

~~((5))~~ (e) A state agency having a surplus personal property asset with a fair market value of less than five hundred dollars may transfer the asset to another state agency without charging fair market value. A state agency conducting this action must maintain adequate records to comply with agency inventory procedures and state audit requirements.

(2)(a) Prior to transferring ownership of a department-owned vessel, the department shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(b) If the department determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the department may: (i) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (ii) permanently dispose of the vessel by landfill, deconstruction, or other related method.

NEW SECTION. Sec. 6. A new section is added to chapter 43.19 RCW to read as follows:

(1) Following the inspection required under section 5 of this act and prior to transferring ownership of a department-owned vessel, the department shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the department.

(2)(a) The department shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the department may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the department's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the department, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The department may consult with the department of ecology in carrying out the requirements of this subsection (2).

(3) Prior to sale, and unless the vessel has a title or valid marine document, the department is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 7. A new section is added to chapter 43.30 RCW to read as follows:

(1) Prior to transferring ownership of a department-owned vessel, the department shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the department determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the department may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 8 of this act.

NEW SECTION. Sec. 8. A new section is added to chapter 43.30 RCW to read as follows:

(1) Following the inspection required under section 7 of this act and prior to transferring ownership of a department-owned vessel, the department shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the department.

(2)(a) The department shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the department may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the department's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the department, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The department may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the department is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 9. A new section is added to chapter 77.12 RCW to read as follows:

(1) Prior to transferring ownership of a department-owned vessel, the department shall conduct a thorough review of the physical

condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the department determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the department may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 10 of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 77.12 RCW to read as follows:

(1) Following the inspection required under section 9 of this act and prior to transferring ownership of a department-owned vessel, the department shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the department.

(2)(a) The department shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the department may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the department's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the department, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The department may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the department is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 11. A new section is added to chapter 79A.05 RCW to read as follows:

(1) Prior to transferring ownership of a commission-owned vessel, the commission shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the commission determines the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, that the commission may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 12 of this act.

NEW SECTION. Sec. 12. A new section is added to chapter 79A.05 RCW to read as follows:

(1) Following the inspection required under section 11 of this act and prior to transferring ownership of a commission-owned vessel, the commission shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the commission.

(2)(a) The commission shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the commission may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the commission's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the commission, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The commission may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the commission is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 13. A new section is added to chapter 47.01 RCW to read as follows:

(1) Prior to transferring ownership of a department-owned vessel, the department shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the department determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the department may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

NEW SECTION. Sec. 14. A new section is added to chapter 47.01 RCW to read as follows:

(1) Following the inspection required under section 13 of this act and prior to transferring ownership of a department-owned vessel, the department shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the department.

(2)(a) The department shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the department may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the department's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the department, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The department may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the department is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 15. A new section is added to chapter 35.21 RCW to read as follows:

(1) Prior to transferring ownership of a city or town-owned vessel, the city or town shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the city or town determines the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the city or town may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or

(b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 16 of this act.

NEW SECTION. Sec. 16. A new section is added to chapter 35.21 RCW to read as follows:

(1) Following the inspection required under section 15 of this act and prior to transferring ownership of a city or town-owned vessel, a city or town shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the city or town.

(2)(a) The city or town shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the city or town may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the city or town's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the city or town, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The city or town may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the city or town is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 17. A new section is added to chapter 35A.21 RCW to read as follows:

(1) Prior to transferring ownership of a code city-owned vessel, the code city shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the code city determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the code city may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 18 of this act.

NEW SECTION. Sec. 18. A new section is added to chapter 35A.21 RCW to read as follows:

(1) Following the inspection required under section 17 of this act and prior to transferring ownership of a code city-owned vessel, a code city shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the code city.

(2)(a) The code city shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the code city may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the code city's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the code city, based on factors including the vessel's size, condition, and anticipated use of the vessel, including initial destination following transfer.

(c) The code city may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the code city is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 19. A new section is added to chapter 36.32 RCW to read as follows:

(1) Prior to transferring ownership of a county-owned vessel, the county shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the county determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the county may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 20 of this act.

NEW SECTION. Sec. 20. A new section is added to chapter 36.32 RCW to read as follows:

(1) Following the inspection required under section 19 of this act and prior to transferring ownership of a county-owned vessel, a county shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the county.

(2)(a) The county shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the county may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the county's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the county, based on factors including the vessel's size, condition, and anticipated use of the vessel including initial destination following transfer.

(c) The county may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the county is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 21. A new section is added to chapter 53.08 RCW to read as follows:

(1) Prior to transferring ownership of a vessel owned by a port district and used primarily to conduct port business, the port district shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the port district determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the port district may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

(3) Vessels taken into custody under chapter 79.100 RCW are not subject to this section or section 22 of this act.

NEW SECTION. Sec. 22. A new section is added to chapter 53.08 RCW to read as follows:

(1) Following the inspection required under section 21 of this act and prior to transferring ownership of a port district-owned vessel, a port district shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the port district.

(2)(a) The port district shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the port district may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the port district's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the port district, based on factors including the vessel's size, condition, and anticipated use of the vessel including initial destination following transfer.

(c) The port district may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the port district is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 23. A new section is added to chapter 43.21A RCW to read as follows:

(1) Prior to transferring ownership of a department-owned vessel, the department shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the department determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the department may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

NEW SECTION. Sec. 24. A new section is added to chapter 43.21A RCW to read as follows:

(1) Following the inspection required under section 23 of this act and prior to transferring ownership of a department-owned vessel, the department shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the department.

(2)(a) The department shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the department may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the department's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the department, based on factors including the vessel's size, condition, and anticipated use of the vessel including initial destination following transfer.

(3) Prior to sale, and unless the vessel has a valid marine document, the department is required to apply for a title or certificate

of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

NEW SECTION. Sec. 25. A new section is added to chapter 28B.10 RCW to read as follows:

(1) Prior to transferring ownership of an institution-owned vessel, an institution of higher education shall conduct a thorough review of the physical condition of the vessel, the vessel's operating capability, and any containers and other materials that are not fixed to the vessel.

(2) If the institution of higher education determines that the vessel is in a state of advanced deterioration or poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination, the institution of higher education may: (a) Not transfer the vessel until the conditions identified under this subsection have been corrected; or (b) permanently dispose of the vessel by landfill, deconstruction, or other related method.

NEW SECTION. Sec. 26. A new section is added to chapter 28B.10 RCW to read as follows:

(1) Following the inspection required under section 25 of this act and prior to transferring ownership of an institution-owned vessel, the institution of higher education shall obtain the following from the transferee:

(a) The purposes for which the transferee intends to use the vessel; and

(b) Information demonstrating the prospective owner's intent to obtain legal moorage following the transfer, in the manner determined by the institution of higher education.

(2)(a) The institution of higher education shall remove any containers or other materials that are not fixed to the vessel and contain hazardous substances, as defined under RCW 70.105D.020.

(b) However, the institution of higher education may transfer a vessel with:

(i) Those containers or materials described under (a) of this subsection where the transferee demonstrates to the institution of higher education's satisfaction that the container's or material's presence is consistent with the anticipated use of the vessel; and

(ii) A reasonable amount of fuel as determined by the institution of higher education, based on factors including the vessel's size, condition, and anticipated use of the vessel including initial destination following transfer.

(c) The institution of higher education may consult with the department of ecology in carrying out the requirements of this subsection.

(3) Prior to sale, and unless the vessel has a title or valid marine document, the institution of higher education is required to apply for a certificate of title for the vessel under RCW 88.02.510 and register the vessel under RCW 88.02.550.

Sec. 27. RCW 28B.10.029 and 2012 c 230 s 4 are each amended to read as follows:

(1)(a) An institution of higher education may, consistent with sections 25 and 26 of this act, exercise independently those powers otherwise granted to the director of enterprise services in chapter 43.19 RCW in connection with the purchase and disposition of all material, supplies, services, and equipment needed for the support, maintenance, and use of the respective institution of higher education.

(b) Property disposition policies followed by institutions of higher education shall be consistent with policies followed by the department of enterprise services.

(c)(i) Except as provided in (c)(ii) and (iii) of this subsection, purchasing policies and procedures followed by institutions of higher education shall be in compliance with chapters 39.19, 39.29, and 43.03 RCW, and RCW ((43.19.1901, 43.19.1906, 43.19.1911,)) 43.19.1917, ((43.19.1937,)) 43.19.685, ((43.19.700 through 43.19.704)) 39.26.260 through 39.26.271, and 43.19.560 through 43.19.637.

(ii) Institutions of higher education may use all appropriate means for making and paying for travel arrangements including, but not

limited to, electronic booking and reservations, advance payment and deposits for tours, lodging, and other necessary expenses, and other travel transactions based on standard industry practices and federal accountable plan requirements. Such arrangements shall support student, faculty, staff, and other participants' travel, by groups and individuals, both domestic and international, in the most cost-effective and efficient manner possible, regardless of the source of funds.

(iii) Formal sealed, electronic, or web-based competitive bidding is not necessary for purchases or personal services contracts by institutions of higher education for less than one hundred thousand dollars. However, for purchases and personal services contracts of ten thousand dollars or more and less than one hundred thousand dollars, quotations must be secured from at least three vendors to assure establishment of a competitive price and may be obtained by telephone, electronic, or written quotations, or any combination thereof. As part of securing the three vendor quotations, institutions of higher education must invite at least one quotation each from a certified minority and a certified woman-owned vendor that otherwise qualifies to perform the work. A record of competition for all such purchases and personal services contracts of ten thousand dollars or more and less than one hundred thousand dollars must be documented for audit purposes.

(d) Purchases under chapter 39.29, 43.19, or 43.105 RCW by institutions of higher education may be made by using contracts for materials, supplies, services, or equipment negotiated or entered into by, for, or through group purchasing organizations.

(e) The community and technical colleges shall comply with RCW 43.19.450.

(f) Except for the University of Washington, institutions of higher education shall comply with RCW 43.19.769, 43.19.763, and 43.19.781.

(g) If an institution of higher education can satisfactorily demonstrate to the director of the office of financial management that the cost of compliance is greater than the value of benefits from any of the following statutes, then it shall be exempt from them: RCW 43.19.685 and 43.19.637.

(h) Any institution of higher education that chooses to exercise independent purchasing authority for a commodity or group of commodities shall notify the director of enterprise services. Thereafter the director of enterprise services shall not be required to provide those services for that institution for the duration of the enterprise services contract term for that commodity or group of commodities.

(2) The council of presidents and the state board for community and technical colleges shall convene its correctional industries business development advisory committee, and work collaboratively with correctional industries, to:

(a) Reaffirm purchasing criteria and ensure that quality, service, and timely delivery result in the best value for expenditure of state dollars;

(b) Update the approved list of correctional industries products from which higher education shall purchase; and

(c) Develop recommendations on ways to continue to build correctional industries' business with institutions of higher education.

(3) Higher education and correctional industries shall develop a plan to build higher education business with correctional industries to increase higher education purchases of correctional industries products, based upon the criteria established in subsection (2) of this section. The plan shall include the correctional industries' production and sales goals for higher education and an approved list of products from which higher education institutions shall purchase, based on the criteria established in subsection (2) of this section. Higher education and correctional industries shall report to the legislature regarding the plan and its implementation no later than January 30, 2005.

(4)(a) Institutions of higher education shall set as a target to contract, beginning not later than June 30, 2006, to purchase one percent of the total goods and services required by the institutions each year produced or provided in whole or in part from class II inmate work programs operated by the department of corrections. Institutions of higher education shall set as a target to contract, beginning not later than June 30, 2008, to purchase two percent of the total goods and services required by the institutions each year produced or provided in whole or in part from class II inmate work programs operated by the department of corrections.

(b) Institutions of higher education shall endeavor to assure the department of corrections has notifications of bid opportunities with the goal of meeting or exceeding the purchasing target in (a) of this subsection.

NEW SECTION. Sec. 28. (1) The department of natural resources must reevaluate the criteria developed under RCW 79.100.100 regarding the prioritization of vessel removals funded by the derelict vessel removal account. This reprioritization process must occur by January 30, 2014, and consider how vessels located in the vicinity of aquaculture operations and other sensitive areas should be prioritized.

(2) This section expires July 31, 2015.

Sec. 29. RCW 88.02.380 and 2010 c 161 s 1006 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, and, in part, in order to prevent the future potential dereliction or abandonment of a vessel, a violation of this chapter and the rules adopted by the department is a ~~((misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:~~

~~— (a) For the second violation, a fine of two hundred dollars per vessel;~~

~~— (b) For the third and successive violations, a fine of four hundred dollars per vessel.)~~ class 2 civil infraction.

(2) A ~~((violation designated in this chapter as a))~~ civil infraction issued under this chapter must be ~~((punished accordingly pursuant to))~~ processed under chapter 7.80 RCW.

(3) After the subtraction of court costs and administrative collection fees, moneys collected under this section must be credited to the ~~((current expense fund of the arresting jurisdiction))~~ ticketing jurisdiction and used only for the support of the enforcement agency, department, division, or program that issued the violation.

(4) All law enforcement officers may enforce this chapter and the rules adopted by the department within their respective jurisdictions. A city, town, or county may contract with a fire protection district for enforcement of this chapter, and fire protection districts may engage in enforcement activities.

Sec. 30. RCW 88.02.340 and 2010 c 161 s 1004 are each amended to read as follows:

(1) Any person charged with the enforcement of this chapter may inspect the registration certificate of a vessel to ascertain the legal and registered ownership of the vessel. A vessel owner or operator who fails to provide the registration certificate for inspection upon the request of any person charged with enforcement of this chapter ~~((is a class 2 civil infraction))~~ may be found to be in violation of this chapter.

(2) The department may require the inspection of vessels that are brought into this state from another state and for which a certificate of title has not been issued and for any other vessel if the department determines that inspection of the vessel will help to verify the accuracy of the information set forth on the application.

Sec. 31. RCW 88.02.550 and 2010 c 161 s 1017 are each amended to read as follows:

(1) Except as provided in this chapter, a person may not own or operate any vessel, including a rented vessel, on the waters of this

state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter. A vessel that has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal. ~~((A violation of this section is a class 2 civil infraction.))~~

(2) A vessel numbered in this state under the federal boat safety act of 1971 (85 Stat. 213, 46 U.S.C. 4301 et seq.) is not required to be registered under this chapter until the certificate of number issued for the vessel under the federal boat safety act expires. When registering under this chapter, this type of vessel is subject to the amount of excise tax due under chapter 82.49 RCW that would have been due under chapter 82.49 RCW if the vessel had been registered at the time otherwise required under this chapter.

Sec. 32. RCW 79.100.120 and 2010 c 210 s 34 are each amended to read as follows:

(1) A person seeking to contest an authorized public entity's decision to take temporary possession or custody of a vessel under this chapter, or to contest the amount of reimbursement owed to an authorized public entity under this chapter, may request a hearing in accordance with this section.

(2)(a) If the contested decision or action was undertaken by a state agency, a written request for a hearing related to the decision or action must be filed with the pollution control hearings board and served on the state agency in accordance with RCW 43.21B.230 (2) and (3) within thirty days of the date the authorized public entity acquires custody of the vessel under RCW 79.100.040, or if the vessel is redeemed before the authorized public entity acquires custody, the date of redemption, or the right to a hearing is deemed waived and the vessel's owner is liable for any costs owed the authorized public entity. In the event of litigation, the prevailing party is entitled to reasonable attorneys' fees and costs.

(b) Upon receipt of a timely hearing request, the pollution control hearings board shall proceed to hear and determine the validity of the decision to take the vessel into temporary possession or custody and the reasonableness of any towing, storage, or other charges permitted under this chapter. Within five business days after the request for a hearing is filed, the pollution control hearings board shall notify the vessel owner requesting the hearing and the authorized public entity of the date, time, and location for the hearing. Unless the vessel is redeemed before the request for hearing is filed, the pollution control hearings board shall set the hearing on a date that is within ten business days of the filing of the request for hearing. If the vessel is redeemed before the request for a hearing is filed, the pollution control hearings board shall set the hearing on a date that is within sixty days of the filing of the request for hearing.

(c) Consistent with RCW 43.21B.305, a proceeding brought under this subsection may be heard by one member of the pollution control hearings board, whose decision is the final decision of the board.

(3)(a) If the contested decision or action was undertaken by a metropolitan park district, port district, city, town, or county, which has adopted rules or procedures for contesting decisions or actions pertaining to derelict or abandoned vessels, those rules or procedures must be followed in order to contest a decision to take temporary possession or custody of a vessel, or to contest the amount of reimbursement owed.

(b) If the metropolitan park district, port district, city, town, or county has not adopted rules or procedures for contesting decisions or actions pertaining to derelict or abandoned vessels, then a person requesting a hearing under this section must follow the procedure established in ~~((RCW 53.08.320(5) for contesting the decisions or actions of moorage facility operators))~~ subsection (2) of this section.

Sec. 33. RCW 43.21B.110 and 2010 c 210 s 7 and 2010 c 84 s 2 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards

or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, ~~((and))~~ the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) A final decision by the department or director made under chapter 183, Laws of 2009.

(d) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(e) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(f) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(g) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(h) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(i) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(j) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(k) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(l) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW.

(m) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(n) Decisions of ~~((a state agency that is))~~ an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

~~((e) Appeals of decisions by the department as provided in chapter 43.211 RCW.))~~

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 34. RCW 43.21B.110 and 2010 c 210 s 8 and 2010 c 84 s 3 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, ~~((and))~~ the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 76.09.170, 77.55.291, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of ~~((a state agency that is))~~ an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

~~((e) Appeals of decisions by the department as provided in chapter 43.211 RCW.))~~

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 35. A new section is added to chapter 79.100 RCW to read as follows:

(1) An officer or employee of an authorized public entity, or the department of ecology at the request of an authorized public entity, may, consistent with subsection (2) of this section, board any vessel at any reasonable time for the purpose of:

(a) Administering this chapter, including identifying ownership of a vessel, assessing the structural integrity of a vessel, and assessing whether a vessel meets the criteria described under RCW 79.100.040(3); or

(b) For the department of ecology only, mitigating a potential threat to health, safety, or the environment under the authority provided in chapter 90.56 RCW.

(2)(a) Prior to boarding any vessel under the authority of this section, an officer or employee of an authorized public entity or the department of ecology must apply for and obtain an administrative search warrant in either Thurston county superior court or the superior court in the county where the vessel is located, unless a warrant is not otherwise required by law. The court may issue an administrative search warrant where the court has reasonable cause to believe it is necessary to achieve the purposes of this section.

(b) Prior to requesting an administrative search warrant under this subsection, the officer or employee must make a reasonable effort to contact the owner or the owner's designee and obtain consent to board the vessel.

(3) Nothing in this section affects an authorized public entity's authority to carry out actions under RCW 79.100.040 or any agency's existing authority to enter onto vessels under any other statute.

Sec. 36. RCW 90.56.410 and 1990 c 116 s 23 are each amended to read as follows:

(1) The department, through its duly authorized representatives, shall have the power to enter upon any private or public property, including the boarding of any ship, at any reasonable time, and the owner, managing agent, master, or occupant of such property shall permit such entry for the purpose of investigating conditions relating to violations or possible violations of this chapter, and to have access to any pertinent records relating to such property, including but not limited to operation and maintenance records and logs. The authority granted ~~((herein))~~ in this section shall not be construed to require any person to divulge trade secrets or secret processes. The director may issue subpoenas for the production of any books, records, documents, or witnesses in any hearing conducted pursuant to this chapter.

(2) The department may utilize the authority granted to it in section 35 of this act for the purposes of mitigating a potential threat to health, safety, or the environment from a vessel.

Sec. 37. RCW 79.100.040 and 2007 c 342 s 2 are each amended to read as follows:

(1) Prior to exercising the authority granted in RCW 79.100.030, the authorized public entity must first obtain custody of the vessel. To do so, the authorized public entity must:

(a) Mail notice of its intent to obtain custody, at least twenty days prior to taking custody, to the last known address of the previous owner to register the vessel in any state or with the federal government and to any lien holders or secured interests on record. A notice need not be sent to the purported owner or any other person whose interest in the vessel is not recorded with a state or federal agency;

(b) Post notice of its intent clearly on the vessel for thirty days and publish its intent at least once, more than ten days but less than twenty days prior to taking custody, in a newspaper of general circulation for the county in which the vessel is located; and

(c) Post notice of its intent on the department's internet web site on a page specifically designated for such notices. If the authorized public entity is not the department, the department must facilitate the internet posting.

(2) All notices sent, posted, or published in accordance with this section must, at a minimum, explain the intent of the authorized public entity to take custody of the vessel, the rights of the authorized public entity after taking custody of the vessel as provided in RCW 79.100.030, the procedures the owner must follow in order to avoid custody being taken by the authorized public entity, the procedures the owner must follow in order to reclaim possession after custody is taken by the authorized public entity, and the financial liabilities that the owner may incur as provided for in RCW 79.100.060.

(3)(a) ~~((f-a))~~ Any authorized public entity may tow, beach, or otherwise take temporary possession of a vessel if the owner of the vessel cannot be located or is unwilling or unable to assume immediate responsibility for the vessel and if the vessel ((is)):

(i) Is in immediate danger of sinking, breaking up, or blocking navigational channels; or

(ii) Poses a reasonably imminent threat to human health or safety, including a threat of environmental contamination~~((; and (iii) the owner of the vessel cannot be located or is unwilling or unable to assume immediate responsibility for the vessel, any authorized public entity may tow, beach, or otherwise take temporary possession of the vessel)).~~

(b) Before taking temporary possession of the vessel, the authorized public entity must make reasonable attempts to consult with the department or the United States coast guard to ensure that other remedies are not available. The basis for taking temporary possession of the vessel must be set out in writing by the authorized public entity within seven days of taking action and be submitted to the owner, if known, as soon thereafter as is reasonable. If the authorized public entity has not already provided the required notice, immediately after taking possession of the vessel, the authorized public entity must initiate the notice provisions in subsection (1) of this section. The authorized public entity must complete the notice requirements of subsection (1) of this section before using or disposing of the vessel as authorized in RCW 79.100.050.

(4) An authorized public entity may invite the department of ecology to use the authority granted to it under RCW 90.56.410 prior to, or concurrently with, obtaining custody of a vessel under this section. However, this is not a necessary prerequisite to an authorized public entity obtaining custody.

NEW SECTION. Sec. 38. A new section is added to chapter 79.100 RCW to read as follows:

(1) A vessel owner must obtain a vessel inspection under this section prior to transferring a vessel that is:

(a) More than sixty-five feet in length and more than forty years old; and

(b) Either:

(i) Is registered or required to be registered under chapter 88.02 RCW; or

(ii) Is listed or required to be listed under chapter 84.40 RCW.

(2) Where required under subsection (1) of this section, a vessel owner must provide a copy of the vessel inspection documentation to

the transferee and, if the department did not conduct the inspection, to the department prior to the transfer.

(3) Failure to comply with the requirements of subsections (1) and (2) of this section will result in the transferor having secondary liability under RCW 79.100.060 if the vessel is later abandoned by the transferee or becomes derelict prior to a subsequent ownership transfer.

NEW SECTION. Sec. 39. (1) By December 31, 2013, the department of natural resources shall adopt by rule procedures and standards for the vessel inspections required under section 38 of this act. The procedures and standards must identify the public or private entities authorized to conduct inspections, the required elements of an inspection, and the manner in which inspection results must be documented. The vessel inspection required under this section must be designed to:

(a) Provide the transferee with current information about the condition of the vessel, including the condition of its hull and key operating systems, prior to the transfer;

(b) Provide the department of natural resources with information under (a) of this subsection for each applicable vessel and, more broadly, to improve the department's understanding of the condition of the larger, older boats in the state's waters;

(c) Discourage the future abandonment or dereliction of the vessel; and

(d) Maximize the efficiency and effectiveness of the inspection process, including with respect to the time and resources of the transferor, transferee, and the state.

(2) The department of natural resources shall work with appropriate government agencies and stakeholders in designing the inspection process and standards under this section.

(3) This section expires July 31, 2014.

Sec. 40. RCW 79.100.060 and 2006 c 153 s 4 are each amended to read as follows:

(1) The owner of an abandoned or derelict vessel, or any person or entity that has incurred secondary liability under section 38 of this act, is responsible for reimbursing an authorized public entity for all reasonable and auditable costs associated with the removal or disposal of the owner's vessel under this chapter. These costs include, but are not limited to, costs incurred exercising the authority granted in RCW 79.100.030, all administrative costs incurred by the authorized public entity during the procedure set forth in RCW 79.100.040, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. An authorized public entity that has taken temporary possession of a vessel may require that all reasonable and auditable costs associated with the removal of the vessel be paid before the vessel is released to the owner.

(2) Reimbursement for costs may be sought from an owner, or any person or entity that has incurred secondary liability under section 38 of this act, who is identified subsequent to the vessel's removal and disposal.

(3) If the full amount of all costs due to the authorized public entity under this chapter is not paid to the authorized public entity within thirty days after first notifying the responsible parties of the amounts owed, the authorized public entity or the department may bring an action in any court of competent jurisdiction to recover the costs, plus reasonable attorneys' fees and costs incurred by the authorized public entity.

Sec. 41. RCW 88.26.020 and 1993 c 474 s 2 are each amended to read as follows:

(1) Any private moorage facility operator may take reasonable measures, including the use of chains, ropes, and locks, or removal from the water, to secure vessels within the private moorage facility so that the vessels are in the possession and control of the operator and cannot be removed from the facility. These procedures may be used if an owner mooring or storing a vessel at the facility fails, after being notified that charges are owing and of the owner's right to

commence legal proceedings to contest that such charges are owing, to pay charges owed or to commence legal proceedings. Notification shall be by two separate letters, one sent by first-class mail and one sent by registered mail to the owner and any lienholder of record at the last known address. In the case of a transient vessel, or where no address was furnished by the owner, the operator need not give notice prior to securing the vessel. At the time of securing the vessel, an operator shall attach to the vessel a readily visible notice. The notice shall be of a reasonable size and shall contain the following information:

- (a) The date and time the notice was attached;
- (b) A statement that if the account is not paid in full within ninety days from the time the notice is attached the vessel may be sold at public auction to satisfy the charges; and
- (c) The address and telephone number where additional information may be obtained concerning release of the vessel.

After a vessel is secured, the operator shall make a reasonable effort to notify the owner and any lienholder of record by registered mail in order to give the owner the information contained in the notice.

(2) A private moorage facility operator, at his or her discretion, may move moored vessels ashore for storage within properties under the operator's control or for storage with a private person under their control as bailees of the private moorage facility, if the vessel is, in the opinion of the operator, a nuisance, in danger of sinking or creating other damage, or is owing charges. The costs of any such procedure shall be paid by the vessel's owner.

(3) If a vessel is secured under subsection (1) of this section or moved ashore under subsection (2) of this section, the owner who is obligated to the private operator for charges may regain possession of the vessel by:

(a) Making arrangements satisfactory with the operator for the immediate removal of the vessel from the facility or for authorized moorage; and

(b) Making payment to the operator of all charges, or by posting with the operator a sufficient cash bond or other acceptable security, to be held in trust by the operator pending written agreement of the parties with respect to payment by the vessel owner of the amount owing, or pending resolution of the matter of the charges in a civil action in a court of competent jurisdiction. After entry of judgment, including any appeals, in a court of competent jurisdiction, or after the parties reach agreement with respect to payment, the trust shall terminate and the operator shall receive so much of the bond or other security as agreed, or as is necessary, to satisfy any judgment, costs, and interest as may be awarded to the operator. The balance shall be refunded immediately to the owner at the last known address.

(4) If a vessel has been secured by the operator under subsection (1) of this section and is not released to the owner under the bonding provisions of this section within ninety days after notifying or attempting to notify the owner under subsection (1) of this section, the vessel is conclusively presumed to have been abandoned by the owner.

(5) If a vessel moored or stored at a private moorage facility is abandoned, the operator may authorize the public sale of the vessel by authorized personnel, consistent with this section, to the highest and best bidder for cash as follows:

(a) Before the vessel is sold, the vessel owner and any lienholder of record shall be given at least twenty days' notice of the sale in the manner set forth in subsection (1) of this section if the name and address of the owner is known. The notice shall contain the time and place of the sale, a reasonable description of the vessel to be sold, and the amount of charges owed with respect to the vessel. The notice of sale shall be published at least once, more than ten but not more than twenty days before the sale, in a newspaper of general circulation in the county in which the facility is located. This notice shall include the name of the vessel, if any, the last known owner and address, and

a reasonable description of the vessel to be sold. The operator may bid all or part of its charges at the sale and may become a purchaser at the sale.

(b) Before the vessel is sold, any person seeking to redeem an impounded vessel under this section may commence a lawsuit in the superior court for the county in which the vessel was impounded to contest the validity of the impoundment or the amount of charges owing. This lawsuit must be commenced within sixty days of the date the notification was provided under subsection (1) of this section, or the right to a hearing is deemed waived and the owner is liable for any charges owing the operator. In the event of litigation, the prevailing party is entitled to reasonable attorneys' fees and costs.

(c) The proceeds of a sale under this section shall be applied first to the payment of any liens superior to the claim for charges, then to payment of the charges, then to satisfy any other liens on the vessel in the order of their priority. The balance, if any, shall be paid to the owner. If the owner cannot in the exercise of due diligence be located by the operator within one year of the date of the sale, the excess funds from the sale shall revert to the department of revenue under chapter 63.29 RCW. If the sale is for a sum less than the applicable charges, the operator is entitled to assert a claim for deficiency, however, the deficiency judgment shall not exceed the moorage fees owed for the previous six-month period.

(d) In the event no one purchases the vessel at a sale, or a vessel is not removed from the premises or other arrangements are not made within ten days of sale, title to the vessel will revert to the operator.

(e) Either a minimum bid may be established or a letter of credit may be required from the buyer, or both, to discourage the future abandonment of the vessel.

(6) The rights granted to a private moorage facility operator under this section are in addition to any other legal rights an operator may have to hold and sell a vessel and in no manner does this section alter those rights, or affect the priority of other liens on a vessel.

NEW SECTION. Sec. 42. A new section is added to chapter 79.100 RCW to read as follows:

(1) The department may develop and administer a voluntary vessel turn-in program.

(2) The purpose of the vessel turn-in program is to allow the department to dismantle and dispose of vessels that pose a high risk of becoming a derelict vessel or abandoned vessel, but that do not yet meet the definition of those terms. The department shall design the program with the goal of dismantling and disposing of as many vessels as available resources allow, particularly those vessels posing the greatest risk of becoming abandoned or derelict in the future.

(3) The department shall disseminate information about the vessel turn-in program, including information about the application process, on its internet site and through appropriate agency publications and information sources as determined by the department. The department shall disseminate this information for a reasonable time as determined by the department prior to accepting applications.

(4) The department shall accept and review vessel turn-in program applications from eligible vessel owners, including private marinas that have gained legal title to a vessel in an advanced state of disrepair, during the time period or periods identified by the department. In order to be eligible for the vessel turn-in program, an applicant must demonstrate to the department's satisfaction that the applicant:

(a) Is a Washington resident or business;

(b) Owns a vessel that is in an advanced state of disrepair, has minimal or no value, and has a high likelihood of becoming an abandoned or derelict vessel; and

(c) Has insufficient resources to properly dispose of the vessel outside of the vessel turn-in program.

(5) Decisions regarding program eligibility and whether to accept a vessel for dismantling and disposal under the turn-in program are within the sole discretion of the department.

(6) The department may take other actions not inconsistent with this section in order to develop and administer the vessel turn-in program.

(7) The department may not spend more than two hundred thousand dollars in any one biennium on the program established in this section.

NEW SECTION. Sec. 43. (1) In compliance with RCW 43.01.036, the department of natural resources must provide a brief summary of the vessel turn-in program authorized under section 42 of this act to the legislature by September 1, 2014, including information about applications for the program, the vessels disposed of, and any recommendations for modification of the program.

(2) This section expires July 31, 2015.

Sec. 44. RCW 43.21B.305 and 2005 c 34 s 2 are each amended to read as follows:

(1) In an appeal that involves a penalty of fifteen thousand dollars or less or that involves a derelict or abandoned vessel under RCW 79.100.120, the appeal may be heard by one member of the board, whose decision shall be the final decision of the board. The board shall define by rule alternative procedures to expedite appeals involving penalties of fifteen thousand dollars or less or involving a derelict or abandoned vessel. These alternatives may include: Mediation, upon agreement of all parties; submission of testimony by affidavit; or other forms that may lead to less formal and faster resolution of appeals.

(2) For appeals that involve a derelict or abandoned vessel under RCW 79.100.120 only, an administrative law judge employed by the board may be substituted for a board member under this section.

NEW SECTION. Sec. 45. (1) The department of natural resources must, in consultation with the department of ecology and appropriate stakeholders, evaluate potential changes to laws and rules related to derelict and abandoned vessels that increase vessel owner responsibility and address challenges associated with the economics of removing vessels from the water. This evaluation must include the development and analysis of:

(a) Administrative and legislative vessel owner responsibility options that seek to ensure the prevention and cleanup of derelict and abandoned vessels, including the development of mandatory processes for public and private moorage facility operators to employ in an effort to appropriately limit the transfer of high risk vessels; and

(b) The identification of challenges and roadblocks to deconstructing derelict vessels and transforming them into a viable scrap metal product.

(2) The department of natural resources may choose which appropriate stakeholders are consulted in the implementation of this section. However, persons with relevant expertise on financial responsibility mechanisms, such as insurance and surety bonds and letters of credit, must be included. The department of natural resources must also seek to ensure opportunities for interested members of the senate and house of representatives to provide input into the work group process and conclusions.

(3) The department of natural resources must provide a summary of the options developed by the work group, or a draft of proposed legislation, to the legislature consistent with RCW 43.01.036 by December 15, 2013.

(4) This section expires June 30, 2014.

NEW SECTION. Sec. 46. Section 33 of this act expires June 30, 2019.

NEW SECTION. Sec. 47. Section 34 of this act takes effect June 30, 2019.

NEW SECTION. Sec. 48. Section 38 of this act takes effect July 1, 2014."

On page 1, line 1 of the title, after "waters;" strike the remainder of the title and insert "amending RCW 88.02.640, 79.100.100, 79A.65.020, 79.100.130, 43.19.1919, 28B.10.029, 88.02.380, 88.02.340, 88.02.550, 79.100.120, 90.56.410, 79.100.040,

79.100.060, 88.26.020, and 43.21B.305; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 43.19 RCW; adding new sections to chapter 43.30 RCW; adding new sections to chapter 77.12 RCW; adding new sections to chapter 79A.05 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding new sections to chapter 36.32 RCW; adding new sections to chapter 53.08 RCW; adding new sections to chapter 43.21A RCW; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 79.100 RCW; creating new sections; prescribing penalties; providing effective dates; and providing expiration dates."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Hansen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1245, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1245, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Scott.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1466 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.10.210 and 2010 1st sp.s. c 36 s 6014 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Alternative public works contracting procedure" means the design-build, general contractor/construction manager, and job order contracting procedures authorized in RCW 39.10.300, 39.10.340, and 39.10.420, respectively.

(2) "Board" means the capital projects advisory review board.

(3) "Certified public body" means a public body certified to use design-build or general contractor/construction manager contracting procedures, or both, under RCW 39.10.270.

(4) "Committee," unless otherwise noted, means the project review committee.

(5) "Design-build procedure" means a contract between a public body and another party in which the party agrees to both design and build the facility, portion of the facility, or other item specified in the contract.

(6) "Disadvantaged business enterprise" means any business entity certified with the office of minority and women's business enterprises under chapter 39.19 RCW.

~~(7) "General contractor/construction manager" means a firm with which a public body has selected (and negotiated a maximum allowable construction cost) to provide services during the design phase and negotiated a maximum allowable construction cost to act as construction manager and general contractor during the construction phase.~~

~~(7))~~ (8) "Job order contract" means a contract in which the contractor agrees to a fixed period, indefinite quantity delivery order contract which provides for the use of negotiated, definitive work orders for public works as defined in RCW 39.04.010.

~~(8))~~ (9) "Job order contractor" means a registered or licensed contractor awarded a job order contract.

~~(9))~~ (10) "Maximum allowable construction cost" means the maximum cost of the work to construct the project including a percentage for risk contingency, negotiated support services, and approved change orders.

~~(10))~~ (11) "Negotiated support services" means items a general contractor would normally manage or perform on a construction project including, but not limited to surveying, hoisting, safety enforcement, provision of toilet facilities, temporary heat, cleanup, and trash removal, and that are negotiated as part of the maximum allowable construction cost.

~~(11))~~ (12) "Percent fee" means the percentage amount to be earned by the general contractor/construction manager as overhead and profit.

~~(12))~~ (13) "Public body" means any general or special purpose government in the state of Washington, including but not limited to state agencies, institutions of higher education, counties, cities, towns, ports, school districts, and special purpose districts (~~provided that for the 2009-2011 fiscal biennium, the definition of public body for this chapter does not include public bodies funded in section 1012, chapter 36, Laws of 2010 1st sp. sess. if alternative requirements or procedures of federal law or regulations are authorized~~).

~~(13))~~ (14) "Public works project" means any work for a public body within the definition of "public work" in RCW 39.04.010.

~~(14))~~ (15) "Small business entity" means a small business as defined in RCW 39.26.010.

(16) "Total contract cost" means the fixed amount for the detailed specified general conditions work, the negotiated maximum allowable construction cost, and the percent fee on the negotiated maximum allowable construction cost.

~~((15))~~ (17) "Total project cost" means the cost of the project less financing and land acquisition costs.

~~((16))~~ (18) "Unit price book" means a book containing specific prices, based on generally accepted industry standards and information, where available, for various items of work to be performed by the job order contractor. The prices may include: All the costs of materials; labor; equipment; overhead, including bonding costs; and profit for performing the items of work. The unit prices for labor must be at the rates in effect at the time the individual work order is issued.

~~((17))~~ (19) "Work order" means an order issued for a definite scope of work to be performed pursuant to a job order contract.

Sec. 2. RCW 39.10.220 and 2007 c 494 s 102 are each amended to read as follows:

(1) The board is created in the department of (~~general administration~~) enterprise services to provide an evaluation of public capital projects construction processes, including the impact of contracting methods on project outcomes, and to advise the legislature on policies related to public works delivery methods.

(2) Members of the board are appointed as follows:

(a) (~~The board shall consist of the following members appointed by the governor:~~) Two representatives from construction general contracting; one representative from the architectural profession; one representative from the engineering profession; two representatives from construction specialty subcontracting; two representatives from construction trades labor organizations; one representative from the office of minority and women's business enterprises; one representative from a higher education institution; one representative from the department of (~~general administration~~) enterprise services; one individual representing Washington cities; two representatives from private industry; and one representative of a domestic insurer authorized to write surety bonds for contractors in Washington state, each appointed by the governor. All appointed members must be knowledgeable about public works contracting procedures. If a vacancy occurs, the governor shall fill the vacancy for the unexpired term.

(b) (~~Three members shall be positions representing different local public owners, selected by the association of Washington cities,~~) One member representing counties, selected by the Washington state association of counties (and the Washington public ports association, respectively);

(c) (~~One member shall be a representative from the public hospital districts, selected by the association of Washington public hospital districts.~~

~~(d))~~ One member representing public ports, selected by the Washington public ports association;

(d) One member representing public hospital districts, selected by the association of Washington public hospital districts;

(e) One member (shall be a representative from) representing school districts, selected by the Washington state school directors' association(-); and

~~((e) The board shall include)~~ (f) Two members of the house of representatives, one from each major caucus, appointed by the speaker of the house of representatives, and two members of the senate, one from each major caucus, appointed by the president of the senate. Legislative members are nonvoting.

(3) Members selected under subsection (2)(a) of this section shall serve for terms of four years, with the terms expiring on June 30th on the fourth year of the term.

(4) The board chair is selected from among the appointed members by the majority vote of the voting members.

(5) Legislative members of the board shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members of the board, project review committee members, and (~~subcommittee~~) committee chairs shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) ~~((If a vacancy occurs of the appointive members of the board, the governor shall fill the vacancy for the unexpired term.)) Vacancies are filled in the same manner as appointed.~~ Members of the board may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.05 RCW.

(7) The board shall meet as often as necessary.

(8) Board members are expected to consistently attend board meetings. The chair of the board may ask the governor to remove any member who misses more than two meetings in any calendar year without cause.

(9) The department of ~~((general administration))~~ enterprise services shall provide staff support as may be required for the proper discharge of the function of the board.

(10) The board may establish ~~((subcommittees))~~ committees as it desires and may invite nonmembers of the board to serve as committee members.

(11) The board shall encourage participation from persons and entities not represented on the board.

Sec. 3. RCW 39.10.230 and 2010 1st sp.s. c 21 s 3 are each amended to read as follows:

The board has the following powers and duties:

(1) Develop and recommend to the legislature policies to further enhance the quality, efficiency, and accountability of capital construction projects through the use of traditional and alternative delivery methods in Washington, and make recommendations regarding expansion, continuation, elimination, or modification of the alternative public works contracting methods;

(2) Evaluate the use of existing contracting procedures and the potential future use of other alternative contracting procedures including competitive negotiation contracts;

(3) Submit recommendations to the appropriate committees of the legislature evaluating alternative contracting procedures that are not authorized under this chapter;

(4) Appoint members of ~~((the))~~ committees; and

(5) Develop and administer questionnaires designed to provide quantitative and qualitative data on alternative public works contracting procedures on which evaluations are based.

The capital projects advisory review board is directed to review current statutes regarding life-cycle cost analysis and energy efficiency as related to the design-build procurement method performed under chapter 39.10 RCW. Capital projects advisory review board shall report to the appropriate committees of the legislature by December 31, 2013, with recommendations for statutory changes that promote energy efficiency and reduce the total cost to construct, operate and maintain public buildings. Recommendation must include provisions for postoccupancy validation of estimated energy efficiency measures, and operating and maintenance cost estimates. Life-cycle estimates of energy use must include estimates of energy consumptions for materials used in construction.

Sec. 4. RCW 39.10.240 and 2007 c 494 s 104 are each amended to read as follows:

(1) The board shall establish a project review committee to review and approve public works projects using the design-build and general contractor/construction manager contracting procedures authorized in RCW 39.10.300 and 39.10.340 and to certify public bodies as provided in RCW 39.10.270.

(2) The board shall, by a majority vote of the board, appoint persons to the committee who are knowledgeable in the use of the design-build and general contractor/construction manager contracting procedures. Appointments must represent a balance among the industries and public owners on the board listed in RCW 39.10.220.

(a) ~~((When making initial appointments to the committee, the board shall consider for appointment former members of the school district project review board and the public hospital district project review board.~~

~~—(b))~~ Each member of the committee shall be appointed for a term of three years. However, for initial appointments, the board shall stagger the appointment of committee members so that the first members are appointed to serve terms of one, two, or three years from the date of appointment. Appointees may be reappointed to serve more than one term.

~~((c))~~ (b) The committee shall, by a majority vote, elect a chair and vice chair for the committee.

~~((d))~~ (c) The committee chair may select a person or persons on a temporary basis as a nonvoting member if project specific expertise is needed to assist in a review.

(3) The chair of the committee, in consultation with the vice chair, may appoint one or more panels of at least six committee members to carry out the duties of the committee. Each panel shall have balanced representation of the private and public sector representatives serving on the committee.

(4) Any member of the committee directly or indirectly affiliated with a submittal before the committee must recuse himself or herself from the committee consideration of that submittal.

(5) Any person who sits on the committee or panel is not precluded from subsequently bidding on or participating in projects that have been reviewed by the committee.

(6) The committee shall meet as often as necessary to ensure that certification and approvals are completed in a timely manner.

Sec. 5. RCW 39.10.250 and 2009 c 75 s 2 are each amended to read as follows:

The committee shall:

(1) Certify, or ~~((recertify))~~ renew certification for, public bodies ~~((for a period of three years))~~ to use ~~((the))~~ design-build or general contractor/construction manager contracting procedures, or both ~~((contracting procedures for projects with a total project cost of ten million dollars or more))~~;

(2) Review and approve the use of the design-build or general contractor/construction manager contracting procedures on a project by project basis for public bodies that are not certified under RCW 39.10.270;

~~((Review and approve the use of the general contractor/construction manager contracting procedure by certified public bodies for projects with a total project cost under ten million dollars;~~

~~—(4))~~ Review and approve not more than ~~((ten))~~ fifteen projects using the design-build contracting procedure by ~~((certified and))~~ noncertified public bodies for projects that have a total project cost between two million and ten million dollars. Projects must meet the criteria in RCW 39.10.300(1). Where possible, the committee shall approve projects among multiple public bodies. ~~((In June 2010))~~ At least annually, the committee shall report to the board regarding the committee's review procedure of these projects and its recommendations for further use; and

~~((5))~~ (4) Review and approve not more than two design-build demonstration projects that include procurement of operations and maintenance services for a period longer than three years.

Sec. 6. RCW 39.10.260 and 2007 c 494 s 106 are each amended to read as follows:

(1) The committee shall hold regular public meetings to carry out its duties as described in RCW 39.10.250. Committee meetings are subject to chapter 42.30 RCW.

(2) The committee shall publish notice of its public meetings at least twenty days before the meeting in a legal newspaper circulated in the area where the public body seeking certification is located, or where each of the proposed projects under consideration will be constructed. All meeting notices must be posted on the committee's web site.

(3) The meeting notice must identify the public body that is seeking certification or project approval, and where applicable, a description of projects to be considered at the meeting. The notice

must indicate when, where, and how the public may present comments regarding the committee's certification of a public body or approval of a project. Information submitted by a public body to be reviewed at the meeting shall be available on the committee's web site at the time the notice is published.

(4) The committee must allow for public comment on the appropriateness of certification of a public body or on the appropriateness of the use of the proposed contracting procedure and the qualifications of a public body to use the contracting procedure. The committee shall receive and record both written and oral comments at the public ~~(hearing)~~ meeting.

Sec. 7. RCW 39.10.270 and 2009 c 75 s 3 are each amended to read as follows:

(1) A public body may apply for certification to use the design-build or general contractor/construction manager contracting procedure, or both. Once certified, a public body may use the contracting procedure for which it is certified on individual projects ~~((with a total project cost over ten million dollars))~~ without seeking committee approval ~~((The certification period is))~~ for a period of three years. Public bodies certified to use the design-build procedure are limited to no more than five projects with a total project cost between two and ten million dollars during the certification period. A public body seeking certification must submit to the committee an application in a format and manner as prescribed by the committee. The application must include a description of the public body's qualifications, its capital plan during the certification period, and its intended use of alternative contracting procedures.

(2) A public body seeking certification for the design-build procedure must demonstrate successful management of at least one design-build project within the previous five years. A public body seeking certification for the general contractor/construction manager procedure must demonstrate successful management of at least one general contractor/construction manager project within the previous five years.

(3) To certify a public body, the committee shall determine that the public body:

(a) Has the necessary experience and qualifications to determine which projects are appropriate for using alternative contracting procedures;

(b) Has the necessary experience and qualifications to carry out the alternative contracting procedure including, but not limited to: (i) Project delivery knowledge and experience; (ii) personnel with appropriate construction experience; (iii) a management plan and rationale for its alternative public works projects; (iv) demonstrated success in managing public works projects; (v) the ability to properly manage its capital facilities plan including, but not limited to, appropriate project planning and budgeting experience; and (vi) the ability to meet requirements of this chapter; and

(c) Has resolved any audit findings on previous public works projects in a manner satisfactory to the committee.

(4) The committee shall, if practicable, make its determination at the public meeting during which an application for certification is reviewed. Public comments must be considered before a determination is made. Within ten business days of the public meeting, the committee shall provide a written determination to the public body, and make its determination available to the public on the committee's web site.

(5) The committee may revoke any public body's certification upon a finding, after a public hearing, that its use of design-build or general contractor/construction manager contracting procedures no longer serves the public interest.

(6) The committee may renew the certification of a public body for ~~((one))~~ additional three-year periods. The public body must submit an application for recertification at least three months before the initial certification expires. The application shall include updated information on the public body's ~~((capital plan for the next three~~

~~years, its intended use of the procedures))~~ experience and current staffing with the procedure it is applying to renew, and any other information requested in advance by the committee. The committee must review the application for recertification at a meeting held before expiration of the applicant's initial certification period. A public body must reapply for certification under the process described in subsection (1) of this section once the period of recertification expires.

(7) Certified public bodies must submit project data information as required in RCW 39.10.320 and 39.10.350.

Sec. 8. RCW 39.10.280 and 2007 c 494 s 108 are each amended to read as follows:

(1) A public body not certified under RCW 39.10.270 must apply for approval from the committee to use the design-build or general contractor/construction manager contracting procedure on a project. A public body seeking approval must submit to the committee an application in a format and manner as prescribed by the committee. The application must include a description of the public body's qualifications, a description of the project, and its intended use of alternative contracting procedures.

(2) To approve a proposed project, the committee shall determine that:

(a) The alternative contracting procedure will provide a substantial fiscal benefit or the use of the traditional method of awarding contracts in lump sum to the low responsive bidder is not practical for meeting desired quality standards or delivery schedules;

(b) The proposed project meets the requirements for using the alternative contracting procedure as described in RCW 39.10.300 or 39.10.340;

(c) The public body has the necessary experience or qualified team to carry out the alternative contracting procedure including, but not limited to: (i) Project delivery knowledge and experience; (ii) sufficient personnel with construction experience to administer the contract; (iii) a written management plan that shows clear and logical lines of authority; (iv) the necessary and appropriate funding and time to properly manage the job and complete the project; (v) continuity of project management team, including personnel with experience managing projects of similar scope and size to the project being proposed; and (vi) necessary and appropriate construction budget;

(d) For design-build projects, ~~((construction))~~ public body personnel ~~((independent of the design-build team))~~ or consultants are knowledgeable in the design-build process and are able to oversee and administer the contract; and

(e) The public body has resolved any audit findings related to previous public works projects in a manner satisfactory to the committee.

(3) The committee shall, if practicable, make its determination at the public meeting during which a submittal is reviewed. Public comments must be considered before a determination is made.

(4) Within ten business days after the public meeting, the committee shall provide a written determination to the public body, and make its determination available to the public on the committee's web site. If the committee fails to make a written determination within ten business days of the public meeting, the request of the public body to use the alternative contracting procedure on the requested project shall be deemed approved.

(5) ~~((The requirements of subsection (1) of this section also apply to certified public bodies seeking to use the general contractor/construction manager contracting procedure on projects with a total project cost of less than ten million dollars.~~

~~((6))~~ Failure of the committee to meet within sixty calendar days of a public body's application to use an alternative contracting procedure on a project shall be deemed an approval of the application.

Sec. 9. RCW 39.10.300 and 2009 c 75 s 4 are each amended to read as follows:

(1) Subject to the ~~((process))~~ requirements in RCW 39.10.250, 39.10.270, or 39.10.280, public bodies may utilize the design-build procedure for public works projects in which the total project cost is over ten million dollars and where:

(a) ~~The ((design and construction activities, technologies, or schedule to be used are highly specialized and a design-build approach is critical in developing the construction methodology or implementing the proposed technology))~~ construction activities are highly specialized and a design-build approach is critical in developing the construction methodology; or

(b) ~~The ((project design is repetitive in nature and is an incidental part of the installation or construction))~~ projects selected provide opportunity for greater innovation or efficiencies between the designer and the builder; or

(c) ~~((Regular interaction with and feedback from facilities users and operators during design is not critical to an effective facility design.))~~ Significant savings in project delivery time would be realized.

(2) Subject to the process in RCW 39.10.270 or 39.10.280, public bodies may use the design-build procedure for parking garages, regardless of cost.

(3) The design-build procedure may be used for the construction or erection of portable facilities as defined in WAC 392-343-018, preengineered metal buildings, or not more than ten prefabricated modular buildings per installation site, regardless of cost and is not subject to approval by the committee.

(4) Except for utility projects and approved demonstration projects, the design-build procedure may not be used to procure operations and maintenance services for a period longer than three years. State agency projects that propose to use the design-build-operate-maintain procedure shall submit cost estimates for the construction portion of the project consistent with the office of financial management's capital budget requirements. Operations and maintenance costs must be shown separately and must not be included as part of the capital budget request.

(5) Subject to the process in RCW 39.10.280, public bodies may use the design-build procedure for public works projects in which the total project cost is between two million and ten million dollars and that meet one of the criteria in subsection (1)(a), (b), or (c) of this section.

(6) Subject to the process in RCW 39.10.280, a public body may seek committee approval for a design-build demonstration project that includes procurement of operations and maintenance services for a period longer than three years.

Sec. 10. RCW 39.10.320 and 2007 c 494 s 203 are each amended to read as follows:

(1) A public body utilizing the design-build contracting procedure shall provide ~~((for))~~:

(a) Reasonable budget contingencies totaling not less than five percent of the anticipated contract value;

(b) ~~((Employment of))~~ Staff or consultants with expertise and prior experience in the management of comparable projects;

(c) Contract documents that include alternative dispute resolution procedures to be attempted prior to the initiation of litigation;

(d) Submission of project information, as required by the board; and

(e) Contract documents that require the contractor, subcontractors, and designers to submit project information required by the board.

(2) A public body utilizing the design-build contracting procedure may provide incentive payments to contractors for early completion, cost savings, or other goals if such payments are identified in the request for proposals.

Sec. 11. RCW 39.10.330 and 2009 c 75 s 5 are each amended to read as follows:

(1) Contracts for design-build services shall be awarded through a competitive process using public solicitation of proposals for design-build services. The public body shall publish at least once in a legal newspaper of general circulation published in, or as near as possible to, that part of the county in which the public work will be done, a notice of its request for qualifications from proposers for design-build services, and the availability and location of the request for proposal documents. The request for qualifications documents shall include:

(a) A general description of the project that provides sufficient information for proposers to submit qualifications;

(b) The reasons for using the design-build procedure;

(c) A description of the qualifications to be required of the proposer including, but not limited to, submission of the proposer's accident prevention program;

(d) A description of the process the public body will use to evaluate qualifications and finalists' proposals, including evaluation factors and the relative weight of factors and any specific forms to be used by the proposers;

(i) Evaluation factors for request for qualifications shall include, but not be limited to, technical qualifications, such as specialized experience and technical competence; capability to perform; past performance of the proposers' team, including the architect-engineer and construction members; and other appropriate factors. Evaluation factors may also include: (A) The proposer's past performance in utilization of small business entities; and (B) disadvantaged business enterprises. Cost or price-related factors are not permitted in the request for qualifications phase;

(ii) Evaluation factors for finalists' proposals shall include, but not be limited to, the factors listed in (d)(i) of this subsection, as well as technical approach design concept; ~~((proposal price))~~ ability of professional personnel; past performance on similar projects; ability to meet time and budget requirements; ability to provide a performance and payment bond for the project; recent, current, and projected workloads of the firm; ~~((and))~~ location; and cost or price-related factors that may include operating costs. The public body may also consider a proposer's outreach plan to include small business entities and disadvantaged business enterprises as subcontractor and suppliers for the project. Alternatively, if the public body determines that all finalists will be capable of producing a design that adequately meets project requirements, the public body may award the contract to the firm that submits the responsive proposal with the lowest price;

(e) Protest procedures including time limits for filing a protest, which in no event may limit the time to file a protest to fewer than four business days from the date the proposer was notified of the selection decision;

~~((f))~~ (f) The form of the contract to be awarded;

~~((g))~~ (g) The ~~((amount))~~ honorarium to be paid to finalists submitting responsive proposals and who are not awarded a design-build contract;

~~((h))~~ (h) The schedule for the procurement process and the project; and

~~((i))~~ (i) Other information relevant to the project.

(2) The public body shall establish an evaluation committee to evaluate the responses to the request for qualifications based solely on the factors, weighting, and process identified in the request for qualifications and any addenda issued by the public body. Based on the evaluation committee's findings, the public body shall select not more than five responsive and responsible finalists to submit proposals. The public body may, in its sole discretion, reject all proposals and shall provide its reasons for rejection in writing to all proposers.

(3) The public body must notify all proposers of the finalists selected to move to the next phase of the selection process. The process may not proceed to the next phase until two business days after all proposers are notified of the committee's selection decision. At the request of a proposer not selected as a finalist, the public body

must provide the requesting proposer with a scoring summary of the evaluation factors for its proposal. Proposers filing a protest on the selection of the finalists must file the protest in accordance with the published protest procedures. The selection process may not advance to the next phase of selection until two business days after the final protest decision is transmitted to the protestor.

(4) Upon selection of the finalists, the public body shall issue a request for proposals to the finalists, which shall provide the following information:

(a) A detailed description of the project including programmatic, performance, and technical requirements and specifications; functional and operational elements; minimum and maximum net and gross areas of any building; and, at the discretion of the public body, preliminary engineering and architectural drawings; and

(b) The target budget for the design-build portion of the project.

~~((4))~~ (5) The public body shall establish an evaluation committee to evaluate the proposals submitted by the finalists. Design-build contracts shall be awarded using the procedures in (a) or (b) of this subsection. The public body must identify in the request for qualifications which procedure will be used.

(a) The finalists' proposals shall be evaluated and scored based solely on the factors, weighting, and process identified in the initial request for qualifications and in any addenda published by the public body. Public bodies may request best and final proposals from finalists. The public body ~~((shall))~~ may initiate negotiations with the firm submitting the highest scored proposal. If the public body is unable to execute a contract with the firm submitting the highest scored proposal, negotiations with that firm may be suspended or terminated and the public body may proceed to negotiate with the next highest scored firm. Public bodies shall continue in accordance with this procedure until a contract agreement is reached or the selection process is terminated.

(b) If the public body determines that all finalists are capable of producing a design that adequately meets project requirements, the public body may award the contract to the firm that submits the responsive proposal with the lowest price.

~~((5))~~ (6) The public body shall notify all finalists of the selection decision and make a selection summary of the final proposals available to all proposers within two business days of such notification. If the public body receives a timely written protest from a finalist firm, the public body may not execute a contract until two business days after the final protest decision is transmitted to the protestor. The protestor must submit its protest in accordance with the published protest procedures.

(7) The firm awarded the contract shall provide a performance and payment bond for the contracted amount.

(8) The public body shall provide appropriate honorarium payments to finalists submitting responsive proposals that are not awarded a design-build contract. Honorarium payments shall be sufficient to generate meaningful competition among potential proposers on design-build projects. In determining the amount of the honorarium, the public body shall consider the level of effort required to meet the selection criteria.

Sec. 12. RCW 39.10.340 and 2007 c 494 s 301 are each amended to read as follows:

Subject to the process in RCW 39.10.270 or 39.10.280, public bodies may utilize the general contractor/construction manager procedure for public works projects where at least one of the following is met:

(1) Implementation of the project involves complex scheduling, phasing, or coordination;

(2) The project involves construction at an occupied facility which must continue to operate during construction;

(3) The involvement of the general contractor/construction manager during the design stage is critical to the success of the project;

(4) The project encompasses a complex or technical work environment; or

(5) The project requires specialized work on a building that has historic significance.

Sec. 13. RCW 39.10.360 and 2009 c 75 s 6 are each amended to read as follows:

(1) Public bodies should select general contractor/construction managers early in the life of public works projects, and in most situations no later than the completion of schematic design.

(2) Contracts for the services of a general contractor/ construction manager under this section shall be awarded through a competitive process requiring the public solicitation of proposals for general contractor/construction manager services. The public solicitation of proposals shall include:

(a) A description of the project, including programmatic, performance, and technical requirements and specifications when available;

(b) The reasons for using the general contractor/construction manager procedure;

(c) A description of the qualifications to be required of the firm, including submission of the firm's accident prevention program;

(d) A description of the process the public body will use to evaluate qualifications and proposals, including evaluation factors ~~((and))~~, the relative weight of factors, and protest procedures including time limits for filing a protest, which in no event may limit the time to file a protest to fewer than four business days from the date the proposer was notified of the selection decision;

(e) The form of the contract, including any contract for preconstruction services, to be awarded;

(f) The estimated maximum allowable construction cost; and

(g) The bid instructions to be used by the general contractor/ construction manager finalists.

(3)~~(a)~~ Evaluation factors for selection of the general contractor/construction manager shall include, but not be limited to:

~~((a))~~ (i) Ability of the firm's professional personnel;

~~((b))~~ (ii) The firm's past performance in negotiated and complex projects;

~~((c))~~ (iii) The firm's ability to meet time and budget requirements;

~~((d))~~ (iv) The scope of work the firm proposes to self-perform and its ability to perform that work;

~~((e))~~ (v) The firm's proximity to the project location;

~~((f))~~ (vi) Recent, current, and projected workloads of the firm; and

~~((g))~~ (vii) The firm's approach to executing the project.

(b) An agency may also consider the firm's outreach plan to include small business entities and disadvantaged business enterprises, and the firm's past performance in the utilization of such firms as an evaluation factor.

(4) A public body shall establish a committee to evaluate the proposals. After the committee has selected the most qualified finalists, at the time specified by the public body, these finalists shall submit final proposals, including sealed bids for the percent fee on the estimated maximum allowable construction cost and the fixed amount for the general conditions work specified in the request for proposal. The public body shall establish a time and place for the opening of sealed bids for the percent fee on the estimated maximum allowable construction cost and the fixed amount for the general conditions work specified in the request for proposal. At the time and place named, these bids must be publicly opened and read and the public body shall make all previous scoring available to the public. The public body shall select the firm submitting the highest scored final proposal using the evaluation factors and the relative weight of factors published in the public solicitation of proposals. A public body shall not evaluate or disqualify a proposal based on the terms of a collective bargaining agreement.

(5) The public body shall notify all finalists of the selection decision and make a selection summary of the final proposals available to all proposers within two business days of such notification. If the public body receives a timely written protest from a proposer, the public body may not execute a contract until two business days after the final protest decision is transmitted to the protestor. The protestor must submit its protest in accordance with the published protest procedures.

(6) Public bodies may contract with the selected firm to provide services during the design phase that may include life-cycle cost design considerations, value engineering, scheduling, cost estimating, constructability, alternative construction options for cost savings, and sequencing of work, and to act as the construction manager and general contractor during the construction phase.

Sec. 14. RCW 39.10.380 and 2007 c 494 s 305 are each amended to read as follows:

(1) All subcontract work and equipment and material purchases shall be competitively bid with public bid openings. Subcontract bid packages and equipment and materials purchases shall be awarded to the responsible bidder submitting the lowest responsive bid. In preparing subcontract bid packages, the general contractor/construction manager shall not be required to violate or waive terms of a collective bargaining agreement.

(2) All subcontract bid packages in which bidder eligibility was not determined in advance shall include the specific objective criteria that will be used by the general contractor/construction manager and the public body to evaluate bidder responsibility. If the lowest bidder submitting a responsive bid is determined by the general contractor/construction manager and the public body not to be responsible, the general contractor/construction manager and the public body must provide written documentation to that bidder explaining their intent to reject the bidder as not responsible and afford the bidder the opportunity to establish that it is a responsible bidder. Responsibility shall be determined in accordance with criteria listed in the bid documents. Protests concerning bidder responsibility determination by the general contractor/construction manager and the public body shall be in accordance with subsection (4) of this section.

(3) All subcontractors who bid work over three hundred thousand dollars shall post a bid bond. All subcontractors who are awarded a contract over three hundred thousand dollars shall provide a performance and payment bond for the contract amount. All other subcontractors shall provide a performance and payment bond if required by the general contractor/construction manager.

(4) If the general contractor/construction manager receives a written protest from a subcontractor bidder or an equipment or material supplier, the general contractor/construction manager shall not execute a contract for the subcontract bid package or equipment or material purchase order with anyone other than the protesting bidder without first providing at least two full business days' written notice to all bidders of the intent to execute a contract for the subcontract bid package. The protesting bidder must submit written notice of its protest no later than two full business days following the bid opening. Intermediate Saturdays, Sundays, and legal holidays are not counted.

(5) A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project.

(6) The general contractor/construction manager may negotiate with the lowest responsible and responsive bidder to negotiate an adjustment to the lowest bid or proposal price based upon agreed changes to the contract plans and specifications under the following conditions:

(a) All responsive bids or proposal prices exceed the available funds ~~(, as certified by an appropriate fiscal officer);~~

(b) The apparent low responsive bid or proposal does not exceed the available funds by the greater of one hundred twenty-five

thousand dollars or two percent for projects valued over ten million dollars; and

(c) The negotiated adjustment will bring the bid or proposal price within the amount of available funds.

(7) If the negotiation is unsuccessful, the subcontract work or equipment or material purchases must be rebid.

(8) The general contractor/construction manager must provide a written explanation if all bids are rejected.

Sec. 15. RCW 39.10.385 and 2010 c 163 s 1 are each amended to read as follows:

As an alternative to the subcontractor selection process outlined in RCW 39.10.380, a general contractor/construction manager may, with the approval of the public body, select ~~((#))~~ mechanical subcontractors, ~~((#))~~ electrical subcontractors, or both, using the process outlined in this section. This alternative selection process may only be used when the anticipated value of the subcontract will exceed three million dollars. When using the alternative selection process, the general contractor/construction manager should select the subcontractor early in the life of the public works project.

(1) In order to use this alternative selection process, the general contractor/construction manager and the public body must determine that it is in the best interest of the public. In making this determination the general contractor/construction manager and the public body must:

(a) Publish a notice of intent to use this alternative selection process in a legal newspaper published in or as near as possible to that part of the county where the public work will be constructed. Notice must be published at least fourteen calendar days before conducting a public hearing. The notice must include the date, time, and location of the hearing; a statement justifying the basis and need for the alternative selection process; ~~((and))~~ how interested parties may, prior to the hearing, obtain the evaluation criteria and applicable weight given to each criteria that will be used for evaluation; and protest procedures including time limits for filing a protest, which may in no event, limit the time to file a protest to fewer than four business days from the date the proposer was notified of the selection decision;

(b) Conduct a hearing and provide an opportunity for any interested party to submit written and verbal comments regarding the justification for using this selection process, the evaluation criteria, ~~((and))~~ weights for each criteria, and protest procedures;

(c) After the public hearing, consider the written and verbal comments received and determine if using this alternative selection process is in the best interests of the public; and

(d) Issue a written final determination to all interested parties. All protests of the decision to use the alternative selection process must be in writing and submitted to the public body within seven calendar days of the final determination. Any modifications to the criteria ~~((and))~~, weights, and protest procedures based on comments received during the public hearing process must be included in the final determination.

(2) Contracts for the services of a subcontractor under this section must be awarded through a competitive process requiring a public solicitation of proposals. Notice of the public solicitation of proposals must be provided to the office of minority and women's business enterprises. The public solicitation of proposals must include:

(a) A description of the project, including programmatic, performance, and technical requirements and specifications when available;

(b) The reasons for using the alternative selection process;

(c) A description of the minimum qualifications required of the firm;

(d) A description of the process used to evaluate qualifications and proposals, including evaluation factors and the relative weight of factors;

(e) Protest procedures:

~~(f)~~ (f) The form of the contract, including any contract for preconstruction services, to be awarded;

~~((f))~~ (g) The estimated maximum allowable subcontract cost; and

~~((g))~~ (h) The bid instructions to be used by the finalists.

(3) Evaluation factors for selection of the subcontractor must include, but not be limited to:

(a) Ability of the firm's professional personnel;

(b) The firm's past performance on similar projects;

(c) The firm's ability to meet time and budget requirements;

(d) The scope of work the firm proposes to perform with its own forces and its ability to perform that work;

(e) The firm's plan for outreach to minority and women-owned businesses;

(f) The firm's proximity to the project location;

(g) The firm's capacity to successfully complete the project;

(h) The firm's approach to executing the project;

(i) The firm's approach to safety on the project;

(j) The firm's safety history; and

(k) If the firm is selected as one of the most qualified finalists, the firm's fee and cost proposal.

(4) The general contractor/construction manager shall establish a committee to evaluate the proposals. At least one representative from the public body shall serve on the committee. Final proposals, including sealed bids for the percent fee on the estimated maximum allowable subcontract cost, and the fixed amount for the subcontract general conditions work specified in the request for proposal, will be requested from the most qualified firms.

(5) The general contractor/construction manager must notify all proposers of the most qualified firms that will move to the next phase of the selection process. The process may not proceed to the next phase until two business days after all proposers are notified of the committee's selection decision. At the request of a proposer, the general contractor/construction manager must provide the requesting proposer with a scoring summary of the evaluation factors for its proposal. Proposers filing a protest on the selection of the most qualified finalists must file the protest with the public body in accordance with the published protest procedures. The selection process may not advance to the next phase of selection until two business days after the final protest decision issued by the public body is transmitted to the protestor.

~~(6)~~ (6) The general contractor/construction manager and the public body shall select the firm submitting the highest scored final proposal using the evaluation factors and the relative weight of factors identified in the solicitation of proposals. The scoring of the nonprice factors must be made available at the opening of the fee and cost proposals. The general contractor/construction manager shall notify all proposers of the selection decision and make a selection summary of the final proposals, which shall be available to all proposers within two business days of such notification. The general contractor/construction manager may not evaluate or disqualify a proposal based on the terms of a collective bargaining agreement.

~~((5))~~ (7) If the public body receives a timely written protest from a "most qualified firm," the general contractor/construction manager may not execute a contract for the protested subcontract work until two business days after the final protest decision issued by the public body is transmitted to the protestor. The protestor must submit its protest in accordance with the published protest procedures.

~~(8)~~ (8) If the general contractor/construction manager is unable to negotiate a satisfactory maximum allowable subcontract cost with the firm selected deemed by public body and the general contractor/construction manager to be fair, reasonable, and within the available funds, negotiations with that firm must be formally terminated and the general contractor/construction manager may

negotiate with the next highest scored firm until an agreement is reached or the process is terminated.

~~((6))~~ If the general contractor/construction manager receives a written protest from a bidder, it may not execute a contract for the subject work with anyone other than the protesting bidder, without first providing at least two full business days' written notice to all bidders of the intent to execute a contract for the subcontract bid package. The protesting bidder must submit written notice to the general contractor/construction manager of its protest no later than two full business days following the bid opening.

~~((7))~~ (9) With the approval of the public body, the general contractor/construction manager may contract with the selected firm to provide preconstruction services during the design phase that may include life-cycle cost design considerations, value engineering, scheduling, cost estimating, constructability, alternative construction options for cost savings, and sequencing of work; and to act as the mechanical or electrical subcontractor during the construction phase.

~~((8))~~ (10) The maximum allowable subcontract cost must be used to establish a total subcontract cost for purposes of a performance and payment bond. Total subcontract cost means the fixed amount for the detailed specified general conditions work, the negotiated maximum allowable subcontract cost, and the percent fee on the negotiated maximum allowable subcontract cost. Maximum allowable subcontract cost means the maximum cost to complete the work specified for the subcontract, including the estimated cost of work to be performed by the subcontractor's own forces, a percentage for risk contingency, negotiated support services, and approved change orders. The maximum allowable subcontract cost must be negotiated between the general contractor/construction manager and the selected firm when the construction documents and specifications are at least ninety percent complete. Final agreement on the maximum allowable subcontract cost is subject to the approval of the public body.

~~((9))~~ (11) If the work of the mechanical contractor or electrical contractor is completed for less than the maximum allowable subcontract cost, any savings not otherwise negotiated as part of an incentive clause becomes part of the risk contingency included in the general contractor/construction manager's maximum allowable construction cost. If the work of the mechanical contractor or the electrical contractor is completed for more than the maximum allowable subcontract cost, the additional cost is the responsibility of that subcontractor. An independent audit, paid for by the public body, must be conducted ~~((upon completion of the contract))~~ to confirm the proper accrual of costs as outlined in the contract.

~~((10))~~ (12) A mechanical or electrical contractor selected under this section may perform work with its own forces. In the event it elects to subcontract some of its work, it must select a subcontractor utilizing the procedure outlined in RCW 39.10.380.

Sec. 16. RCW 39.10.390 and 2007 c 494 s 306 are each amended to read as follows:

(1) Except as provided in this section, bidding on subcontract work or for the supply of equipment or materials by the general contractor/construction manager or its subsidiaries is prohibited.

(2) The general contractor/construction manager, or its subsidiaries, may bid on subcontract work or for the supply of equipment or materials if:

(a) The work within the subcontract bid package or equipment or materials is customarily performed or supplied by the general contractor/construction manager;

(b) The bid opening is managed by the public body and is in compliance with RCW 39.10.380; and

(c) Notification of the general contractor/construction manager's intention to bid is included in the public solicitation of bids for the bid package or for the equipment or materials.

(3) In no event may the general contractor/construction manager or its subsidiaries ~~((purchase equipment or materials for assignment to~~

~~subcontract bid package bidders for installation or warranty~~) assign warranty responsibility or the terms of its contract or purchase order with vendors for equipment or material purchases to subcontract bid package bidders or subcontractors who have been awarded a contract.

The value of subcontract work performed and equipment and materials supplied by the general contractor/construction manager may not exceed thirty percent of the negotiated maximum allowable construction cost. Negotiated support services performed by the general contractor/construction manager shall not be considered subcontract work for purposes of this subsection.

Sec. 17. RCW 39.10.400 and 2007 c 494 s 307 are each amended to read as follows:

(1) If determination of subcontractor eligibility prior to seeking bids is in the best interest of the project and critical to the successful completion of a subcontract bid package, the general contractor/construction manager and the public body may determine subcontractor eligibility to bid. The general contractor/construction manager and the public body must:

(a) Conduct a hearing and provide an opportunity for any interested party to submit written and verbal comments regarding the justification for conducting bidder eligibility, the evaluation criteria, and weights for each criteria and subcriteria;

(b) Publish a notice of intent to evaluate and determine bidder eligibility in a legal newspaper published in or as near as possible to that part of the county where the public work will be constructed at least fourteen calendar days before conducting a public hearing;

(c) Ensure the public hearing notice includes the date, time, and location of the hearing, a statement justifying the basis and need for performing eligibility analysis before bid opening, and how interested parties may, at least five days before the hearing, obtain the specific eligibility criteria and applicable weights given to each criteria and subcriteria that will be used during evaluation;

(d) After the public hearing, consider written and verbal comments received and determine if establishing bidder eligibility in advance of seeking bids is in the best interests of the project and critical to the successful completion of a subcontract bid package; and

(e) Issue a written final determination to all interested parties. All protests of the decision to establish bidder eligibility before issuing a subcontractor bid package must be filed with the superior court within seven calendar days of the final determination. Any modifications to the eligibility criteria and weights shall be based on comments received during the public hearing process and shall be included in the final determination.

(2) Determinations of bidder eligibility shall be in accordance with the evaluation criteria and weights for each criteria established in the final determination and shall be provided to interested persons upon request. Any potential bidder determined not to meet eligibility criteria must be afforded ~~(the)~~ one opportunity to establish its eligibility. Protests concerning bidder eligibility determinations shall be in accordance with subsection (1) of this section.

Sec. 18. RCW 39.10.420 and 2012 c 102 s 1 are each amended to read as follows:

(1) The following public bodies of the state of Washington are authorized to award job order contracts and use the job order contracting procedure:

(a) The department of enterprise services;

(b) The state universities, regional universities, and The Evergreen State College;

(c) Sound transit (central Puget Sound regional transit authority);

(d) Every city with a population greater than seventy thousand and any public authority chartered by such city under RCW 35.21.730 through 35.21.755;

(e) Every county with a population greater than four hundred fifty thousand;

(f) Every port district with total revenues greater than fifteen million dollars per year;

(g) Every public utility district with revenues from energy sales greater than twenty-three million dollars per year;

(h) Every school district; and

(i) The state ferry system.

(2)(a) The department of enterprise services may issue job order contract work orders for Washington state parks department projects.

(b) The department of enterprise services, the University of Washington, and Washington State University may issue job order contract work orders for the state regional universities and The Evergreen State College.

(3) Public bodies may use a job order contract for public works projects when a determination is made that the use of job order contracts will benefit the public by providing an effective means of reducing the total lead-time and cost for the construction of public works projects for repair and renovation required at public facilities through the use of unit price books and work orders by eliminating time-consuming, costly aspects of the traditional public works process, which require separate contracting actions for each small project.

Sec. 19. RCW 39.10.440 and 2007 c 494 s 403 are each amended to read as follows:

(1) The maximum total dollar amount that may be awarded under a job order contract is four million dollars per year for a maximum of three years. The maximum total dollar amount that may be awarded under a job order contract for counties with a population of more than one million is six million dollars per year for a maximum of three years.

(2) Job order contracts may be executed for an initial contract term of not to exceed two years, with the option of extending or renewing the job order contract for one year. All extensions or renewals must be priced as provided in the request for proposals. The extension or renewal must be mutually agreed to by the public body and the job order contractor.

(3) A public body may have no more than two job order contracts in effect at any one time, with the exception of the department of ~~(general administration)~~ enterprise services, which may have four job order contracts in effect at any one time.

(4) At least ninety percent of work contained in a job order contract must be subcontracted to entities other than the job order contractor. The job order contractor must distribute contracts as equitably as possible among qualified and available subcontractors including minority and woman-owned subcontractors to the extent permitted by law.

(5) The job order contractor shall publish notification of intent to perform public works projects at the beginning of each contract year in a statewide publication and in a legal newspaper of general circulation in every county in which the public works projects are anticipated.

(6) Job order contractors shall pay prevailing wages for all work that would otherwise be subject to the requirements of chapter 39.12 RCW. Prevailing wages for all work performed pursuant to each work order must be the rates in effect at the time the individual work order is issued.

(7) If, in the initial contract term, the public body, at no fault of the job order contractor, fails to issue the minimum amount of work orders stated in the public request for proposals, the public body shall pay the contractor an amount equal to the difference between the minimum work order amount and the actual total of the work orders issued multiplied by an appropriate percentage for overhead and profit contained in the contract award coefficient for services as specified in the request for proposals. This is the contractor's sole remedy.

(8) All job order contracts awarded under this section must be signed before July 1, ~~((2013))~~ 2021; however the job order contract may be extended or renewed as provided for in this section.

(9) Public bodies may amend job order contracts awarded prior to July 1, 2007, in accordance with this chapter.

Sec. 20. RCW 39.10.490 and 2007 c 494 s 501 are each amended to read as follows:

The alternative public works contracting procedures authorized under this chapter are limited to public works contracts signed before July 1, ~~((2013))~~ 2021. Methods of public works contracting authorized under this chapter shall remain in full force and effect until completion of contracts signed before July 1, ~~((2013))~~ 2021.

Sec. 21. RCW 43.131.407 and 2007 c 494 s 506 are each amended to read as follows:

The alternative ~~((public))~~ public works contracting procedures under chapter 39.10 RCW shall be terminated June 30, ~~((2013))~~ 2021, as provided in RCW 43.131.408.

Sec. 22. RCW 43.131.408 and 2012 c 102 s 4 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((2014))~~ 2022:

(1) RCW 39.10.200 and 2010 1st sp.s. c 21 s 2, 2007 c 494 s 1, & 1994 c 132 s 1;

(2) RCW 39.10.210 and 2013 c ... s 1 (section 1 of this act), 2010 1st sp.s. c 36 s 6014, 2007 c 494 s 101, & 2005 c 469 s 3;

(3) RCW 39.10.220 and 2013 c ... s 2 (section 2 of this act), 2007 c 494 s 102, & 2005 c 377 s 1;

(4) RCW 39.10.230 and 2013 c ... s 3 (section 3 of this act), 2010 1st sp.s. c 21 s 3, 2009 c 75 s 1, 2007 c 494 s 103, & 2005 c 377 s 2;

(5) RCW 39.10.240 and 2013 c ... s 4 (section 4 of this act) & 2007 c 494 s 104;

(6) RCW 39.10.250 and 2013 c ... s 5 (section 5 of this act), 2009 c 75 s 2, & 2007 c 494 s 105;

(7) RCW 39.10.260 and 2013 c ... s 6 (section 6 of this act) & 2007 c 494 s 106;

(8) RCW 39.10.270 and 2013 c ... s 7 (section 7 of this act), 2009 c 75 s 3, & 2007 c 494 s 107;

(9) RCW 39.10.280 and 2013 c ... s 8 (section 8 of this act) & 2007 c 494 s 108;

(10) RCW 39.10.290 and 2007 c 494 s 109;

(11) RCW 39.10.300 and 2013 c ... s 9 (section 9 of this act), 2009 c 75 s 4, & 2007 c 494 s 201;

(12) RCW 39.10.320 and 2013 c ... s 10 (section 10 of this act), 2007 c 494 s 203, & 1994 c 132 s 7;

(13) RCW 39.10.330 and 2013 c ... s 11 (section 11 of this act), 2009 c 75 s 5, & 2007 c 494 s 204;

(14) RCW 39.10.340 and 2013 c ... s 12 (section 12 of this act) & 2007 c 494 s 301;

(15) RCW 39.10.350 and 2007 c 494 s 302;

(16) RCW 39.10.360 and 2013 c ... s 13 (section 13 of this act), 2009 c 75 s 6, & 2007 c 494 s 303;

(17) RCW 39.10.370 and 2007 c 494 s 304;

(18) RCW 39.10.380 and 2013 c ... s 14 (section 14 of this act) & 2007 c 494 s 305;

(19) RCW 39.10.385 and 2013 c ... s 15 (section 15 of this act) & 2010 c 163 s 1;

(20) RCW 39.10.390 and 2013 c ... s 16 (section 16 of this act) & 2007 c 494 s 306;

(21) RCW 39.10.400 and 2013 c ... s 17 (section 17 of this act) & 2007 c 494 s 307;

(22) RCW 39.10.410 and 2007 c 494 s 308;

(23) RCW 39.10.420 and 2013 c ... s 18 (section 18 of this act), 2012 c 102 s 1, 2009 c 75 s 7, 2007 c 494 s 401, & 2003 c 301 s 1;

(24) RCW 39.10.430 and 2007 c 494 s 402;

(25) RCW 39.10.440 and 2013 c ... s 19 (section 19 of this act) & 2007 c 494 s 403;

(26) RCW 39.10.450 and 2012 c 102 s 2 & 2007 c 494 s 404;

(27) RCW 39.10.460 and 2012 c 102 s 3 & 2007 c 494 s 405;

(28) RCW 39.10.470 and 2005 c 274 s 275 & 1994 c 132 s 10;

(29) RCW 39.10.480 and 1994 c 132 s 9;

(30) RCW 39.10.490 and 2013 c ... s 20 (section 20 of this act), 2007 c 494 s 501, & 2001 c 328 s 5;

(31) ~~((RCW 39.10.500 and 2007 c 494 s 502;~~

~~— ((32)) RCW 39.10.510 and 2007 c 494 s 503;~~

~~— ((33)) RCW 39.10.900 and 1994 c 132 s 13;~~

~~((34))~~ (32) RCW 39.10.901 and 1994 c 132 s 14;

~~((35))~~ (33) RCW 39.10.903 and 2007 c 494 s 510;

~~((36))~~ (34) RCW 39.10.904 and 2007 c 494 s 512; and

~~((37))~~ (35) RCW 39.10.905 and 2007 c 494 s 513.

NEW SECTION. **Sec. 23.** The following acts or parts of acts are each repealed:

(1) RCW 39.10.500 (Exemptions) and 2007 c 494 s 502; and

(2) RCW 39.10.510 (Previously advertised projects) and 2007 c 494 s 503.

NEW SECTION. **Sec. 24.** A new section is added to chapter 43.131 RCW to read as follows:

(1) If the sunset review process in RCW 43.131.010 through 43.131.150 expires before June 30, 2021, the joint legislative audit and review committee must conduct a program and fiscal review of the alternative public works contracting procedures authorized in chapter 39.10 RCW. The review must be completed by June 30, 2021, and findings reported to the office of financial management and any affected entities. The report must be prepared in the manner set forth in RCW 44.28.071 and 44.28.075.

(2) This section expires July 1, 2022.

NEW SECTION. **Sec. 25.** Section 24 of this act takes effect upon the expiration of RCW 43.131.051.

NEW SECTION. **Sec. 26.** Sections 1 through 23 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect June 30, 2013."

On page 1, line 2 of the title, after "procedures;" strike the remainder of the title and insert "amending RCW 39.10.220, 39.10.230, 39.10.240, 39.10.250, 39.10.260, 39.10.270, 39.10.280, 39.10.300, 39.10.320, 39.10.330, 39.10.340, 39.10.360, 39.10.380, 39.10.385, 39.10.390, 39.10.400, 39.10.420, 39.10.440, 39.10.490, 43.131.407, and 43.131.408; reenacting and amending RCW 39.10.210; adding a new section to chapter 43.131 RCW; repealing RCW 39.10.500 and 39.10.510; providing an effective date; providing a contingent effective date; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1466 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Haigh and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1466, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466, as amended by the Senate, and the bill

passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Fagan, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Rodne, Ross, Santos, Schmick, Scott, Seaquist, Shea, Short, Smith, Springer, Stonier, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Farrell, Fitzgibbon, Hudgins, Hunt, Kagi, Ormsby, Orwall, Reykdal, Riccelli, Roberts, Ryu, Sawyer, Sells, Stanford and Tarleton.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1466, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1612 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.56.240 and 2012 c 88 s 1 are each amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged

perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) The statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and e-mail address; and

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business; and

(10) The firearm offense conviction database of felony firearm offenders established in section 6 of this act.

Sec. 2. RCW 9.41.010 and 2009 c 216 s 1 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Antique firearm" means a firearm or replica of a firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, including any matchlock, flintlock, percussion cap, or similar type of ignition system and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

(2) "Barrel length" means the distance from the bolt face of a closed action down the length of the axis of the bore to the crown of the muzzle, or in the case of a barrel with attachments to the end of any legal device permanently attached to the end of the muzzle.

(3) "Crime of violence" means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, kidnapping in the second degree, arson in the second degree, assault in the second degree, assault of a child in the second degree, extortion in the first degree, burglary in the second degree, residential burglary, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to June 6, 1996, which is comparable to a felony classified as a crime of violence in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under (a) or (b) of this subsection.

(4) "Dealer" means a person engaged in the business of selling firearms at wholesale or retail who has, or is required to have, a federal firearms license under 18 U.S.C. Sec. 923(a). A person who does not have, and is not required to have, a federal firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that person makes only occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or sells all or part of his or her personal collection of firearms.

(5) "Family or household member" means "family" or "household member" as used in RCW 10.99.020.

(6) "Felony" means any felony offense under the laws of this state or any federal or out-of-state offense comparable to a felony offense under the laws of this state.

(7) "Felony firearm offender" means a person who has previously been convicted or found not guilty by reason of insanity in this state of any felony firearm offense. A person is not a felony firearm

offender under this chapter if any and all qualifying offenses have been the subject of an expungement, pardon, annulment, certificate, or rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(8) "Felony firearm offense" means:

(a) Any felony offense that is a violation of chapter 9.41 RCW;

(b) A violation of RCW 9A.36.045;

(c) A violation of RCW 9A.56.300;

(d) A violation of RCW 9A.56.310;

(e) Any felony offense if the offender was armed with a firearm in the commission of the offense.

(9) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder.

~~((8))~~ (10) "Law enforcement officer" includes a general authority Washington peace officer as defined in RCW 10.93.020, or a specially commissioned Washington peace officer as defined in RCW 10.93.020. "Law enforcement officer" also includes a limited authority Washington peace officer as defined in RCW 10.93.020 if such officer is duly authorized by his or her employer to carry a concealed pistol.

~~((9))~~ (11) "Lawful permanent resident" has the same meaning afforded a person "lawfully admitted for permanent residence" in 8 U.S.C. Sec. 1101(a)(20).

~~((10))~~ (12) "Loaded" means:

(a) There is a cartridge in the chamber of the firearm;

(b) Cartridges are in a clip that is locked in place in the firearm;

(c) There is a cartridge in the cylinder of the firearm, if the firearm is a revolver;

(d) There is a cartridge in the tube or magazine that is inserted in the action; or

(e) There is a ball in the barrel and the firearm is capped or primed if the firearm is a muzzle loader.

~~((11))~~ (13) "Machine gun" means any firearm known as a machine gun, mechanical rifle, submachine gun, or any other mechanism or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into the firearm, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

~~((12))~~ (14) "Nonimmigrant alien" means a person defined as such in 8 U.S.C. Sec. 1101(a)(15).

~~((13))~~ (15) "Pistol" means any firearm with a barrel less than sixteen inches in length, or is designed to be held and fired by the use of a single hand.

~~((14))~~ (16) "Rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

~~((15))~~ (17) "Sell" refers to the actual approval of the delivery of a firearm in consideration of payment or promise of payment of a certain price in money.

~~((16))~~ (18) "Serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies, as now existing or hereafter amended:

(a) Any crime of violence;

(b) Any felony violation of the uniform controlled substances act, chapter 69.50 RCW, that is classified as a class B felony or that has a maximum term of imprisonment of at least ten years;

(c) Child molestation in the second degree;

(d) Incest when committed against a child under age fourteen;

(e) Indecent liberties;

(f) Leading organized crime;

(g) Promoting prostitution in the first degree;

(h) Rape in the third degree;

(i) Drive-by shooting;

(j) Sexual exploitation;

(k) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(l) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(m) Any other class B felony offense with a finding of sexual motivation, as "sexual motivation" is defined under RCW 9.94A.030;

(n) Any other felony with a deadly weapon verdict under RCW ~~(9.94A.602)~~ 9.94A.825; or

(o) Any felony offense in effect at any time prior to June 6, 1996, that is comparable to a serious offense, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious offense.

~~((17))~~ (19) "Short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((18))~~ (20) "Short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun by any means of modification if such modified weapon has an overall length of less than twenty-six inches.

~~((19))~~ (21) "Shotgun" means a weapon with one or more barrels, designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned, made or remade, and intended to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

NEW SECTION. Sec. 3. A new section is added to chapter 9.41 RCW to read as follows:

(1) On or after the effective date of this section, whenever a defendant in this state is convicted of a felony firearm offense or found not guilty by reason of insanity of any felony firearm offense, the court must consider whether to impose a requirement that the person comply with the registration requirements of section 4 of this act and may, in its discretion, impose such a requirement.

(2) In determining whether to require the person to register, the court shall consider all relevant factors including, but not limited to:

(a) The person's criminal history;

(b) Whether the person has previously been found not guilty by reason of insanity of any offense in this state or elsewhere; and

(c) Evidence of the person's propensity for violence that would likely endanger persons.

NEW SECTION. Sec. 4. A new section is added to chapter 9.41 RCW to read as follows:

(1) Any adult or juvenile residing, whether or not the person has a fixed residence, in this state who has been required by a court to comply with the registration requirements of this section shall personally register with the county sheriff for the county of the person's residence.

(2) A person required to register under this section must provide the following information when registering:

(a) Name and any aliases used;

(b) Complete and accurate residence address or, if the person lacks a fixed residence, where he or she plans to stay;

(c) Identifying information of the gun offender, including a physical description;

(d) The offense for which the person was convicted;

(e) Date and place of conviction; and

(f) The names of any other county where the offender has registered pursuant to this section.

(3) The county sheriff may require the offender to provide documentation that verifies the contents of his or her registration.

(4) The county sheriff may take the offender's photograph or fingerprints for the inclusion of such record in the registration.

(5) Felony firearm offenders shall register with the county sheriff not later than forty-eight hours after:

(a) The date of release from custody, as a result of the felony firearm offense, of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility; or

(b) The date the court imposes the felony firearm offender's sentence, if the offender receives a sentence that does not include confinement.

(6)(a) Except as described in (b) of this subsection, the felony firearm offender shall register with the county sheriff not later than twenty days after each twelve-month anniversary of the date the offender is first required to register, as described in subsection (5) of this section.

(b) If the felony firearm offender is confined to any correctional institution, state institution or facility, or health care facility throughout the twenty-day period described in (a) of this subsection, the offender shall personally appear before the county sheriff not later than forty-eight hours after release to verify and update, as appropriate, his or her registration.

(7) If the felony firearm offender changes his or her residence address and his or her new residence address is within this state, the offender shall personally register with the county sheriff for the county of the person's residence not later than forty-eight hours after the change of address. If the offender's residence address is within the same county as the offender's immediately preceding address, the offender shall update the contents of his or her current registration.

(8) The duty to register shall continue for a period of four years from the date the offender is first required to register, as described in subsection (5) of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 9.41 RCW to read as follows:

(1) A person commits the crime of failure to register as a felony firearm offender if the person has a duty to register under section 4 of this act and knowingly fails to comply with any of the requirements of section 4 of this act.

(2) Failure to register as a felony firearm offender is a gross misdemeanor.

NEW SECTION. Sec. 6. A new section is added to chapter 43.43 RCW to read as follows:

(1) The county sheriff shall forward registration information, photographs, and fingerprints obtained pursuant to section 4 of this act to the Washington state patrol within five working days.

(2) Upon implementation of this act, the Washington state patrol shall maintain a felony firearm offense conviction database of felony firearm offenders required to register under section 4 of this act and shall adopt rules as are necessary to carry out the purposes of this act.

(3) Upon expiration of the person's duty to register, as described in section 4(8) of this act, the Washington state patrol shall automatically remove the person's name and information from the database.

(4) The felony firearm offense conviction database of felony firearm offenders shall be used only for law enforcement purposes and is not subject to public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "felony firearm offenders; amending

RCW 42.56.240; reenacting and amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; adding a new section to chapter 43.43 RCW; and prescribing penalties."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1612 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hope and Pedersen spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1612, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1612, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Kristiansen, MacEwen, Overstreet, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1612, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1764 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 77.65.410 and 1993 c 340 s 24 are each amended to read as follows:

(1)(a) Every diver engaged in the commercial harvest of subtidal geoduck clams shall obtain a ((nontransferable)) geoduck diver license. An individual may only own one license and all geoduck harvesting performed under the license must be done personally by the actual license holder.

(b) The licensing requirement created in this section does not apply to divers engaged in activities related to the cultivation of geoduck clams as private sector cultured aquatic products as defined in RCW 15.85.020.

(c) The geoduck diver license is a nontransferable license.

(2) Beginning January 1, 2015, the director may not issue more than seventy-seven geoduck diver licenses in any one year.

(3) The annual geoduck diver license fee is as provided in RCW 77.65.440.

(4) A geoduck diver license expires on December 31st of each year. Prior to the license's expiration, a license holder may apply to renew the license holder's geoduck diver license only if the license holder is included on a department of natural resources' geoduck harvest agreement plan of operation during the applicable current calendar year.

(5) Beginning January 1, 2015, each person applying for or renewing a geoduck diver license under this section must complete the geoduck diver safety program established in section 5 of this act prior to being issued a license.

NEW SECTION. Sec. 2. (1) The director of the department of fish and wildlife shall give individuals who held a geoduck diver license in 2011, 2012, 2013, or 2014, and who were listed on a department of natural resources' geoduck harvest agreement plan of operation during the same period, the right of first refusal to purchase a geoduck diver license for the 2015 license year.

(2) Any license holder who qualifies for the right of first refusal under this section must have his or her intent to purchase a geoduck diver license in 2015 known to the director of the department of fish and wildlife within six months of the effective date of this section.

(3) This section expires June 30, 2016.

NEW SECTION. Sec. 3. A new section is added to chapter 77.65 RCW to read as follows:

The department must revoke a geoduck diver license issued under RCW 77.65.410, and the licensee must surrender the license, if the licensee is found in violation of a department of natural resources' geoduck harvest agreement two or more times. The person surrendering the geoduck diver license may not hold another geoduck diver license for a period of one calendar year from the date the license is surrendered.

NEW SECTION. Sec. 4. A new section is added to chapter 43.30 RCW to read as follows:

(1) The department shall establish a geoduck harvest safety committee. The geoduck harvest safety committee consists of one representative from the department, one representative from the department's geoduck diver advisory committee, one representative from an organization representing the interests of geoduck harvesters, and one representative from an organization representing the interests of geoduck divers. Each representative must be appointed by the administrator.

(2) The geoduck harvest safety committee must meet at least quarterly. By December 1, 2013, the committee must submit a recommendation to the department regarding the establishment of a geoduck diver safety program and safety requirements for geoduck divers licensed under RCW 77.65.410.

(3) Upon the establishment of the geoduck diver safety program under section 5 of this act, the geoduck harvest safety committee must continue to review and evaluate the safety program's success and effectiveness and recommend to the department appropriate changes to improve the geoduck diver safety program.

NEW SECTION. Sec. 5. A new section is added to chapter 43.30 RCW to read as follows:

(1) By December 1, 2014, the department must, by rule, create a geoduck diver safety program and establish safety requirements for geoduck divers licensed under RCW 77.65.410. The department must adopt rules based on the recommendation of the geoduck harvest safety committee established in section 4 of this act.

(2) The department may adopt, amend, or repeal rules as needed to ensure the success and effectiveness of the geoduck diver safety program created under subsection (1) of this section. The department must consider the recommendations provided by the geoduck harvest safety committee under section 4(3) of this act.

(3) The department may not adopt rules in conflict with commercial diving safety standards and regulations promulgated and implemented by the federal occupational safety and health administration established under the federal occupational safety and health act of 1970 (84 Stat. 1590 et seq.; 29 U.S.C. Sec. 651 et seq.).

(4) A civil suit or action may not be commenced or prosecuted against the administrator, department, or any other government officer or entity by reason of any actions taken in connection with the adoption or enforcement of the geoduck diver safety program and safety requirements established under subsections (1) and (2) of this section. The state of Washington does not waive its sovereign immunity with respect to any actions taken by the department under this section.

Sec. 6. RCW 79.135.210 and 2005 c 155 s 708 and 2005 c 113 s 3 are each reenacted and amended to read as follows:

(1) Except as provided in RCW 79.135.040, geoducks shall be sold as valuable materials under the provisions of chapter 79.90 RCW. After confirmation of the sale, the department may enter into an agreement with the purchaser for the harvesting of geoducks. The department may place terms and conditions in the harvesting agreements as the department deems necessary. The department may enforce the provisions of any harvesting agreement by suspending or canceling the harvesting agreement or through any other means contained in the harvesting agreement. Any geoduck harvester may terminate a harvesting agreement entered into pursuant to this subsection if actions of a governmental agency, beyond the control of the harvester, its agents, or its employees, prohibit harvesting, for a period exceeding thirty days during the term of the harvesting agreement, except as provided within the agreement. Upon termination of the agreement by the harvester, the harvester shall be reimbursed by the department for the cost paid to the department on the agreement, less the value of the harvest already accomplished by the harvester under the agreement.

(2) Harvesting agreements under this title for the purpose of harvesting geoducks shall require the harvester and the harvester's agent or representatives to comply with all applicable commercial diving safety standards and regulations promulgated and implemented by the federal occupational safety and health administration established under the federal occupational safety and health act of 1970 as the law exists or as amended (84 Stat. 1590 et seq.; 29 U.S.C. Sec. 651 et seq.). However, for the purposes of this section and RCW 77.60.070, all persons who dive for geoducks are deemed to be employees as defined by the federal occupational safety and health act. All harvesting agreements shall provide that failure to comply with these standards is cause for suspension or cancellation of the harvesting agreement. Further, for the purposes of this subsection if the harvester contracts with another person or entity for the harvesting of geoducks, the harvesting agreement shall not be suspended or canceled if the harvester terminates its business relationship with such an entity until compliance with this subsection is secured.

(3) Beginning January 1, 2015, geoduck divers licensed under RCW 77.65.410 must annually complete the geoduck diver safety program established in section 5 of this act in order to be maintained on a department of natural resources' harvest agreement plan of operation.

NEW SECTION. Sec. 7. The department of fish and wildlife may adopt any rules deemed necessary to implement sections 1 through 3 of this act."

On page 1, line 1 of the title, after "licenses;" strike the remainder of the title and insert "amending RCW 77.65.410; reenacting and amending RCW 79.135.210; adding a new section to chapter 77.65

RCW; adding new sections to chapter 43.30 RCW; creating new sections; and providing an expiration date."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1764 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Chandler and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1764, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1764, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Overstreet, Shea and Taylor.

Excused: Representative DeBolt.

SECOND SUBSTITUTE HOUSE BILL NO. 1764, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1779 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.16.020 and 2008 c 20 s 1 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Apprenticeship program" means a state-approved apprenticeship program pursuant to chapter 49.04 RCW and approved

under RCW 18.16.280 for the training of cosmetology, barbering, esthetics, master esthetics, and manicuring.

(2) "Apprentice" means a person who is engaged in a state-approved apprenticeship program and who must receive a wage or compensation while engaged in the program.

(3) "Apprenticeship training committee" means a committee approved by the Washington apprenticeship and training council established in chapter 49.04 RCW.

(4) "Department" means the department of licensing.

(5) "Board" means the cosmetology, barbering, esthetics, and manicuring advisory board.

(6) "Director" means the director of the department of licensing or the director's designee.

(7) "The practice of cosmetology" means arranging, dressing, cutting, trimming, styling, shampooing, permanent waving, chemical relaxing, straightening, curling, bleaching, lightening, coloring, waxing, tweezing, shaving, and mustache and beard design of the hair of the face, neck, and scalp; temporary removal of superfluous hair by use of depilatories, waxing, or tweezing; manicuring and pedicuring, limited to cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and nails of the hands and feet, excluding the application and removal of sculptured or otherwise artificial nails; esthetics limited to toning the skin of the scalp, stimulating the skin of the body by the use of preparations, tonics, lotions, or creams; and tinting eyelashes and eyebrows.

(8) "Cosmetologist" means a person licensed under this chapter to engage in the practice of cosmetology.

(9) "The practice of barbering" means the cutting, trimming, arranging, dressing, curling, shampooing, shaving, and mustache and beard design of the hair of the face, neck, and scalp.

(10) "Barber" means a person licensed under this chapter to engage in the practice of barbering.

(11) "Practice of manicuring" means the cleaning, shaping, polishing, decorating, and caring for and treatment of the cuticles and the nails of the hands or feet, and the application and removal of sculptured or otherwise artificial nails by hand or with mechanical or electrical apparatus or appliances.

(12) "Manicurist" means a person licensed under this chapter to engage in the practice of manicuring.

(13) "Practice of esthetics" means the care of the skin for compensation by application ((and)), use of preparations, antiseptics, tonics, essential oils, ((and)) exfoliants, superficial and light peels, or by any device, except laser, or equipment, electrical or otherwise, or by wraps, compresses, cleansing, conditioning, stimulation, superficial skin stimulation, pore extraction, or product application and removal; ((the)) temporary removal of superfluous hair by means of lotions, creams, ((mechanical or electrical apparatus,)) appliance, waxing, threading, tweezing, or depilatories, including chemical means; ((tinting of)) and application of product to the eyelashes and eyebrows((;)), including extensions, design and treatment, tinting and lightening of the hair, ((except)) excluding the scalp((on another person)). Under no circumstances does the practice of esthetics include the administration of injections.

(14) "Esthetician" means a person licensed under this chapter to engage in the practice of esthetics.

(15) "Practice of master esthetics" means the care of the skin for compensation including all of the methods allowed in the definition of the practice of esthetics. It also includes the performance of medium depth peels and the use of medical devices for care of the skin and permanent hair reduction. The medical devices include, but are not limited to, lasers, light, radio frequency, plasma, intense pulsed light, and ultrasound. The use of a medical device must comply with state law and rules, including any laws or rules that require delegation or supervision by a licensed health professional acting within the scope of practice of that health profession.

(16) "Master esthetician" means a person licensed under this

chapter to engage in the practice of master esthetics.

~~((17))~~ (17) "Instructor-trainee" means a person who is currently licensed in this state as a cosmetologist, barber, manicurist, ~~((est))~~ esthetician, or master esthetician, and is enrolled in an instructor-trainee curriculum in a school licensed under this chapter.

~~((18))~~ (18) "School" means any establishment that offers curriculum of instruction in the practice of cosmetology, barbering, esthetics, master esthetics, manicuring, or instructor-trainee to students and is licensed under this chapter.

~~((19))~~ (19) "Student" means a person sixteen years of age or older who is enrolled in a school licensed under this chapter and receives instruction in any of the curricula of cosmetology, barbering, esthetics, master esthetics, manicuring, or instructor-training with or without tuition, fee, or cost, and who does not receive any wage or commission.

~~((20))~~ (20) "Instructor" means a person who gives instruction in a school, or who provides classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter, has completed at least five hundred hours of instruction in teaching techniques and lesson planning in a school, and has passed a licensing examination approved or administered by the director. An applicant who holds a degree in education from an accredited postsecondary institution shall upon application be licensed as an instructor to give instruction in a school, or to provide classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter. An applicant who holds an instructional credential from an accredited community or technical college and who has passed a licensing examination approved or administered by the director shall upon application be licensed as an instructor to give instruction in a school, or to provide classroom theory training to apprentices in locations other than in a school, in a curriculum in which he or she holds a license under this chapter. To be approved as an "instructor" in an approved apprenticeship program, the instructor must be a competent instructor as defined in rules adopted under chapter 49.04 RCW.

~~((21))~~ (21) "Apprentice trainer" means a person who gives training to an apprentice in an approved apprenticeship program and who is approved under RCW 18.16.280.

~~((22))~~ (22) "Person" means any individual, partnership, professional service corporation, joint stock association, joint venture, or any other entity authorized to do business in this state.

~~((23))~~ (23) "Salon/shop" means any building, structure, or any part thereof, other than a school, where the commercial practice of cosmetology, barbering, esthetics, master esthetics, or manicuring is conducted; provided that any person, except employees of a salon/shop, who operates from a salon/shop is required to meet all salon/shop licensing requirements and may participate in the apprenticeship program when certified as established by the Washington state apprenticeship and training council established in chapter 49.04 RCW.

~~((24))~~ (24) "Approved apprenticeship shop" means a salon/shop that has been approved under RCW 18.16.280 and chapter 49.04 RCW to participate in an apprenticeship program.

~~((25))~~ (25) "Crossover training" means training approved by the director as training hours that may be credited to current licensees for similar training received in another profession licensed under this chapter.

~~((26))~~ (26) "Approved security" means surety bond.

~~((27))~~ (27) "Personal services" means a location licensed under this chapter where the practice of cosmetology, barbering, manicuring, ~~((est))~~ esthetics, or master esthetics is performed for clients in the client's home, office, or other location that is convenient for the client.

~~((28))~~ (28) "Individual license" means a cosmetology, barber, manicurist, esthetician, master esthetician, or instructor license issued under this chapter.

~~((29))~~ (29) "Location license" means a license issued under this chapter for a salon/shop, school, personal services, or mobile unit.

~~((30))~~ (30) "Mobile unit" is a location license under this chapter where the practice of cosmetology, barbering, esthetics, master esthetics, or manicuring is conducted in a mobile structure. Mobile units must conform to the health and safety standards set by rule under this chapter.

~~((31))~~ (31) "Curriculum" means the courses of study taught at a school, or in an approved apprenticeship program established by the Washington state apprenticeship and training council and conducted in an approved salon/shop, set by rule under this chapter, and approved by the department. After consulting with the board, the director may set by rule a percentage of hours in a curriculum, up to a maximum of ten percent, that could include hours a student receives while training in a salon/shop under a contract approved by the department. Each curriculum must include at least the following required hours:

(a) School curriculum:

(i) Cosmetologist, one thousand six hundred hours;

(ii) Barber, one thousand hours;

(iii) Manicurist, six hundred hours;

(iv) Esthetician, ~~((six))~~ seven hundred fifty hours;

(v) Master esthetician either:

(A) One thousand two hundred hours; or

(B) Esthetician licensure plus four hundred fifty hours of training;

(vi) Instructor-trainee, five hundred hours.

(b) Apprentice training curriculum:

(i) Cosmetologist, two thousand hours;

(ii) Barber, one thousand two hundred hours;

(iii) Manicurist, eight hundred hours;

(iv) Esthetician, eight hundred hours;

(v) Master esthetician, one thousand four hundred hours.

~~((32))~~ (32) "Student monthly report" means the student record of daily activities and the number of hours completed in each course of a curriculum that is prepared monthly by the school and provided to the student, audited annually by the department, and kept on file by the school for three years.

~~((33))~~ (33) "Apprentice monthly report" means the apprentice record of daily activities and the number of hours completed in each course of a curriculum that is prepared monthly by the approved apprenticeship program and provided to the apprentice, audited annually by the department, and kept on file by the approved apprenticeship program for three years.

Sec. 2. RCW 18.16.030 and 2008 c 20 s 2 are each amended to read as follows:

In addition to any other duties imposed by law, including RCW 18.235.030 and 18.235.040, the director shall have the following powers and duties:

(1) To set all license, examination, and renewal fees in accordance with RCW 43.24.086;

(2) To adopt rules necessary to implement this chapter;

(3) To prepare and administer or approve the preparation and administration of licensing examinations;

(4) To establish minimum safety and sanitation standards for schools, instructors, cosmetologists, barbers, manicurists, estheticians, master estheticians, salons/, personal services, and mobile units;

(5) To establish curricula for the training of students and apprentices under this chapter;

(6) To maintain the official department record of applicants and licensees;

(7) To establish by rule the procedures for an appeal of an examination failure;

(8) To set license expiration dates and renewal periods for all licenses consistent with this chapter;

(9) To ensure that all informational notices produced and mailed by the department regarding statutory and regulatory changes affecting any particular class of licensees are mailed to each licensee in good standing or on inactive status in the affected class whose mailing address on record with the department has not resulted in mail being returned as undeliverable for any reason; and

(10) To make information available to the department of revenue to assist in collecting taxes from persons required to be licensed under this chapter.

Sec. 3. RCW 18.16.050 and 2008 c 20 s 3 are each amended to read as follows:

(1) There is created a state cosmetology, barbering, esthetics, and manicuring advisory board consisting of a maximum of ten members appointed by the director. These members of the board shall include: A representative of private schools licensed under this chapter; a representative from an approved apprenticeship program conducted in an approved salon/shop; a representative of public vocational technical schools licensed under this chapter; a consumer who is unaffiliated with the cosmetology, barbering, esthetics, master esthetics, or manicuring industry; and six members who are currently practicing licensees who have been engaged in the practice of manicuring, esthetics, master esthetics, barbering, or cosmetology for at least three years. Members shall serve a term of three years. Any board member may be removed for just cause. The director may appoint a new member to fill any vacancy on the board for the remainder of the unexpired term.

(2) Board members shall be entitled to compensation pursuant to RCW 43.03.240 for each day spent conducting official business and to reimbursement for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(3) The board may seek the advice and input of officials from the following state agencies: (a) The workforce training and education coordinating board; (b) the ~~(department of)~~ employment security department; (c) the department of labor and industries; (d) the department of health; (e) the department of licensing; and (f) the department of revenue.

Sec. 4. RCW 18.16.060 and 2008 c 20 s 4 are each amended to read as follows:

(1) It is unlawful for any person to engage in a practice listed in subsection (2) of this section unless the person has a license in good standing as required by this chapter. A license issued under this chapter shall be considered to be "in good standing" except when:

(a) The license has expired or has been canceled and has not been renewed in accordance with RCW 18.16.110;

(b) The license has been denied, revoked, or suspended under RCW 18.16.210, 18.16.230, or 18.16.240, and has not been reinstated;

(c) The license is held by a person who has not fully complied with an order of the director issued under RCW 18.16.210 requiring the licensee to pay restitution or a fine, or to acquire additional training; or

(d) The license has been placed on inactive status at the request of the licensee, and has not been reinstated in accordance with RCW 18.16.110(3).

(2) The director may take action under RCW 18.235.150 and 18.235.160 against any person who does any of the following without first obtaining, and maintaining in good standing, the license required by this chapter:

(a) Except as provided in subsections (3) and (4) of this section, engages in the commercial practice of cosmetology, barbering, esthetics, master esthetics, or manicuring;

(b) Instructs in a school;

(c) Operates a school; or

(d) Operates a salon/, personal services, or mobile unit.

(3) A person who receives a license as an instructor may engage in the commercial practice for which he or she held a license when applying for the instructor license without also renewing the previously held license. However, a person licensed as an instructor whose license to engage in a commercial practice is not or at any time was not renewed may not engage in the commercial practice previously permitted under that license unless that person renews the previously held license.

(4) An apprentice actively enrolled in an apprenticeship program for cosmetology, barbering, esthetics, master esthetics, or manicuring may engage in the commercial practice as required for the apprenticeship program.

Sec. 5. RCW 18.16.130 and 1991 c 324 s 10 are each amended to read as follows:

(1) Any person who is properly licensed in any state, territory, or possession of the United States, or foreign country shall be eligible for examination if the applicant submits the approved application and fee and provides proof to the director that he or she is currently licensed in good standing as a cosmetologist, barber, manicurist, esthetician, instructor, or the equivalent in that jurisdiction. Upon passage of the required examinations the appropriate license will be issued.

(2)(a) The director shall, upon passage of the required examinations, issue a license as master esthetician to an applicant who submits the approved application and fee and provides proof to the director that the applicant is currently licensed in good standing in esthetics in any state, territory, or possession of the United States, or foreign country and holds a diplomate of the comite international d'esthetique et de cosmetologie diploma, or an international therapy examination council diploma, or a certified credential awarded by the national coalition of estheticians, manufacturers/distributors & associations.

(b) The director may upon passage of the required examinations, issue a master esthetician license to an applicant that is currently licensed in esthetics in any other state, territory, or possession of the United States, or foreign country and submits an approved application and fee and provides proof to the director that he or she is licensed in good standing and:

(i) The licensing state, territory, or possession of the United States, or foreign country has licensure requirements that the director determines are substantially equivalent to a master esthetician license in this state; or

(ii) The applicant has certification or a diploma or other credentials that the director determines has licensure requirements that are substantially equivalent to the degree listed in (a) of this subsection.

Sec. 6. RCW 18.16.170 and 2002 c 111 s 10 are each amended to read as follows:

(1) Subject to subsection (2) of this section, licenses issued under this chapter expire as follows:

(a) A salon/shop, personal services, or mobile unit license expires one year from issuance or when the insurance required by RCW 18.16.175(1)(g) expires, whichever occurs first;

(b) A school license expires one year from issuance; and

(c) Cosmetologist, barber, manicurist, esthetician, master esthetician, and instructor licenses expire two years from issuance.

(2) The director may provide for expiration dates other than those set forth in subsection (1) of this section for the purpose of establishing staggered renewal periods.

Sec. 7. RCW 18.16.175 and 2008 c 20 s 6 are each amended to read as follows:

(1) A salon/shop or mobile unit shall meet the following minimum requirements:

(a) Maintain an outside entrance separate from any rooms used for sleeping or residential purposes;

(b) Provide and maintain for the use of its customers adequate toilet facilities located within or adjacent to the salon/shop or mobile unit;

(c) Any room used wholly or in part as a salon/shop or mobile unit shall not be used for residential purposes, except that toilet facilities may be used for both residential and business purposes;

(d) Meet the zoning requirements of the county, city, or town, as appropriate;

(e) Provide for safe storage and labeling of chemicals used in the practices under this chapter;

(f) Meet all applicable local and state fire codes; and

(g) Certify that the salon/shop or mobile unit is covered by a public liability insurance policy in an amount not less than one hundred thousand dollars for combined bodily injury and property damage liability.

(2) The director may by rule determine other requirements that are necessary for safety and sanitation of salons/shops, personal services, or mobile units. The director may consult with the state board of health and the department of labor and industries in establishing minimum salon/shop, personal services, and mobile unit safety requirements.

(3) Personal services license holders shall certify coverage of a public liability insurance policy in an amount not less than one hundred thousand dollars for combined bodily injury and property damage liability.

(4) Upon receipt of a written complaint that a salon/shop or mobile unit has violated any provisions of this chapter, chapter 18.235 RCW, or the rules adopted under either chapter, or at least once every two years for an existing salon/shop or mobile unit, the director or the director's designee shall inspect each salon/shop or mobile unit. If the director determines that any salon/shop or mobile unit is not in compliance with this chapter, the director shall send written notice to the salon/shop or mobile unit. A salon/shop or mobile unit which fails to correct the conditions to the satisfaction of the director within a reasonable time shall, upon due notice, be subject to the penalties imposed by the director under RCW 18.235.110. The director may enter any salon/shop or mobile unit during business hours for the purpose of inspection. The director may contract with health authorities of local governments to conduct the inspections under this subsection.

(5) A salon/shop, personal services, or mobile unit shall obtain a certificate of registration from the department of revenue.

(6) This section does not prohibit the use of motor homes as mobile units if the motor home meets the health and safety standards of this section.

(7) Salon/shop or mobile unit licenses issued by the department must be posted in the salon/shop or mobile unit's reception area.

(8) Cosmetology, barbering, esthetics, master esthetics, and manicuring licenses issued by the department must be posted at the licensed person's work station.

Sec. 8. RCW 18.16.180 and 2008 c 20 s 7 are each amended to read as follows:

(1) The director shall prepare and provide to all licensed salons/shops a notice to consumers. At a minimum, the notice shall state that cosmetology, barber, esthetics, master esthetics, and manicure salons/shops are required to be licensed, that salons/shops are required to maintain minimum safety and sanitation standards, that customer complaints regarding salons/shops may be reported to the department, and a telephone number and address where complaints may be made.

(2) An approved apprenticeship shop must post a notice to consumers in the reception area of the salon/shop stating that services may be provided by an apprentice. At a minimum, the notice must state: "This shop is a participant in a state-approved apprenticeship program. Apprentices in this program are in training and have not yet received a license."

Sec. 9. RCW 18.16.190 and 1991 c 324 s 20 are each amended to read as follows:

It is a violation of this chapter for any person to engage in the commercial practice of cosmetology, barbering, esthetics, master esthetics, or manicuring, except in a licensed salon/shop or the home, office, or other location selected by the client for obtaining the services of a personal service operator, or with the appropriate individual license when delivering services to placebound clients. Placebound clients are defined as persons who are ill, disabled, or otherwise unable to travel to a salon/shop.

Sec. 10. RCW 18.16.200 and 2004 c 51 s 4 are each amended to read as follows:

In addition to the unprofessional conduct described in RCW 18.235.130, the director may take disciplinary action against any applicant or licensee under this chapter if the licensee or applicant:

(1) Has been found to have violated any provisions of chapter 19.86 RCW;

(2) Has engaged in a practice prohibited under RCW 18.16.060 without first obtaining, and maintaining in good standing, the license required by this chapter;

(3) Has engaged in the commercial practice of cosmetology, barbering, manicuring, esthetics, or master esthetics in a school;

(4) Has not provided a safe, sanitary, and good moral environment for students in a school or the public;

(5) Has failed to display licenses required in this chapter; or

(6) Has violated any provision of this chapter or any rule adopted under it.

Sec. 11. RCW 18.16.260 and 2004 c 51 s 5 are each amended to read as follows:

(1)(a) Prior to July 1, 2005, (i) a cosmetology licensee who held a license in good standing between June 30, 1999, and June 30, 2003, may request a renewal of the license or an additional license in barbering, manicuring, and/or esthetics; and (ii) a licensee who held a barber, manicurist, or esthetics license between June 30, 1999, and June 30, 2003, may request a renewal of such licenses held during that period.

(b) A license renewal fee, including, if applicable, a renewal fee, at the current rate, for each year the licensee did not hold a license in good standing between July 1, 2001, and the date of the renewal request, must be paid prior to issuance of each type of license requested. After June 30, 2005, any cosmetology licensee wishing to renew an expired license or obtain additional licenses must meet the applicable renewal, training, and examination requirements of this chapter.

(2)(a) Any person holding an active license in good standing as an esthetician prior to January 1, 2015, may be licensed as an esthetician licensee after paying the appropriate license fee.

(b) Prior to January 1, 2015, an applicant for a master esthetician license must have an active license in good standing as an esthetician, pay the appropriate license fee, and provide the department with proof of having satisfied one or more of the following requirements:

(i)(A)(I) A minimum of thirty-five hours employment as a provider of medium depth peels under the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or physician assistant, or other licensed professional whose licensure permits such delegation or supervision; or

(II) Seven hours of training in theory and application of medium depth peels; and

(B)(I) A minimum of one hundred fifty hours employment as a laser operator under the delegation or supervision of a licensed physician, advanced registered nurse practitioner, or physician assistant, or other licensed professional whose licensure permits such delegation or supervision; or

(II) Seventy-five hours of laser training;

(ii) A national or international diploma or certification in esthetics that is recognized by the department by rule;

(iii) An instructor in esthetics who has been licensed as an instructor in esthetics by the department for a minimum of three years; or

(iv) Completion of one thousand two hundred hours of an esthetic curriculum approved by the department.

(3) The director may, as provided in RCW 43.24.140, modify the duration of any additional license granted under this section to make all licenses issued to a person expire on the same date.

Sec. 12. RCW 18.16.290 and 2004 c 51 s 2 are each amended to read as follows:

(1) If the holder of an individual license in good standing submits a written and notarized request that the licensee's cosmetology, barber, manicurist, esthetician and master esthetician, or instructor license be placed on inactive status, together with a fee equivalent to that established by rule for a duplicate license, the department shall place the license on inactive status until the expiration date of the license. If the date of the request is no more than six months before the expiration date of the license, a request for a two-year extension of the inactive status, as provided under subsection (2) of this section, may be submitted at the same time as the request under this subsection.

(2) If the holder of a license placed on inactive status under this section submits, by the expiration date of the license, a written and notarized request to extend that status for an additional two years, the department shall, without additional fee, extend the expiration date of: (a) The licensee's individual license; and (b) the inactive status for two years from the expiration date of the license.

(3) A license placed on inactive status under this section may not be extended more frequently than once in any twenty-four month period or for more than six consecutive years.

(4) If, by the expiration date of a license placed on inactive status under this section, a licensee is unable, or fails, to request that the status be extended and the license is not renewed, the license shall be canceled."

On page 1, line 1 of the title, after "esthetics;" strike the remainder of the title and insert "and amending RCW 18.16.020, 18.16.030, 18.16.050, 18.16.060, 18.16.130, 18.16.170, 18.16.175, 18.16.180, 18.16.190, 18.16.200, 18.16.260, and 18.16.290."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1779 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1779, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1779, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody,

Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Harris, Kretz, Manweller, Overstreet, Scott, Shea, Short and Taylor.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1779, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 16, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1941 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.63.160 and 2011 c 367 s 705 are each amended to read as follows:

(1) This section applies only to civil penalties for nonpayment of tolls detected through use of photo toll systems.

(2) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(3) A notice of civil penalty may be issued by the department of transportation when a toll is assessed through use of a photo toll system and the toll is not paid by the toll payment due date, which is eighty days from the date the vehicle uses the toll facility and incurs the toll charge.

(4) Any registered owner or renter of a vehicle traveling upon a toll facility operated under chapter 47.56 or 47.46 RCW is subject to a civil penalty governed by the administrative procedures set forth in this section when the vehicle incurs a toll charge and the toll is not paid by the toll payment due date, which is eighty days from the date the vehicle uses the toll facility and incurs the toll charge.

(5)(a) Consistent with chapter 34.05 RCW, the department of transportation shall develop an administrative adjudication process to review appeals of civil penalties issued by the department of transportation for toll nonpayment detected through the use of a photo toll system under this section. The department of transportation shall submit to the transportation committees of the legislature an annual report on the number of times adjudicators reduce or dismiss the civil penalty as provided in (b) of this subsection and the total amount of the civil penalties dismissed. The report must be submitted by December 1st of each year.

(b) During the adjudication process, the alleged violator must have an opportunity to explain mitigating circumstances. Hospitalization, a divorce decree or legal separation agreement resulting in a transfer of the vehicle, an active duty member of the military or national guard covered by the federal servicemembers' civil relief act, 50 U.S.C. Sec. 501 et seq., or state service members' civil relief act, chapter 38.42 RCW, eviction, homelessness, the death of the alleged violator or of an immediate family member, or if the alleged violator did not receive a toll charge bill or notice of civil

penalty are valid mitigating circumstances. All of these reasons that constitute mitigating circumstances must occur within a reasonable time of the alleged toll violation. In response to these circumstances, the adjudicator may reduce or dismiss the civil penalty.

(6) The use of a photo toll system is subject to the following requirements:

(a) Photo toll systems may take photographs, digital photographs, microphotographs, videotapes, or other recorded images of the vehicle and vehicle license plate only.

(b) A notice of civil penalty must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by a photo toll system, stating the facts supporting the notice of civil penalty. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding established under subsection (5) of this section. The photographs, digital photographs, microphotographs, videotape, or other recorded images evidencing the toll nonpayment civil penalty must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the civil penalty.

(c) Notwithstanding any other provision of law, all photographs, digital photographs, microphotographs, videotape, other recorded images, or other records identifying a specific instance of travel prepared under this ((chapter)) section are for the exclusive use of the tolling agency for toll collection and enforcement purposes and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a civil penalty under this ((chapter)) section. No photograph, digital photograph, microphotograph, videotape, other recorded image, or other record identifying a specific instance of travel may be used for any purpose other than toll collection or enforcement of civil penalties under this section. Records identifying a specific instance of travel by a specific person or vehicle must be retained only as required to ensure payment and enforcement of tolls and to comply with state records retention policies.

(d) All locations where a photo toll system is used must be clearly marked by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where tolls are assessed and enforced by a photo toll system.

(e) Within existing resources, the department of transportation shall conduct education and outreach efforts at least six months prior to activating an all-electronic photo toll system. Methods of outreach shall include a department presence at community meetings in the vicinity of a toll facility, signage, and information published in local media. Information provided shall include notice of when all electronic photo tolling shall begin and methods of payment. Additionally, the department shall provide quarterly reporting on education and outreach efforts and other data related to the issuance of civil penalties.

(f) The envelope containing a toll charge bill or related notice issued pursuant to RCW 47.46.105 or 47.56.795, or a notice of civil penalty issued under this section, must prominently indicate that the contents are time sensitive and related to a toll violation.

(7) Civil penalties for toll nonpayment detected through the use of photo toll systems must be issued to the registered owner of the vehicle identified by the photo toll system, but are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

(8) The civil penalty for toll nonpayment detected through the use of a photo toll system is forty dollars plus the photo toll and associated fees.

(9) Except as provided otherwise in this subsection, all civil penalties, including the photo toll and associated fees, collected under this section must be deposited into the toll facility account of the facility on which the toll was assessed. However, through June 30, 2013, civil penalties deposited into the Tacoma Narrows toll bridge

account created under RCW 47.56.165 that are in excess of amounts necessary to support the toll adjudication process applicable to toll collection on the Tacoma Narrows bridge must first be allocated toward repayment of operating loans and reserve payments provided to the account from the motor vehicle account under section 1005(15), chapter 518, Laws of 2007. Additionally, all civil penalties, resulting from nonpayment of tolls on the state route number 520 corridor, shall be deposited into the state route number 520 civil penalties account created under section 4, chapter 248, Laws of 2010 but only if chapter 248, Laws of 2010 is enacted by June 30, 2010.

(10) If the registered owner of the vehicle is a rental car business, the department of transportation shall, before a toll bill is issued, provide a written notice to the rental car business that a toll bill may be issued to the rental car business if the rental car business does not, within thirty days of the mailing of the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the toll was assessed; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the toll was assessed because the vehicle was stolen at the time the toll was assessed. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable toll and fee.

Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this section for the payment of the toll.

(11) Consistent with chapter 34.05 RCW, the department of transportation shall develop rules to implement this section.

(12) For the purposes of this section, "photo toll system" means the system defined in RCW 47.56.010 and 47.46.020."

On page 1, line 2 of the title, after "penalties;" strike the remainder of the title and insert "and amending RCW 46.63.160."

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1941 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Habib and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1941, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1941, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1941, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 18, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5595 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter Goodman Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5595 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5595, by Senate Committee on Ways & Means (originally sponsored by Senators Billig, Litzow, Darneille, Fain, Hargrove, McAuliffe, Harper, Nelson, Hobbs, Mullet, Frockt, Cleveland, Rolfes, Kohl-Welles, Shin, Kline and Conway)

Concerning child care reform.

The bill was read the second time.

With the consent of the house, amendment (462) was withdrawn.

Representative Farrell moved the adoption of amendment (463).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.215 RCW to read as follows:

(1) The standards and guidelines described in this section are intended for the guidance of the department and the department of social and health services. They are not intended to, do not, and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law by a party in litigation with the state.

(2) When providing services to parents applying for or receiving working connections child care benefits, the department must provide training to departmental employees on professionalism.

(3) When providing services to parents applying for or receiving working connections child care benefits, the department of social and health services has the following responsibilities:

(a) To return all calls from parents receiving working connections child care benefits within two business days of receiving the call;

(b) To develop a process by which parents receiving working connections child care benefits can submit required forms and information electronically by June 30, 2015;

(c) To notify providers and parents ten days before the loss of working connections child care benefits; and

(d) To provide parents with a document that explains in detail and in easily understood language what services they are eligible for, how they can appeal an adverse decision, and the parents' responsibilities in obtaining and maintaining eligibility for working connections child care.

NEW SECTION. Sec. 2. (1)(a) A legislative task force on child care improvements for the future is established with members as provided in this subsection.

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses in the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint fifteen members representing the following interests:

(A) The department of early learning;

(B) The department of social and health services;

(C) The early learning advisory committee;

(D) Thrive by five;

(E) Private pay child care consumers;

(F) Child care consumers receiving a subsidy;

(G) Family child care providers;

(H) Child care center providers;

(I) Exempt child care providers;

(J) The collective bargaining unit representing child care providers;

(K) School-age child care providers;

(L) Child care aware;

(M) The Washington state association of head start and the early childhood education and assistance program;

(N) The early learning action alliance; and

(O) Puget Sound educational service district.

(b) The task force shall choose its cochairs from among its legislative leadership. The members of the majority party in each house shall convene the first meeting.

(2) The task force shall address the following issues:

(a) The creation of a tiered reimbursement model that works for both consumers and providers and provides incentives for quality child care across communities;

(b) The development of recommendations and an implementation plan for expansion of the program referred to in RCW 43.215.400 to include a mixed delivery system that integrates community-based early learning providers, including but not limited to family child care, child care centers, schools, and educational services districts. Recommendations shall include:

(i) Areas of alignment and conflicts in restrictions and eligibility requirements associated with early learning funding and services;

(ii) A funding plan that blends and maximizes existing resources and identifies new revenue and other funding sources; and

(iii) Incentives for integrating child care and preschool programming to better serve working families;

(c) The development of recommendations for market rate reimbursement to allow access to high quality child care; and

(d) The development of recommendations for a further graduation of the copay scale to eliminate the cliff that occurs at subsidy cut off.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature no later than December 31, 2013.

(5) This section expires July 1, 2014.

NEW SECTION. Sec. 3. (1) The legislature finds that the Aclara group report on the eligibility requirements for working connections child care which came from the pedagogy of lean management and focused on identifying and eliminating nonvalue added work should be followed. The legislature further finds that, following some of the recommendations in the report, would result in simplifying and streamlining the child care system to improve access and customer service without decreasing the program's integrity.

(2) By December 1, 2013, the department and the department of social and health services shall accomplish the following:

(a) Eliminate the current custody/visitation policy and design a subsidy system that is flexible and accounts for small fluctuations in family circumstances;

(b) Create broad authorization categories so that relatively minor changes in parents' work schedule does not require changes in authorization;

(c) Establish rules to specify that parents who receive working connections child care benefits and participate in one hundred ten hours or more of approved work or related activities are eligible for full-time child care services; and

(d) Clarify and simplify the requirement to count child support as income."

Correct the title.

Representative Farrell spoke in favor of the adoption of the amendment.

Amendment (463) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representative Farrell spoke in favor of the passage of the bill.

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5595, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5595, as amended by the House, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford,

Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representative DeBolt.

SECOND SUBSTITUTE SENATE BILL NO. 5595, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

MESSAGE FROM THE SENATE

April 17, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that volunteering connects students to their communities and provides an opportunity for students to practice and apply their academic and social skills in preparation for entering the workforce. Community service can better prepare and inspire students to continue their education beyond high school. Community service is also associated with increased civic awareness and participation by students.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

By September 1, 2013, each school district shall adopt a policy that is supportive of community service and provides an incentive, such as recognition or credit, for students who participate in community service."

On page 1, line 2 of the title, after "requirement;" strike the remainder of the title and insert "adding a new section to chapter 28A.320 RCW; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Bergquist and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1412, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1412, as amended by the Senate, and the

bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, MacEwen, Overstreet, Roberts, Scott and Taylor.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1001
 SUBSTITUTE HOUSE BILL NO. 1068
 SUBSTITUTE HOUSE BILL NO. 1076
 SUBSTITUTE HOUSE BILL NO. 1093
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1114
 SUBSTITUTE HOUSE BILL NO. 1144
 HOUSE BILL NO. 1178
 HOUSE BILL NO. 1194
 HOUSE BILL NO. 1207
 SUBSTITUTE HOUSE BILL NO. 1265
 SUBSTITUTE HOUSE BILL NO. 1284
 SUBSTITUTE HOUSE BILL NO. 1334
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341
 SECOND SUBSTITUTE HOUSE BILL NO. 1416
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1445
 SUBSTITUTE HOUSE BILL NO. 1472
 HOUSE BILL NO. 1474
 ENGROSSED HOUSE BILL NO. 1493
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519
 SUBSTITUTE HOUSE BILL NO. 1525
 SUBSTITUTE HOUSE BILL NO. 1556
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633
 SECOND SUBSTITUTE HOUSE BILL NO. 1642
 HOUSE BILL NO. 1645
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688
 HOUSE BILL NO. 1736
 SUBSTITUTE HOUSE BILL NO. 1737
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774
 HOUSE BILL NO. 1800
 ENGROSSED HOUSE BILL NO. 1826
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846
 SUBSTITUTE HOUSE BILL NO. 1883
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968

SUBSTITUTE SENATE BILL NO. 5002

SUBSTITUTE SENATE BILL NO. 5022

SENATE BILL NO. 5050

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5078

SUBSTITUTE SENATE BILL NO. 5152

SENATE BILL NO. 5161

SECOND SUBSTITUTE SENATE BILL NO. 5197

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5329

SENATE BILL NO. 5355

SENATE BILL NO. 5359

SUBSTITUTE SENATE BILL NO. 5434

SUBSTITUTE SENATE BILL NO. 5565

SUBSTITUTE SENATE BILL NO. 5591

SENATE BILL NO. 5809

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 24, 2013, the 101st Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED FIRST DAY

House Chamber, Olympia, Wednesday, April 24, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Raelinda Locke and Eli Bernstein. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Jo Lembo, Generations Church, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 23, 2013

MR. SPEAKER: The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5895 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SENATE BILL NO. 5092
ENGROSSED SENATE BILL NO. 5099
SENATE BILL NO. 5102
ENGROSSED SENATE BILL NO. 5104
ENGROSSED SENATE BILL NO. 5105
SENATE BILL NO. 5113
SUBSTITUTE SENATE BILL NO. 5135
SENATE BILL NO. 5136
SENATE BILL NO. 5145
SUBSTITUTE SENATE BILL NO. 5148
ENGROSSED SENATE BILL NO. 5206
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215
SENATE BILL NO. 5220
SUBSTITUTE SENATE BILL NO. 5256
SUBSTITUTE SENATE BILL NO. 5308
SUBSTITUTE SENATE BILL NO. 5369
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389
SUBSTITUTE SENATE BILL NO. 5399
SUBSTITUTE SENATE BILL NO. 5459
SENATE BILL NO. 5465
ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
SUBSTITUTE SENATE BILL NO. 5507
SUBSTITUTE SENATE BILL NO. 5556
SUBSTITUTE SENATE BILL NO. 5630
SENATE BILL NO. 5674
SENATE BILL NO. 5692
ENGROSSED SENATE BILL NO. 5699
ENGROSSED SUBSTITUTE SENATE BILL NO. 5723
SENATE BILL NO. 5748
SENATE JOINT MEMORIAL NO. 8001
ENGROSSED SUBSTITUTE SENATE CONCURRENT
RESOLUTION NO. 8401

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 23, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082
ENGROSSED SUBSTITUTE SENATE BILL NO. 5153
SUBSTITUTE SENATE BILL NO. 5227
SUBSTITUTE SENATE BILL NO. 5282
ENGROSSED SENATE BILL NO. 5305
SUBSTITUTE SENATE BILL NO. 5315
ENGROSSED SUBSTITUTE SENATE BILL NO. 5324
SENATE BILL NO. 5344
SENATE BILL NO. 5417
SUBSTITUTE SENATE BILL NO. 5437
SENATE BILL NO. 5472
ENGROSSED SUBSTITUTE SENATE BILL NO. 5491
SUBSTITUTE SENATE BILL NO. 5615
ENGROSSED SENATE BILL NO. 5616
ENGROSSED SUBSTITUTE SENATE BILL NO. 5709
SUBSTITUTE SENATE BILL NO. 5761
SUBSTITUTE SENATE BILL NO. 5767
SUBSTITUTE SENATE BILL NO. 5786

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

EHB 2056 by Representatives Hurst and Condotta

AN ACT Relating to correcting the definition of THC concentration as adopted by Initiative Measure No. 502 to avoid an implication that conversion, by combustion, of tetrahydrocannabinol acid into delta-9 tetrahydrocannabinol is not part of the THC content that differentiates marijuana from hemp; amending RCW 69.50.101; and declaring an emergency.

Referred to Committee on Government Accountability & Oversight.

E2SSB 5296 by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Baumgartner, Rivers, Bailey, Delvin and Honeyford)

AN ACT Relating to the model toxics control act; amending RCW 70.105D.020, 70.105D.030, 70.105D.040, 70.105D.050, and 70.105.280; reenacting and amending RCW 70.105D.070, 43.84.092, and 43.84.092; adding new sections to chapter 70.105D RCW; adding a new section to chapter 70.105 RCW; creating new sections; providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Environment.

SSB 5898 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to increasing education funding, including adjusting school district levy and state levy equalization provisions; amending RCW 28A.150.260, 28A.160.192, 84.52.0531, 28A.500.020, and 28A.500.030; reenacting and amending RCW 84.52.0531; adding a new section to chapter 28A.150 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Appropriations.

ESB 5903 by Senators Braun and Holmquist Newbry

AN ACT Relating to funding the family and medical leave insurance act; amending RCW 49.86.030; creating a new section; repealing RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.040, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.150, 49.86.160, 49.86.170, 49.86.180, 49.86.210, 49.86.900, 49.86.901, 49.86.902, and 49.86.903; and providing a contingent effective date.

Referred to Committee on Labor & Workforce Development.

ESSB 5905 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to modifying employee eligibility for health insurance benefits consistent with the employer shared responsibility provisions of the patient protection and affordable care act; amending RCW 41.05.065; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

April 22, 2013

HB 1129 Prime Sponsor, Representative Morris: Concerning ferry vessel replacement. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Johnson; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 22, 2013

HB 1956 Prime Sponsor, Representative Clibborn: Authorizing bonds for transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 22, 2013

HB 1975 Prime Sponsor, Representative Moeller: Authorizing bonds for the financing of the Columbia river crossing project. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2033 Prime Sponsor, Representative Hawkins: Reducing the costs and inefficiencies in elections by eliminating a requirement to include the full text of ballot measures in the printed version of voters' pamphlets. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dunshee; Green; Haigh; Haler; Hudgins; Hunt; Jenkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Dahlquist; Fagan; Harris; Parker; Ross; Schmick and Taylor.

April 23, 2013

HB 2038 Prime Sponsor, Representative Carlyle: Investing in the education legacy trust account for K-12

basic education and higher education by narrowing or eliminating tax preferences and extending taxes set to expire. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

April 22, 2013

HB 2041 Prime Sponsor, Representative Clibborn: Repealing the deduction for handling losses of motor vehicle fuel. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Johnson; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2042 Prime Sponsor, Representative Cody: Modifying the nursing facility medicaid payment system by delaying the rebase of certain rate components and extending certain rate add-ons. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dahlquist; Parker and Taylor.

April 23, 2013

HB 2043 Prime Sponsor, Representative Hunter: Temporarily suspending inflationary increases in educational employee compensation. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi;

Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

April 23, 2013

HB 2044 Prime Sponsor, Representative Hunter: Delaying the implementation of the family leave insurance program until funding and payment of benefits are authorized in law. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Hudgins; Pike; Ross; Schmick and Taylor.

April 23, 2013

HB 2045 Prime Sponsor, Representative Hunter: Concerning payments to counties in lieu of taxes. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

April 23, 2013

HB 2046 Prime Sponsor, Representative Hunter: Transferring funds from the budget stabilization account to the general fund. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2047 Prime Sponsor, Representative Springer: Reducing the costs of the student assessment system by using consortium-developed assessments and reducing the assessments required for graduation to three content areas. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 22, 2013

SB 5337 Prime Sponsor, Senator Pearson: Modifying expiration dates affecting the department of natural resources' timber sale program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dahlquist; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Parker; Pedersen; Pettigrew; Pike; Ross; Schmick; Seaquist; Springer; Sullivan and Taylor.

April 23, 2013

ESB 5843 Prime Sponsor, Senator Tom: Strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide an expiration date and statement of legislative intent. (REVISED FOR ENGROSSED: Strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide a statement of legislative intent and include an expiration date where applicable.) Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 82.32 RCW to read as follows:

(1) Except as otherwise provided in this section, every new tax preference expires on the first day of the calendar year that is subsequent to the calendar year that is ten years from the effective date of the bill. With respect to any property tax exemption, the exemption does not apply to taxes levied for collection beginning in the calendar year that is subsequent to the calendar year that is ten years from the effective date of the bill.

(2) Subsection (1) of this section does not apply if legislation creating a new tax preference includes an expiration date for the new tax preference.

(3) Subsection (1) of this section does not apply to any existing tax preference that is amended to clarify an ambiguity or correct a technical inconsistency.

(4) For the purposes of this section, the following definitions apply:

(a) "New tax preference" means a tax preference that initially took effect after August 1, 2013, or a tax preference in effect as of August 1, 2013, that is expanded or extended after August 1, 2013.

(b) "Tax preference" has the same meaning as in RCW 43.136.021 with respect to any state tax under this title and Title 84 RCW.

NEW SECTION. Sec. 2. A new section is added to chapter 82.32 RCW to read as follows:

(1) As provided in this section, every bill enacting a new tax preference must include a tax preference performance statement.

(2) A tax preference performance statement must state the legislative purpose for the new tax preference. The tax preference performance statement must indicate one or more of the following general categories, by reference to the applicable category specified in this subsection, as the legislative purpose of the new tax preference:

(a) Tax preferences intended to induce certain designated behavior by taxpayers;

(b) Tax preferences intended to improve industry competitiveness;

(c) Tax preferences intended to create or retain jobs;

(d) Tax preferences intended to reduce structural inefficiencies in the tax structure;

(e) Tax preferences intended to provide tax relief for certain businesses or individuals; or

(f) Tax preferences intended to achieve a general purpose not identified in (a) through (e) of this subsection.

(3) In addition to identifying the general legislative purpose of the tax preference under subsection (2) of this section, the tax preference performance statement must provide additional detailed information regarding the legislative purpose of the new tax preference.

(4) A new tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the joint legislative audit and review committee to measure the effectiveness of the new tax preference in achieving the purpose designated under subsection (2) of this section.

(5) If the tax preference performance statement for a new tax preference indicates a legislative purpose described in subsection (2)(b) or (c) of this section, any taxpayer claiming the new tax preference must file an annual survey in accordance with RCW 82.32.585.

(6) Taxpayers claiming a new tax preference impacting any tax under this title must report the amount of the tax preference claimed by the taxpayer to the department as part of the taxpayer's regular tax reporting responsibilities under this chapter. For new tax preferences allowing certain types of gross income of the business to be excluded from business and occupation taxation, the tax return must explicitly report the amount of the exclusion, regardless of whether it is structured as an exemption or deduction. For a new sales and use tax exemption, the total taxable sales subject to the exemption claimed by the taxpayer must be reported on an addendum to the taxpayer's tax return.

(7) The amount claimed by a taxpayer for any new tax preference is subject to public disclosure and is not considered confidential tax information under RCW 82.32.330. The department may waive the public disclosure requirement under this subsection for good cause. Good cause may be demonstrated by a reasonable showing of economic harm to a taxpayer if the information specified under this subsection is disclosed. Taxpayers may request the department to treat the amount of the tax preference claimed by a taxpayer during a calendar year as confidential under RCW 82.32.330 if the amount for the calendar year is less than ten thousand dollars.

(8) If a new tax preference does not include the information required under subsections (2) through (4) of this section, the joint legislative audit and review committee is not required to perform a tax preference review under chapter 43.136 RCW, and it is legislatively presumed that it is the intent of the legislature to allow the new tax preference to expire upon its scheduled expiration date.

NEW SECTION. Sec. 3. A new section is added to chapter 43.136 RCW to read as follows:

By January 1, 2015, and in compliance with RCW 43.01.036, the joint legislative audit and review committee must provide a report to the appropriate fiscal committees of the legislature that makes recommendations on the appropriate data and metrics that should be included in a tax preference performance statement to evaluate a new tax preference. The committee must consult with the department of revenue and legislative fiscal staff in the preparation of the report. The committee's recommendation must identify the appropriate data and metrics for each of the general categories provided in section 2(2) of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 82.04 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 5. A new section is added to chapter 82.08 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 6. A new section is added to chapter 82.12 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 82.14B RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 8. A new section is added to chapter 82.16 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 9. A new section is added to chapter 82.18 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 10. A new section is added to chapter 82.19 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 11. A new section is added to chapter 82.21 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 12. A new section is added to chapter 82.23A RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 13. A new section is added to chapter 82.23B RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 14. A new section is added to chapter 82.24 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 15. A new section is added to chapter 82.26 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 16. A new section is added to chapter 82.27 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 17. A new section is added to chapter 82.29A RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 18. A new section is added to chapter 82.36 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 19. A new section is added to chapter 82.38 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 20. A new section is added to chapter 82.42 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 21. A new section is added to chapter 82.45 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 22. A new section is added to chapter 82.48 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 23. A new section is added to chapter 82.49 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 24. A new section is added to chapter 82.64 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter."

Correct the title.

On page 1, line 7 of the amendment, after "calendar year that is" strike "five" and insert "ten"

On page 1, line 11 of the amendment, after "that is" strike "five" and insert "ten"

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 25. A new section is added to chapter 82.32 RCW to read as follows:

(1) Except as otherwise provided in this section, every bill enacting a new tax preference expires on the first day of the calendar year that is subsequent to the calendar year that is five years from the effective date of the bill. With respect to any property tax exemption, the exemption does not apply to taxes levied for collection beginning in the calendar year that is subsequent to the calendar year that is five years from the effective date of the bill.

(2) Subsection (1) of this section does not apply if legislation creating a new tax preference includes an expiration date for the new tax preference.

(3) Subsection (1) of this section does not apply to any existing tax preference that is amended to clarify an ambiguity or correct a technical inconsistency.

(4) For the purposes of this section, the following definitions apply:

(a) "New tax preference" means a tax preference that initially took effect after August 1, 2013, or a tax preference in effect as of August 1, 2013, that is expanded or extended after August 1, 2013.

(b) "Tax preference" has the same meaning as in RCW 43.136.021 with respect to any state tax under this title and Title 84 RCW.

NEW SECTION. Sec. 26. A new section is added to chapter 82.32 RCW to read as follows:

(1) As provided in this section, every bill enacting a new tax preference must include a tax preference performance statement.

(2) A tax preference performance statement must state the legislative purpose for the new tax preference. The tax preference performance statement must indicate one or more of the following general categories, by reference to the applicable category specified in this subsection, as the legislative purpose of the new tax preference:

(a) Tax preferences intended to induce certain designated behavior by taxpayers;

(b) Tax preferences intended to improve industry competitiveness;

(c) Tax preferences intended to create or retain jobs;

(d) Tax preferences intended to reduce structural inefficiencies in the tax structure; or

(e) Tax preferences intended to provide tax relief for certain businesses or individuals.

(3) In addition to identifying the general legislative purpose of the tax preference under subsection (2) of this section, the tax preference performance statement must provide additional detailed information regarding the legislative purpose of the new tax preference.

(4) A new tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the joint legislative audit and review committee to measure the effectiveness of the new tax preference in achieving the purpose designated under subsection (2) of this section.

(5) If the tax preference performance statement for a new tax preference indicates a legislative purpose described in subsection (2)(b) or (c) of this section, any taxpayer claiming the new tax preference must file an annual survey in accordance with RCW 82.32.585.

(6) Taxpayers claiming a new tax preference impacting any tax under this title must report the amount of the tax preference claimed by the taxpayer to the department as part of the taxpayer's regular tax reporting responsibilities under this chapter. For new tax preferences allowing certain types of gross income of the business to be excluded from business and occupation taxation, the tax return must explicitly report the amount of the exclusion, regardless of whether it is structured as an exemption or deduction. For a new sales and use tax exemption, the total taxable sales subject to the exemption claimed by the taxpayer must be reported on an addendum to the taxpayer's tax return.

(7) The amount claimed by a taxpayer for any new tax preference, as well as the taxpayer's gross income and taxable income, is subject to public disclosure and is not considered confidential tax information under RCW 82.32.330. The department may waive the public disclosure requirement under this subsection for good cause. Good cause may be demonstrated by a reasonable showing of economic harm to a taxpayer if the information specified under this subsection is disclosed.

(8) If a new tax preference does not include the information required under subsections (2) through (4) of this section, the joint legislative audit and review committee is not required to perform a tax preference review under chapter 43.136 RCW, and it is legislatively presumed that it is the intent of the legislature to allow the new tax preference to expire upon its scheduled expiration date.

NEW SECTION. Sec. 27. A new section is added to chapter 43.136 RCW to read as follows:

By January 1, 2015, and in compliance with RCW 43.01.036, the joint legislative audit and review committee must provide a report to the appropriate fiscal committees of the legislature that makes recommendations on the appropriate data and metrics that should be

included in a tax preference performance statement to evaluate a new tax preference. The committee must consult with the department of revenue and legislative fiscal staff in the preparation of the report. The committee's recommendation must identify the appropriate data and metrics for each of the general categories provided in section 2(2) of this act.

Sec. 28. RCW 82.32.585 and 2011 c 23 s 6 are each amended to read as follows:

(1)(a) Every person claiming a tax preference that requires a survey under this section must file a complete annual survey with the department.

(i) Except as provided in (a)(ii) of this subsection, the survey is due by April 30th of the year following any calendar year in which a person becomes eligible to claim the tax preference that requires a survey under this section.

(ii) If the tax preference is a deferral of tax, the first survey must be filed by April 30th of the calendar year following the calendar year in which the investment project is certified by the department as operationally complete, and a survey must be filed by April 30th of each of the seven succeeding calendar years.

(b) The department may extend the due date for timely filing of annual surveys under this section as provided in RCW 82.32.590.

(2)(a) The survey must include the amount of the tax preference claimed for the calendar year covered by the survey. For a person that claimed an exemption provided in RCW 82.08.025651 or 82.12.025651, the survey must include the amount of tax exempted under those sections in the prior calendar year for each general area or category of research and development for which exempt machinery and equipment and labor and services were acquired in the prior calendar year.

(b) The survey must also include the following information for employment positions in Washington, not to include names of employees, for the year that the tax preference was claimed:

(i) The number of total employment positions;

(ii) Full-time, part-time, and temporary employment positions as a percent of total employment;

(iii) The number of employment positions according to the following wage bands: Less than thirty thousand dollars; thirty thousand dollars or greater, but less than sixty thousand dollars; and sixty thousand dollars or greater. A wage band containing fewer than three individuals may be combined with another wage band; and

(iv) The number of employment positions that have employer-provided medical, dental, and retirement benefits, by each of the wage bands.

(c) For persons claiming the tax preference provided under chapter 82.60 or 82.63 RCW, the survey must also include the number of new products or research projects by general classification, and the number of trademarks, patents, and copyrights associated with activities at the investment project.

(d) For persons claiming the credit provided under RCW 82.04.4452, the survey must also include the qualified research and development expenditures during the calendar year for which the credit was claimed, the taxable amount during the calendar year for which the credit was claimed, the number of new products or research projects by general classification, the number of trademarks, patents, and copyrights associated with the research and development activities for which the credit was claimed, and whether the tax preference has been assigned, and who assigned the credit. The definitions in RCW 82.04.4452 apply to this subsection (2)(d).

(e) For persons claiming the tax exemption in RCW 82.08.025651 or 82.12.025651, the survey must also include the general areas or categories of research and development for which machinery and equipment and labor and services were acquired, exempt from tax under RCW 82.08.025651 or 82.12.025651, in the prior calendar year.

(f) If the person filing a survey under this section did not file a survey with the department in the previous calendar year, the survey filed under this section must also include the employment, wage, and benefit information required under (b)(i) through (iv) of this subsection for the calendar year immediately preceding the calendar year for which a tax preference was claimed.

(3) As part of the annual survey, the department may request additional information necessary to measure the results of, or determine eligibility for, the tax preference and include additional information necessary for the joint legislative audit and review committee to evaluate a new tax preference, as defined in section 1 of this section.

(4) All information collected under this section, except the information required in subsection (2)(a) of this section, is deemed taxpayer information under RCW 82.32.330. Information required in subsection (2)(a) of this section is not subject to the confidentiality provisions of RCW 82.32.330 and may be disclosed to the public upon request, except as provided in subsection (5) of this section. If the amount of the tax preference claimed as reported on the survey is different than the amount actually claimed or otherwise allowed by the department based on the taxpayer's excise tax returns or other information known to the department, the amount actually claimed or allowed may be disclosed. For any new tax preference, as defined in section 1 of this act, all information collected under this section may be disclosed to the public upon request and is not subject to the confidentiality provisions of RCW 82.32.330.

(5) Persons for whom the actual amount of the tax reduced or saved is less than ten thousand dollars during the period covered by the survey may request the department to treat ~~((the amount of the tax reduction or savings))~~ all information collected under this section as confidential under RCW 82.32.330.

(6)(a) Except as otherwise provided by law, if a person claims a tax preference that requires an annual survey under this section but fails to submit a complete annual survey by the due date of the survey or any extension under RCW 82.32.590, the department must declare the amount of the tax preference claimed for the previous calendar year to be immediately due. If the tax preference is a deferral of tax, twelve and one-half percent of the deferred tax is immediately due. If the economic benefits of the deferral are passed to a lessee, the lessee is responsible for payment to the extent the lessee has received the economic benefit.

(b) The department must assess interest, but not penalties, on the amounts due under this subsection. The interest must be assessed at the rate provided for delinquent taxes under this chapter, retroactively to the date the tax preference was claimed, and accrues until the taxes for which the tax preference was claimed are repaid. Amounts due under this subsection are not subject to the confidentiality provisions of RCW 82.32.330 and may be disclosed to the public upon request.

(7) The department must use the information from this section to prepare summary descriptive statistics by category. No fewer than three taxpayers may be included in any category. The department must report these statistics to the legislature each year by October 1st.

(8) For the purposes of this section:

(a) "Person" has the meaning provided in RCW 82.04.030 and also includes the state and its departments and institutions.

(b) "Tax preference" has the meaning provided in RCW 43.136.021 and includes only the tax preferences requiring a survey under this section.

NEW SECTION. Sec. 29. A new section is added to chapter 82.04 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 30. A new section is added to chapter 82.08 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 31. A new section is added to chapter 82.12 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 32. A new section is added to chapter 82.14B RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 33. A new section is added to chapter 82.18 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 34. A new section is added to chapter 82.19 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 35. A new section is added to chapter 82.21 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 36. A new section is added to chapter 82.23A RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 37. A new section is added to chapter 82.23B RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 38. A new section is added to chapter 82.24 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 39. A new section is added to chapter 82.26 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 40. A new section is added to chapter 82.27 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 41. A new section is added to chapter 82.29A RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 42. A new section is added to chapter 82.36 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 43. A new section is added to chapter 82.38 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 44. A new section is added to chapter 82.42 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 45. A new section is added to chapter 82.45 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 46. A new section is added to chapter 82.48 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 47. A new section is added to chapter 82.49 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter.

NEW SECTION. Sec. 48. A new section is added to chapter 82.64 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter."

Correct the title.

Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Nealey, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Condotta; Vick and Wilcox.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exceptions of HOUSE BILL NO. 2033, HOUSE BILL NO. 2038, HOUSE BILL NO. 2042, HOUSE BILL NO. 2043, HOUSE BILL NO. 2044, HOUSE BILL NO. 2045, SENATE BILL NO. 5337 AND SENATE BILL NO. 5843 which were placed on the second reading calendar.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

April 22, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5213 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5213 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5213, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Tom, Bailey, Honeyford and Frockt)

Concerning prescription review for medicaid managed care enrollees. Revised for 2nd Substitute: Concerning prescription review for medicaid managed care enrollees. (REVISED FOR PASSED LEGISLATURE: Concerning medication management services for medicaid managed care enrollees.)

The bill was read the second time.

Representative Cody moved the adoption of amendment (464).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.09 RCW to read as follows:

The legislature finds that chronic care management, including comprehensive medication management services, provided by licensed pharmacists and qualified providers is a critical component of a collaborative, multidisciplinary, inter-professional approach to the treatment of chronic diseases for targeted individuals, to improve the quality of care and reduce overall cost in the treatment of such diseases.

Sec. 2. RCW 74.09.522 and 2011 1st sp.s. c 15 s 29, 2011 1st sp.s. c 9 s 2, and 2011 c 316 s 4 are each reenacted and amended to read as follows:

(1) For the purposes of this section:

(a) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(b) "Nonparticipating provider" means a person, health care provider, practitioner, facility, or entity, acting within their scope of practice, that does not have a written contract to participate in a managed health care system's provider network, but provides health care services to enrollees of programs authorized under this chapter whose health care services are provided by the managed health care system.

(2) The authority shall enter into agreements with managed health care systems to provide health care services to recipients of temporary assistance for needy families under the following conditions:

(a) Agreements shall be made for at least thirty thousand recipients statewide;

(b) Agreements in at least one county shall include enrollment of all recipients of temporary assistance for needy families;

(c) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act, recipients shall have a choice of systems in which to enroll and shall have the right to terminate their enrollment in a system: **PROVIDED**, That the authority may limit recipient termination of enrollment without cause to the first month of a period of enrollment, which period shall not exceed twelve months: **AND PROVIDED FURTHER**, That the authority shall not restrict a recipient's right to terminate enrollment in a system for good cause as established by the authority by rule;

(d) To the extent that this provision is consistent with section 1903(m) of Title XIX of the federal social security act, participating managed health care systems shall not enroll a disproportionate number of medical assistance recipients within the total numbers of persons served by the managed health care systems, except as authorized by the authority under federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(e)(i) In negotiating with managed health care systems the authority shall adopt a uniform procedure to enter into contractual arrangements, to be included in contracts issued or renewed on or after January 1, (~~2012~~) 2015, including:

(A) Standards regarding the quality of services to be provided;

(B) The financial integrity of the responding system;

(C) Provider reimbursement methods that incentivize chronic care management within health homes, including comprehensive

medication management services for patients with multiple chronic conditions consistent with the findings and goals established in section 1 of this act;

(D) Provider reimbursement methods that reward health homes that, by using chronic care management, reduce emergency department and inpatient use; ~~((and))~~

(E) Promoting provider participation in the program of training and technical assistance regarding care of people with chronic conditions described in RCW 43.70.533, including allocation of funds to support provider participation in the training, unless the managed care system is an integrated health delivery system that has programs in place for chronic care management;

(F) Provider reimbursement methods within the medical billing processes that incentivize pharmacists or other qualified providers licensed in Washington state to provide comprehensive medication management services consistent with the findings and goals established in section 1 of this act; and

(G) Evaluation and reporting on the impact of comprehensive medication management services on patient clinical outcomes and total health care costs, including reductions in emergency department utilization, hospitalization, and drug costs.

(ii)(A) Health home services contracted for under this subsection may be prioritized to enrollees with complex, high cost, or multiple chronic conditions.

(B) Contracts that include the items in (e)(i)(C) through ~~((E))~~ (G) of this subsection must not exceed the rates that would be paid in the absence of these provisions;

(f) The authority shall seek waivers from federal requirements as necessary to implement this chapter;

(g) The authority shall, wherever possible, enter into prepaid capitation contracts that include inpatient care. However, if this is not possible or feasible, the authority may enter into prepaid capitation contracts that do not include inpatient care;

(h) The authority shall define those circumstances under which a managed health care system is responsible for out-of-plan services and assure that recipients shall not be charged for such services;

(i) Nothing in this section prevents the authority from entering into similar agreements for other groups of people eligible to receive services under this chapter; and

(j) The ~~((department))~~ authority must consult with the federal center for medicare and medicaid innovation and seek funding opportunities to support health homes.

(3) The authority shall ensure that publicly supported community health centers and providers in rural areas, who show serious intent and apparent capability to participate as managed health care systems are seriously considered as contractors. The authority shall coordinate its managed care activities with activities under chapter 70.47 RCW.

(4) The authority shall work jointly with the state of Oregon and other states in this geographical region in order to develop recommendations to be presented to the appropriate federal agencies and the United States congress for improving health care of the poor, while controlling related costs.

(5) The legislature finds that competition in the managed health care marketplace is enhanced, in the long term, by the existence of a large number of managed health care system options for medicaid clients. In a managed care delivery system, whose goal is to focus on prevention, primary care, and improved enrollee health status, continuity in care relationships is of substantial importance, and disruption to clients and health care providers should be minimized. To help ensure these goals are met, the following principles shall guide the authority in its healthy options managed health care purchasing efforts:

(a) All managed health care systems should have an opportunity to contract with the authority to the extent that minimum contracting requirements defined by the authority are met, at payment rates that

enable the authority to operate as far below appropriated spending levels as possible, consistent with the principles established in this section.

(b) Managed health care systems should compete for the award of contracts and assignment of medicaid beneficiaries who do not voluntarily select a contracting system, based upon:

(i) Demonstrated commitment to or experience in serving low-income populations;

(ii) Quality of services provided to enrollees;

(iii) Accessibility, including appropriate utilization, of services offered to enrollees;

(iv) Demonstrated capability to perform contracted services, including ability to supply an adequate provider network;

(v) Payment rates; and

(vi) The ability to meet other specifically defined contract requirements established by the authority, including consideration of past and current performance and participation in other state or federal health programs as a contractor.

(c) Consideration should be given to using multiple year contracting periods.

(d) Quality, accessibility, and demonstrated commitment to serving low-income populations shall be given significant weight in the contracting, evaluation, and assignment process.

(e) All contractors that are regulated health carriers must meet state minimum net worth requirements as defined in applicable state laws. The authority shall adopt rules establishing the minimum net worth requirements for contractors that are not regulated health carriers. This subsection does not limit the authority of the Washington state health care authority to take action under a contract upon finding that a contractor's financial status seriously jeopardizes the contractor's ability to meet its contract obligations.

(f) Procedures for resolution of disputes between the authority and contract bidders or the authority and contracting carriers related to the award of, or failure to award, a managed care contract must be clearly set out in the procurement document.

(6) The authority may apply the principles set forth in subsection (5) of this section to its managed health care purchasing efforts on behalf of clients receiving supplemental security income benefits to the extent appropriate.

(7) A managed health care system shall pay a nonparticipating provider that provides a service covered under this chapter to the system's enrollee no more than the lowest amount paid for that service under the managed health care system's contracts with similar providers in the state.

(8) For services covered under this chapter to medical assistance or medical care services enrollees and provided on or after August 24, 2011, nonparticipating providers must accept as payment in full the amount paid by the managed health care system under subsection (7) of this section in addition to any deductible, coinsurance, or copayment that is due from the enrollee for the service provided. An enrollee is not liable to any nonparticipating provider for covered services, except for amounts due for any deductible, coinsurance, or copayment under the terms and conditions set forth in the managed health care system contract to provide services under this section.

(9) Pursuant to federal managed care access standards, 42 C.F.R. Sec. 438, managed health care systems must maintain a network of appropriate providers that is supported by written agreements sufficient to provide adequate access to all services covered under the contract with the department, including hospital-based physician services. The department will monitor and periodically report on the proportion of services provided by contracted providers and nonparticipating providers, by county, for each managed health care system to ensure that managed health care systems are meeting network adequacy requirements. No later than January 1st of each year, the department will review and report its findings to the

appropriate policy and fiscal committees of the legislature for the preceding state fiscal year.

(10) Subsections (7) through (9) of this section expire July 1, 2016."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (464) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Short spoke in favor of the passage of the bill.

MOTION

On motion of Representative Harris, Representative DeBolt was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5213, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5213, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SECOND SUBSTITUTE SENATE BILL NO. 5213, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 23, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267 was returned to second reading for the purpose of amendment.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Keiser, Conway, Ericksen, Bailey, Dammeier, Frockt and Schlicher)

**Concerning prior authorization for health care services.
Revised for 2nd Substitute: Developing standardized prior
authorization for medical and pharmacy management.
(REVISED FOR PASSED LEGISLATURE: Establishing a
work group to develop standardized prior authorization for
medical and pharmacy management.)**

The bill was read the second time.

Representative Cody moved the adoption of amendment (465).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A work group is formed to develop criteria to streamline the prior authorization process for prescription drugs, medical procedures, and medical tests, with the goal of simplification and uniformity.

(2) The work group shall be cochaired by the chair of the senate health care committee and the chair of the house of representatives health care committee, and membership of the work group shall be determined by the cochairs, not to exceed eleven participants.

(3) The work group shall examine elements that may include the following:

(a) National standard transaction information, such as HIPAA 278 standards, for sending or receiving authorizations electronically;

(b) Standard transaction information and uniform prior authorization forms;

(c) Clean, uniform, and readily accessible forms for prior authorization including determining the appropriate number of forms;

(d) A core set of common data requirements for nonclinical information for prior authorization and electronic prescriptions, or both;

(e) The prior authorization process, which considers electronic forms and allows for flexibility for health insurance carriers to develop electronic forms; and

(f) Existing prior authorization forms by health insurance carriers and by state agencies, in developing the uniform prior authorization forms.

(4) The work group must:

(a) Establish timelines for urgent requests and timeliness for nonurgent requests;

(b) Work on a receipt and missing information time frame;

(c) Determine time limits for a response of acknowledgment of receipts or requests of missing information;

(d) Establish when an authorization request will be deemed as granted when there is no response.

(5) The work group must submit their recommendations to the appropriate committees of the legislature by November 15, 2013.

(6) This section expires January 1, 2014.

NEW SECTION. Sec. 2. The insurance commissioner shall adopt rules implementing only the recommendations of the work group established in section 1 of this act. The rules must take effect no later than January 1, 2015."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (465) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5267, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5267, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2038, by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

Investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences and extending taxes set to expire.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2038 was substituted for House Bill No. 2038 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2038 was read the second time.

Representative Wylie moved the adoption of amendment (471).

Beginning on page 22, line 25, strike all of section 401 and insert the following:

"**Sec. 401.** RCW 82.08.0273 and 2011 c 7 s 1 are each amended to read as follows:

(1) Subject to the conditions and limitations in this section, an exemption from the tax levied by RCW 82.08.020 (~~does not apply to~~) in the form of a remittance from the department is provided for sales to nonresidents of this state of tangible personal property, digital goods, and digital codes(~~(, when)~~). The exemption only applies if:

(a) The property is for use outside this state;

(b) The purchaser is a bona fide resident of a province or territory of Canada or a state, territory, or possession of the United States, other than the state of Washington; and

(i) Such state, possession, territory, or province does not impose, or have imposed on its behalf, a generally applicable retail sales tax, use tax, value added tax, gross receipts tax on retailing activities, or similar generally applicable tax, of three percent or more; or

(ii) If imposing a tax described in (b)(i) of this subsection, provides an exemption for sales to Washington residents by reason of their residence; and

(c) The purchaser agrees, when requested, to grant the department of revenue access to such records and other forms of verification at (~~his or her~~) the purchaser's place of residence to assure that such purchases are not first used substantially in the state of Washington.

(2) Notwithstanding anything to the contrary in this chapter, if parts or other tangible personal property are installed by the seller during the course of repairing, cleaning, altering, or improving motor vehicles, trailers, or campers and the seller makes a separate charge for the tangible personal property, the tax levied by RCW 82.08.020 does not apply to the separately stated charge to a nonresident purchaser for the tangible personal property but only if the separately stated charge does not exceed either the seller's current publicly stated retail price for the tangible personal property or, if no publicly stated retail price is available, the seller's cost for the tangible personal property. However, the exemption provided by this section does not apply if tangible personal property is installed by the seller during the course of repairing, cleaning, altering, or improving motor vehicles, trailers, or campers and the seller makes a single nonitemized charge for providing the tangible personal property and service. All of the (~~requirements~~) provisions in subsections (1) and (3) through (~~(6))~~ (7) of this section apply to this subsection.

(3)(a) Any person claiming exemption from retail sales tax under the provisions of this section must (~~display proof of his or her current nonresident status as provided in this section~~) pay the state and local sales tax to the seller at the time of purchase and then request a remittance from the department in accordance with this subsection and subsection (4) of this section. A request for remittance must include proof of the person's status as a nonresident at the time of the purchase for which a remittance is requested. The request for a remittance must also include any additional information and documentation as required by the department, which may include a description of the item purchased for which a remittance is requested, the sales price of the item, the amount of state and local sales tax paid on the item, the date of the purchase, the name of the seller and the physical address where the sale took place, and copies of sales receipts showing the qualified purchases.

(b) Acceptable proof of a nonresident person's status includes one piece of identification such as a valid driver's license from the jurisdiction in which the out-of-state residency is claimed or a valid identification card which has a photograph of the holder and is issued by the out-of-state jurisdiction. Identification under this subsection (3)(b) must show the holder's residential address and have as one of

its legal purposes the establishment of residency in that out-of-state jurisdiction.

(c) In lieu of furnishing proof of a person's nonresident status under (b) of this subsection (3), a person claiming exemption from retail sales tax under the provisions of this section may provide the seller with an exemption certificate in compliance with subsection (4)(b) of this section.

(4)(a) ~~((Nothing in this section requires the vendor to make tax exempt retail sales to nonresidents. A vendor may choose to make sales to nonresidents, collect the sales tax, and remit the amount of sales tax collected to the state as otherwise provided by law. If the vendor chooses to make a sale to a nonresident without collecting the sales tax, the vendor must examine the purchaser's proof of nonresidence, determine whether the proof is acceptable under subsection (3)(b) of this section, and maintain records for each nontaxable sale which shall show the type of proof accepted, including any identification numbers where appropriate, and the expiration date, if any.~~

~~—(b) In lieu of using the method provided in (a) of this subsection to document an exempt sale to a nonresident, a seller may accept from the purchaser a properly completed uniform exemption certificate approved by the streamlined sales and use tax agreement governing board or any other exemption certificate as may be authorized by the department and properly completed by the purchaser. A nonresident purchaser who uses an exemption certificate authorized in this subsection (4)(b) must include the purchaser's driver's license number or other state issued identification number and the state of issuance.~~

~~—(c) In lieu of using the methods provided in (a) and (b) of this subsection to document an exempt sale to a nonresident, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.~~

~~—(5)(a) Any person making fraudulent statements, which includes the offer of fraudulent identification or fraudulently procured identification to a vendor, in order to purchase goods without paying retail sales tax is guilty of perjury under chapter 9A.72 RCW.~~

~~—(b) Any person making tax exempt purchases under this section by displaying proof of identification not his or her own, or counterfeit identification, with intent to violate the provisions of this section, is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one hundred dollars or the tax due on such purchases.~~

~~—(6)(a) Any vendor who makes sales without collecting the tax and who fails to maintain records of sales to nonresidents as provided in this section is personally liable for the amount of tax due.~~

~~—(b) Any vendor who makes sales without collecting the retail sales tax under this section and who has actual knowledge that the purchaser's proof of identification establishing out of state residency is fraudulent is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one thousand dollars or the tax due on such sales. In addition, both the purchaser and the vendor are liable for any penalties and interest assessable under chapter 82.32 RCW.)~~ (i) Beginning January 1, 2014, through December 31, 2014, a person may request a remittance from the department for state and local sales taxes paid by the person on qualified retail purchases made in Washington between July 1, 2013, and December 31, 2013.

(ii) Beginning January 1, 2014, a person may request a remittance from the department during any calendar year for state and local sales taxes paid by the person on qualified retail purchases made in Washington during the immediately preceding calendar year only. No application may be made with respect to purchases made before the immediately preceding calendar year.

(b) The remittance request, including proof of nonresident status and any other documentation and information required by the department, must be made using an electronic application process as prescribed by the department. Only one remittance request may be

made by a person per calendar year.

(c) The total amount of a remittance request must be at least twenty-five dollars. The department must deny any request for a remittance that is less than twenty-five dollars.

(d) The department will examine the applicant's proof of nonresident status and any other documentation and information as required in the application to determine whether the applicant is entitled to a remittance under this section.

(5)(a) Any person making fraudulent statements to the department, which includes the offer of fraudulent or fraudulently procured identification or fraudulent sales receipts, in order to receive a remittance of retail sales tax is guilty of perjury under chapter 9A.72 RCW.

(b) Any person requesting a remittance of sales tax from the department by providing proof of identification or sales receipts not the person's own, or counterfeit identification or sales receipts, with intent to violate the provisions of this section, is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one hundred dollars or the tax due on such purchases.

(6) The exemption provided by this section is for both state and local sales taxes. For purposes of this section, "local sales tax" means a sales tax imposed by a local government under the authority of chapter 82.14 RCW, RCW 81.104.170, or other provision of law, and which is imposed on the same taxable event as the state sales tax imposed in this chapter.

(7) A nonresident who receives a refund of sales tax from the seller for any reason with respect to a purchase made in this state is not entitled to a remittance for the tax paid on the purchase. A person who receives both a remittance under this section and a refund from the seller with respect to the same purchase must immediately repay the remittance to the department. Interest as provided in chapter 82.32 RCW applies to amounts due under this section from the date that the department made the remittance until the amount due under this subsection is paid to the department. A person who receives a remittance with respect to a purchase for which the person had, at the time the person submitted the application for a remittance, already received a refund of sales tax from the seller is also liable for the evasion penalty in RCW 82.32.090(7) and is ineligible to receive any further remittances from the department under this section."

Correct the title.

Representatives Wylie, Carlyle and Lytton spoke in favor of the adoption of the amendment.

Representatives Manweller, Haler, Buys, Orcutt, Harris, Ross, Pike, Vick, Johnson, Klippert, Overstreet and Orcutt (again) spoke against the adoption of the amendment.

Amendment (471) was adopted.

Representative Nealey moved the adoption of amendment (468).

On page 39, beginning on line 20, strike all of section 1201 and insert the following:

"NEW SECTION. Sec. 1201. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation.

NEW SECTION. Sec. 1202. Section 202 of this act takes effect July 1, 2015."

Renumber the remaining section consecutively, correct any internal references accordingly, and correct the title.

Representatives Nealey, Orcutt, Alexander, Shea, Buys, Manweller, Hargrove, Dahlquist and Overstreet spoke in favor of the adoption of the amendment.

Representatives Carlyle, Hunter and Sullivan spoke against the adoption of the amendment.

Amendment (468) was not adopted.

Representative Nealey moved the adoption of amendment (469).

On page 39, beginning on line 20, after "**1201.**" strike all material through "(2)" on line 24
Correct the title.

Representatives Nealey, Smith, Magendanz, Orcutt, Condotta, Shea, Manweller, Overstreet, O'Ban and Wilcox spoke in favor of the adoption of the amendment.

Representatives Carlyle, Maxwell, Lytton and Pedersen spoke against the adoption of the amendment.

Amendment (469) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Lytton, Springer, Tharinger, Reykdal, Jinkins and Sullivan spoke in favor of the passage of the bill.

Representatives Nealey, Angel, Magendanz, Klippert, Hawkins, Haler, Walsh, Short, Warnick, Buys, MacEwen, Orcutt, Hayes, Kochmar, Hargrove, Schmick, Scott, Johnson, Dahlquist, Condotta, Shea, Vick and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2038.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2038, and the bill passed the House by the following vote: Yeas, 50; Nays, 47; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morrell, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

April 24, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5105
SUBSTITUTE SENATE BILL NO. 5148
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215
SUBSTITUTE SENATE BILL NO. 5459
SENATE BILL NO. 5465
ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
SUBSTITUTE SENATE BILL NO. 5556
SUBSTITUTE SENATE BILL NO. 5630
SENATE BILL NO. 5692
SENATE BILL NO. 5748
SENATE JOINT MEMORIAL NO. 8005
ENGROSSED SUBSTITUTE SENATE CONCURRENT
RESOLUTION NO. 8401

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1001
SUBSTITUTE HOUSE BILL NO. 1068
SUBSTITUTE HOUSE BILL NO. 1076
SUBSTITUTE HOUSE BILL NO. 1093
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1114
SUBSTITUTE HOUSE BILL NO. 1144
HOUSE BILL NO. 1178
HOUSE BILL NO. 1194
HOUSE BILL NO. 1207
SUBSTITUTE HOUSE BILL NO. 1265
SUBSTITUTE HOUSE BILL NO. 1284
SUBSTITUTE HOUSE BILL NO. 1334
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341
SECOND SUBSTITUTE HOUSE BILL NO. 1416
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1445
SUBSTITUTE HOUSE BILL NO. 1472
HOUSE BILL NO. 1474
ENGROSSED HOUSE BILL NO. 1493
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1519
SUBSTITUTE HOUSE BILL NO. 1525
SUBSTITUTE HOUSE BILL NO. 1556
SECOND SUBSTITUTE HOUSE BILL NO. 1566
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633
SECOND SUBSTITUTE HOUSE BILL NO. 1642
HOUSE BILL NO. 1645
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1679
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1688
HOUSE BILL NO. 1736
SUBSTITUTE HOUSE BILL NO. 1737
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1774
HOUSE BILL NO. 1800
ENGROSSED HOUSE BILL NO. 1826
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846
SUBSTITUTE HOUSE BILL NO. 1883
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2013

MR. SPEAKER:

The President has signed:

- SENATE BILL NO. 5092
- ENGROSSED SENATE BILL NO. 5099
- SENATE BILL NO. 5102
- ENGROSSED SENATE BILL NO. 5104
- SENATE BILL NO. 5113
- SUBSTITUTE SENATE BILL NO. 5135
- SENATE BILL NO. 5136
- SENATE BILL NO. 5145
- ENGROSSED SENATE BILL NO. 5206
- SENATE BILL NO. 5220
- SUBSTITUTE SENATE BILL NO. 5256
- SUBSTITUTE SENATE BILL NO. 5308
- SUBSTITUTE SENATE BILL NO. 5369
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389
- SUBSTITUTE SENATE BILL NO. 5399
- SUBSTITUTE SENATE BILL NO. 5507
- SENATE BILL NO. 5674
- ENGROSSED SENATE BILL NO. 5699
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5723

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

THIRD READING

MESSAGE FROM THE SENATE

April 15, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 67.28.1816 and 2008 c 28 s 1 are each amended to read as follows:

(1) Lodging tax revenues under this chapter may be used, directly by ~~((local jurisdictions))~~ any municipality or indirectly through a convention and visitors bureau or destination marketing organization~~((s))~~ for:

- (a) Tourism marketing;
- (b) The marketing and operations of special events and festivals designed to attract tourists ((and to support));
- (c) Supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district created under chapters 35.57 and 36.100 RCW; or
- (d) Supporting the operations of tourism-related facilities owned or operated by nonprofit organizations described under ((section)) 26 U.S.C. Sec. 501(c)(3) and ((section)) 26 U.S.C. Sec. 501(c)(6) of the internal revenue code of 1986, as amended.

(2) ~~((Local jurisdictions that use the lodging tax revenues under this section must submit an annual economic impact report to the department of community, trade, and economic development for expenditures made beginning January 1, 2008. These reports must include the expenditures by the local jurisdiction for tourism promotion purposes and what is used by a nonprofit organization exempt from taxation under 26 U.S.C. Sec. 501(c)(3) or 501(c)(6). This economic impact report, at a minimum, must include: (a) The total revenue received under this chapter for each year; (b) the list of festivals, special events, or nonprofit 501(c)(3) or 501(c)(6) organizations that received funds under this chapter; (c) the list of festivals, special events, or tourism facilities sponsored or owned by the local jurisdiction that received funds under this chapter; (d) the amount of revenue expended on each festival, special event, or tourism related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction; (e) the estimated number of tourists, persons traveling over fifty miles to the~~

~~destination, persons remaining at the destination overnight, and lodging stays generated per festival, special event, or tourism related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction; and (f) any other measurements the local government finds that demonstrate the impact of the increased tourism attributable to the festival, special event, or tourism related facility owned or sponsored by a nonprofit 501(c)(3) or 501(c)(6) organization or local jurisdiction.~~

~~— (3) The joint legislative audit and review committee must report to the legislature and the governor on the use and economic impact of lodging tax revenues by local jurisdictions since January 1, 2008, to support festivals, special events, and tourism related facilities owned or sponsored by a nonprofit organization under section 501(c)(3) or 501(c)(6) of the internal revenue code of 1986, as amended, or a local jurisdiction, and the economic impact generated by these festivals, events, and facilities. This report shall be due September 1, 2012.~~

~~— (4) Reporting under this section must begin with calendar year 2008.~~

~~— (5) This section expires June 30, 2013.)~~ (a) Except as provided in (b) of this subsection, applicants applying for use of revenues in this chapter must provide the municipality to which they are applying estimates of how any moneys received will result in increases in the number of people traveling for business or pleasure on a trip:

- (i) Away from their place of residence or business and staying overnight in paid accommodations;
- (ii) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or
- (iii) From another country or state outside of their place of residence or their business.

(b)(i) In a municipality with a population of five thousand or more, applicants applying for use of revenues in this chapter must submit their applications and estimates described under (a) of this subsection to the local lodging tax advisory committee.

(ii) The local lodging tax advisory committee must select the candidates from amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee.

(c)(i) All recipients must submit a report to the municipality describing the actual number of people traveling for business or pleasure on a trip:

- (A) Away from their place of residence or business and staying overnight in paid accommodations;
- (B) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or
- (C) From another country or state outside of their place of residence or their business. A municipality receiving a report must:

Make such report available to the local legislative body and the public; and furnish copies of the report to the joint legislative audit and review committee and members of the local lodging tax advisory committee.

(ii) The joint legislative audit and review committee must on a biennial basis report to the economic development committees of the legislature on the use of lodging tax revenues by municipalities. Reporting under this subsection must begin in calendar year 2015.

(d) This section does not apply to the revenues of any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

Sec. 2. RCW 67.28.080 and 2007 c 497 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" includes, but is not limited to, siting, acquisition, design, construction, refurbishing, expansion, repair, and

improvement, including paying or securing the payment of all or any portion of general obligation bonds, leases, revenue bonds, or other obligations issued or incurred for such purpose or purposes under this chapter.

(2) "Municipality" means any county, city or town of the state of Washington.

(3) "Operation" includes, but is not limited to, operation, management, and marketing.

(4) "Person" means the federal government or any agency thereof, the state or any agency, subdivision, taxing district or municipal corporation thereof other than county, city or town, any private corporation, partnership, association, or individual.

(5) "Tourism" means economic activity resulting from tourists, which may include sales of overnight lodging, meals, tours, gifts, or souvenirs.

(6) "Tourism promotion" means activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists.

(7) "Tourism-related facility" means real or tangible personal property with a usable life of three or more years, or constructed with volunteer labor that is: (a)(i) Owned by a public entity; (ii) owned by a nonprofit organization described under section 501(c)(3) of the federal internal revenue code of 1986, as amended; or (iii) owned by a nonprofit organization described under section 501(c)(6) of the federal internal revenue code of 1986, as amended, a business organization, destination marketing organization, main street organization, lodging association, or chamber of commerce and (b) used to support tourism, performing arts, or to accommodate tourist activities.

~~((8) "Tourist" means a person who travels from a place of residence to a different town, city, county, state, or country, for purposes of business, pleasure, recreation, education, arts, heritage, or culture.~~

~~—(9) Amendments made in section 1, chapter 497, Laws of 2007 expire June 30, 2013.)~~

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."

On page 1, line 1 of the title, after "tax;" strike the remainder of the title and insert "amending RCW 67.28.1816; reenacting and amending RCW 67.28.080; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Springer and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1253, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1253, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Condotta, Hansen, Kagi, Overstreet, Scott and Shea.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 1253.

Representative Kagi, 32nd District

THIRD READING

MESSAGE FROM THE SENATE

April 23, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5211 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5211 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5211, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hobbs, Eide, Kline, Ranker, Hatfield, Harper, Billig,

Hasegawa, Kohl-Welles, Shin, Keiser, Frockt, Rolfes, Hill, Conway and Nelson)

Concerning social networking accounts and profiles. Revised for 1st Substitute: Concerning social networking accounts and profiles. (REVISED FOR PASSED LEGISLATURE: Concerning personal social networking accounts.)

The bill was read the second time.

Representative Reykdal moved the adoption of amendment (466).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) An employer may not:

(a) Request, require, or otherwise coerce an employee or applicant to disclose login information for the employee's or applicant's personal social networking account;

(b) Request, require, or otherwise coerce an employee or applicant to access his or her personal social networking account in the employer's presence in a manner that enables the employer to observe the contents of the account;

(c) Compel or coerce an employee or applicant to add a person, including the employer, to the list of contacts associated with the employee's or applicant's personal social networking account;

(d) Request, require, or cause an employee or applicant to alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account; or

(e) Take adverse action against an employee or applicant because the employee or applicant refuses to disclose his or her login information, access his or her personal social networking account in the employer's presence, add a person to the list of contacts associated with his or her personal social networking account, or alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account.

(2) This section does not apply to an employer's request or requirement that an employee share content from his or her personal social networking account if the following conditions are met:

(a) The employer requests or requires the content to make a factual determination in the course of conducting an investigation;

(b) The employer undertakes the investigation in response to receipt of information about the employee's activity on his or her personal social networking account;

(c) The purpose of the investigation is to: (i) Ensure compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct; or (ii) investigate an allegation of unauthorized transfer of an employer's proprietary information, confidential information, or financial data to the employee's personal social networking account; and

(d) The employer does not request or require the employee to provide his or her login information.

(3) This section does not:

(a) Apply to a social network, intranet, or other technology platform that is intended primarily to facilitate work-related information exchange, collaboration, or communication by employees or other workers;

(b) Prohibit an employer from requesting or requiring an employee to disclose login information for access to: (i) An account or service provided by virtue of the employee's employment relationship with the employer; or (ii) an electronic

communications device or online account paid for or supplied by the employer;

(c) Prohibit an employer from enforcing existing personnel policies that do not conflict with this section; or

(d) Prevent an employer from complying with the requirements of state or federal statutes, rules or regulations, case law, or rules of self-regulatory organizations.

(4) If, through the use of an employer-provided electronic communications device or an electronic device or program that monitors an employer's network, an employer inadvertently receives an employee's login information, the employer is not liable for possessing the information but may not use the login information to access the employee's personal social networking account.

(5) For the purposes of this section and section 2 of this act:

(a) "Adverse action" means: discharging, disciplining, or otherwise penalizing an employee; threatening to discharge, discipline, or otherwise penalize an employee; and failing or refusing to hire an applicant.

(b) "Applicant" means an applicant for employment.

(c) "Electronic communications device" means a device that uses electronic signals to create, transmit, and receive information, including computers, telephones, personal digital assistants, and other similar devices.

(d) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or other activity in this state and employs one or more employees, and includes the state, any state institution, state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation. "Employer" includes an agent, a representative, or a designee of the employer.

(e) "Login information" means a user name and password, a password, or other means of authentication that protects access to a personal social networking account.

NEW SECTION. Sec. 2. A new section is added to chapter 49.44 RCW to read as follows:

An employee or applicant aggrieved by a violation of section 1 of this act may bring a civil action in a court of competent jurisdiction. The court may:

(1) Award a prevailing employee or applicant injunctive or other equitable relief, actual damages, a penalty in the amount of five hundred dollars, and reasonable attorneys' fees and costs; and

(2) Pursuant to RCW 4.84.185, award any prevailing party against whom an action has been brought for a violation of section 1 of this act reasonable expenses and attorneys' fees upon final judgment and written findings by the trial judge that the action was frivolous and advanced without reasonable cause."

Representatives Reykdal and Holy spoke in favor of the adoption of the amendment.

Amendment (466) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5211, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5211, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5211, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 18, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5732 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter Goodman, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5732 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5732, by Senate Committee on Ways & Means (originally sponsored by Senators Carrell, Darneille, Keiser and Pearson)

Concerning the adult behavioral health system in Washington state.

The bill was read the second time.

Representative Green moved the adoption of amendment (470).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1)(a) Beginning May 1, 2014, the legislature shall convene a task force to examine reform of the adult behavioral health system, with voting members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint five members consisting of the secretary of the department of social and health services or the secretary's designee, the director of the health care authority or the director's designee, the director of the office of financial management or the director's designee, the secretary of the department of corrections or the secretary's designee, and a representative of the governor.

(iv) The governor shall request participation by a representative of tribal governments.

(b) The task force shall choose two cochairs from among its legislative members.

(c) The task force shall adopt a bottom-up approach and welcome input and participation from all stakeholders interested in the improvement of the adult behavioral health system. To that end, the task force must invite participation from, at a minimum, the following: Behavioral health service recipients and their families; local government; representatives of regional support networks; representatives of county coordinators; law enforcement; city and county jails; tribal representatives; behavioral health service providers; housing providers; labor representatives; counties with state hospitals; mental health advocates; public defenders with involuntary mental health commitment or mental health court experience; medicaid managed care plan representatives; long-term care service providers; the Washington state hospital association; and individuals with expertise in evidence-based and research-based behavioral health service practices. Leadership of subcommittees formed by the task force may be drawn from this body of invited participants.

(2) The task force shall undertake a systemwide review of the adult behavioral health system and make recommendations for reform concerning, but not limited to, the following:

(a) The means by which services are delivered for adults with mental illness and chemical dependency disorders;

(b) Availability of effective means to promote recovery and prevent harm associated with mental illness;

(c) Crisis services, including boarding of mental health patients outside of regularly certified treatment beds;

(d) Best practices for cross-system collaboration between behavioral health treatment providers, medical care providers, long-term care service providers, entities providing health home services to high-risk medicaid clients, law enforcement, and criminal justice agencies; and

(e) Public safety practices involving persons with mental illness with forensic involvement.

(3) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The expenses of the task force must be paid jointly by the senate and house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by January 1, 2015.

(7) This section expires June 1, 2015.

NEW SECTION. Sec. 2. A new section is added to chapter 43.20A RCW to read as follows:

(1) The systems responsible for financing, administration, and delivery of publicly funded mental health and chemical dependency services to adults must be designed and administered to achieve improved outcomes for adult clients served by those systems through increased use and development of evidence-based, research-based, and promising practices, as defined in RCW 71.24.025. For purposes of this section, client outcomes include: Improved health status; increased participation in employment and education; reduced involvement with the criminal justice system; enhanced safety and access to treatment for forensic patients; reduction in avoidable utilization of and costs associated with hospital, emergency room, and crisis services; increased housing stability; improved quality of life, including measures of recovery and resilience; and decreased population level disparities in access to treatment and treatment outcomes.

(2) The department and the health care authority must implement a strategy for the improvement of the adult behavioral health system.

(a) The department must establish a steering committee that includes at least the following members: Behavioral health service recipients and their families; local government; representatives of regional support networks; representatives of county coordinators; law enforcement; city and county jails; tribal representatives; behavioral health service providers, including at least one chemical dependency provider and at least one psychiatric advanced registered nurse practitioner; housing providers; medicaid managed care plan representatives; long-term care service providers; organizations representing health care professionals providing services in mental health settings; the Washington state hospital association; the Washington state medical association; individuals with expertise in evidence-based and research-based behavioral health service practices; and the health care authority.

(b) The adult behavioral health system improvement strategy must include:

(i) An assessment of the capacity of the current publicly funded behavioral health services system to provide evidence-based, research-based, and promising practices;

(ii) Identification, development, and increased use of evidence-based, research-based, and promising practices;

(iii) Design and implementation of a transparent quality management system, including analysis of current system capacity to implement outcomes reporting and development of baseline and improvement targets for each outcome measure provided in this section;

(iv) Identification and phased implementation of service delivery, financing, or other strategies that will promote improvement of the behavioral health system as described in this section and incentivize the medical care, behavioral health, and long-term care service delivery systems to achieve the improvements described in this section and collaborate across systems. The strategies must include phased implementation of public reporting of outcome and performance measures in a form that allows for comparison of performance and levels of improvement between geographic regions of Washington; and

(v) Identification of effective methods for promoting workforce capacity, efficiency, stability, diversity, and safety.

(c) The department must seek private foundation and federal grant funding to support the adult behavioral health system improvement strategy.

(d) By May 15, 2014, the Washington state institute for public policy, in consultation with the department, the University of Washington evidence-based practice institute, the University of Washington alcohol and drug abuse institute, and the Washington institute for mental health research and training, shall prepare an inventory of evidence-based, research-based, and promising practices

for prevention and intervention services pursuant to subsection (1) of this section. The department shall use the inventory in preparing the behavioral health improvement strategy. The department shall provide the institute with data necessary to complete the inventory.

(e) By August 1, 2014, the department must report to the governor and the relevant fiscal and policy committees of the legislature on the status of implementation of the behavioral health improvement strategy, including strategies developed or implemented to date, timelines, and costs to accomplish phased implementation of the adult behavioral health system improvement strategy.

(3) The department must contract for the services of an independent consultant to review the provision of forensic mental health services in Washington state and provide recommendations as to whether and how the state's forensic mental health system should be modified to provide an appropriate treatment environment for individuals with mental disorders who have been charged with a crime while enhancing the safety and security of the public and other patients and staff at forensic treatment facilities. By August 1, 2014, the department must submit a report regarding the recommendations of the independent consultant to the governor and the relevant fiscal and policy committees of the legislature.

NEW SECTION. Sec. 3. A new section is added to chapter 70.97 RCW to read as follows:

To the extent that funds are specifically appropriated for this purpose, the department must issue a request for a proposal for enhanced services facility services by June 1, 2014, and complete the procurement process by January 1, 2015.

NEW SECTION. Sec. 4. A new section is added to chapter 71.05 RCW to read as follows:

When a person has been involuntarily committed for treatment to a hospital for a period of ninety or one hundred eighty days, and the superintendent or professional person in charge of the hospital determines that the person no longer requires active psychiatric treatment at an inpatient level of care, the regional support network responsible for resource management services for the person must work with the hospital to develop an individualized discharge plan and arrange for a transition to the community in accordance with the person's individualized discharge plan within twenty-one days of the determination.

Sec. 5. RCW 71.24.025 and 2012 c 10 s 59 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Available resources" means funds appropriated for the purpose of providing community mental health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other mental health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(3) "Child" means a person under the age of eighteen years.

(4) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(5) "Clubhouse" means a community-based program that provides rehabilitation services and is certified by the department of social and health services.

(6) "Community mental health program" means all mental health services, activities, or programs using available resources.

(7) "Community mental health service delivery system" means public or private agencies that provide services specifically to persons with mental disorders as defined under RCW 71.05.020 and receive funding from public sources.

(8) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by regional support networks.

(9) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(10) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(11) "Department" means the department of social and health services.

(12) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(13) "Emerging best practice" or "promising practice" means a ~~((practice that presents, based on preliminary information, potential for becoming a research-based or consensus-based practice))~~ program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (14) of this section.

(14) "Evidence-based" means a program or practice that has ~~((had multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population))~~ been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome.

"Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(15) "Licensed service provider" means an entity licensed according to this chapter or chapter 71.05 RCW or an entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department, that meets state minimum standards or persons licensed under chapter 18.57, 18.71, 18.83, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(16) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW.

"Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(17) "Mental health services" means all services provided by regional support networks and other services provided by the state for persons who are mentally ill.

(18) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (4), (27), and (28) of this section.

(19) "Recovery" means the process in which people are able to live, work, learn, and participate fully in their communities.

(20) "Regional support network" means a county authority or group of county authorities or other entity recognized by the secretary in contract in a defined region.

(21) "Registration records" include all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(22) "Research-based" means a program or practice that has ~~((some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices))~~ been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (14) of this section but does not meet the full criteria for evidence-based.

(23) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the regional support network to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(24) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(25) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined solely by a regional support network to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated mental health professionals, evaluation and treatment facilities, and others as determined by the regional support network.

(26) "Secretary" means the secretary of social and health services.

(27) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(28) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the regional support network to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(29) "State minimum standards" means minimum requirements established by rules adopted by the secretary and necessary to implement this chapter for: (a) Delivery of mental health services; (b) licensed service providers for the provision of mental health services;

(c) residential services; and (d) community support services and resource management services.

(30) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others.

(31) "Tribal authority," for the purposes of this section and RCW 71.24.300 only, means: The federally recognized Indian tribes and the major Indian organizations recognized by the secretary insofar as these organizations do not have a financial relationship with any regional support network that would present a conflict of interest.

Sec. 6. RCW 18.19.210 and 2008 c 135 s 9 are each amended to read as follows:

(1)(a) An applicant for registration as an agency affiliated counselor who applies to the department within seven days of employment by an agency may work as an agency affiliated counselor for up to sixty days while the application is processed. The applicant must stop working on the sixtieth day of employment if the registration has not been granted for any reason.

(b) The applicant may not provide unsupervised counseling prior to completion of a criminal background check performed by either the employer or the secretary. For purposes of this subsection, "unsupervised" means the supervisor is not physically present at the location where the counseling occurs.

(2) Agency affiliated counselors shall notify the department if they are either no longer employed by the agency identified on their application or are now employed with another agency, or both. Agency affiliated counselors may not engage in the practice of counseling unless they are currently affiliated with an agency.

NEW SECTION. Sec. 7. A new section is added to chapter 43.20A RCW to read as follows:

(1) By November 30, 2013, the department and the health care authority must report to the governor and the relevant fiscal and policy committees of the legislature, consistent with RCW 43.01.036, a plan that establishes a tribal-centric behavioral health system incorporating both mental health and chemical dependency services. The plan must assure that child, adult, and older adult American Indians and Alaskan Natives eligible for medicaid have increased access to culturally appropriate mental health and chemical dependency services. The plan must:

(a) Include implementation dates, major milestones, and fiscal estimates as needed;

(b) Emphasize the use of culturally appropriate evidence-based and promising practices;

(c) Address equitable access to crisis services, outpatient care, voluntary and involuntary hospitalization, and behavioral health care coordination;

(d) Identify statutory changes necessary to implement the tribal-centric behavioral health system; and

(e) Be developed with the department's Indian policy advisory committee and the American Indian health commission, in consultation with Washington's federally recognized tribes.

(2) The department shall enter into agreements with the tribes and urban Indian health programs and modify regional support network contracts as necessary to develop a tribal-centric behavioral health system that better serves the needs of the tribes.

NEW SECTION. Sec. 8. Section 4 of this act takes effect July 1, 2018."

Correct the title.

Representative Green spoke in favor of the adoption of the amendment.

Amendment (470) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5732, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5732, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jenkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative DeBolt.

SECOND SUBSTITUTE SENATE BILL NO. 5732, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Agriculture & Natural Resources was relieved of SENATE BILL NO. 5193, and the bill was placed on the second reading calendar.

There being no objection, the Committee on Transportation was relieved of SENATE BILL NO. 5024, and the bill was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 25, 2013, the 102nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED SECOND DAY

House Chamber, Olympia, Thursday, April 25, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin Mason and Askar Duishaliev. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Dave Upthegrove, 33rd District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4651, by Representatives Liias, Farrell, Fitzgibbon, Upthegrove, Fey, Pollet, Moscoso, Zeiger, Tarleton, Stanford, Pedersen, Jinkins, Kagi, and Clibborn

WHEREAS, Chuck Ayers worked tirelessly for safe cycling for kids, commuters, and seniors in communities throughout Washington state; and

WHEREAS, He served as Cascade Bicycle Club's Executive Director for 15 years, leading an organization which has helped achieve significant improvements to our transportation system through policy, community organization, education, outreach, and advocacy; and

WHEREAS, His education programs have touched people of all ages, from preschoolers on balance bikes, to seniors on step-through bikes; and

WHEREAS, Chuck Ayers worked with state lawmakers, local governments, and communities to draft innovative policies for better and safer roadways; and

WHEREAS, During his tenure, he built a 15,000-strong community of cyclist enthusiasts and supporters and organized annual rides like Seattle-to-Portland, which has become a local phenomenon that sells out months in advance; and

WHEREAS, His work in training youth in the basics of bike riding, road safety, and community leadership promoted a new generation of bike riders and commuters across the Puget Sound; and

WHEREAS, Programs and projects he sponsored, such as the Annual Commuter Challenge Program that reduced emissions by 1.5 million pounds over the month of May in 2011, developed awareness of how different modes of transportation affect our surroundings; and

WHEREAS, His leadership and the efforts of Cascade Bicycle Club have led to safer roads, more bike lanes and paths, and an increase in sidewalks around the Puget Sound area, helping support a movement of healthy, green commuters; and

WHEREAS, He has trained community leaders to advocate for and produce safer and more extensive biking infrastructure for commuters and children alike;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives find that Chuck Ayers' efforts in building a community around, and successfully advocating for, safer, cleaner ways of transportation for more than fifteen years, and the

environmental, social, and health impacts which he contributed to deserve special recognition.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Resolution No. 4651.

HOUSE RESOLUTION NO. 4651 was adopted.

HOUSE RESOLUTION NO. 2013-4652, by Representatives Taylor, Chandler, Bergquist, Moscoso, Reykdal, Smith, Roberts, Hunter, Fey, Ryu, Springer, Seaquist, Kagi, Jinkins, Orwall, Morrell, Warnick, Tarleton, McCoy, Maxwell, Angel, Short, Shea, Ross, and Tharinger

WHEREAS, Providing basic education to our children is the paramount duty of Washington State; and

WHEREAS, Zillah High School teacher, Jeff Charbonneau, has performed his duties above and beyond all expectations, earning the title National Teacher of the Year; and

WHEREAS, Mr. Charbonneau has played an instrumental role in the transformation of Zillah High School into a place where nearly every student graduates with college credit; and

WHEREAS, Mr. Charbonneau has constantly and consistently inspired everyone around him to push themselves to break the mold and achieve greatness; and

WHEREAS, The contagious level of passion Mr. Charbonneau displays for teaching has made Zillah High School a special place for all inside and outside its hallways; and

WHEREAS, Mr. Charbonneau's insatiable desire for continued learning has led ninety percent of last year's graduating class to continue their learning in college, apprenticeship programs, or the military; and

WHEREAS, Mr. Charbonneau has spent the last eleven years as an education pioneer, expanding STEM-focused learning within his own school district as well as other schools around the state; and

WHEREAS, Mr. Charbonneau has sacrificed countless hours of his own time to develop an articulation program allowing students to obtain college credit for satisfactory completion of their high school science classes; and

WHEREAS, Mr. Charbonneau has found the perfect instructional mix, making his classes more rigorous and more accessible, which has increased student enrollment in upper level science classes by twenty percent; and

WHEREAS, Mr. Charbonneau not only molds the minds of young students while in class, but also serves as the science club advisor, drama program assistant director, student government coordinator, and yearbook advisor; and

WHEREAS, The pride, effort, and dedication Mr. Charbonneau has displayed while fulfilling his duties as an educator has made - and continues to make - every day at Zillah High School, as Mr. Charbonneau exclaims when greeting his students each day, another day in paradise;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Jeff Charbonneau for his enthusiastic, innovative, and technology-infused method of

instruction, which has earned him the title of 2013 National Teacher of the Year; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the 2013 National Teacher of the Year, Jeff Charbonneau, the Zillah School District, and the Office of the Superintendent of Public Instruction.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Resolution No. 4652.

HOUSE RESOLUTION NO. 4652 was adopted.

HOUSE RESOLUTION NO. 2013-4653, by Representatives Buys, Overstreet, Morris, and Lytton

WHEREAS, The Washington state commercial fishing fleet begins leaving Blaine and Bellingham waters in May; and

WHEREAS, This is the 30th year that the Blessing of the Fleet will occur in Blaine Harbor, this year it will be presented at Blaine Boating Center on May 5, 2013; and

WHEREAS, This is the 38th year that the Blessing of the Fleet will occur at the Port of Bellingham, this year it will be presented at Zuanich Point Park in Squalicum Harbor on May 11, 2013; and

WHEREAS, The Washington state commercial fishing fleet is one of the world's largest distant water fleets; and

WHEREAS, The commercial fishing industry directly and indirectly employs thousands of people and is one of the largest industries in Washington state; and

WHEREAS, The harvest is vital to the growth and stability of the Washington state economy; and

WHEREAS, The lives of those who pursue this job are fraught with danger and hardships that most people will never face; and

WHEREAS, Strength and courage are requirements for anyone who chooses to work on the sea, braving the elements in order to harvest the ocean's resources; and

WHEREAS, The men and women who work on fishing boats, often in dangerous circumstances, deserve our admiration, thanks, and, when tragedy strikes, our remembrance; and

WHEREAS, Too often, the brave men and women of our fishing fleet lose their lives, a tragedy that not only impacts the close-knit community of fishing families in our region, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all of our fishers will return home safely to their families, friends, and communities.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of House Resolution No. 4653.

HOUSE RESOLUTION NO. 4653 was adopted.

MESSAGES FROM THE SENATE

April 24, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SENATE BILL NO. 5053
SUBSTITUTE SENATE BILL NO. 5287
ENGROSSED SUBSTITUTE SENATE BILL NO. 5449

ENGROSSED SUBSTITUTE SENATE BILL NO. 5551
ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
SUBSTITUTE SENATE BILL NO. 5601
SENATE BILL NO. 5810

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5892
SUBSTITUTE SENATE BILL NO. 5913

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 24, 2013

MR. SPEAKER:

The Senate receded from its amendment(s) to HOUSE BILL NO. 1768, and passed the bill without said amendments, and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2057 by Representatives Hayes, Hurst, Klippert, Holy, Van De Wege and Hope

AN ACT Relating to arrest without warrant; and amending RCW 10.31.100.

Referred to Committee on Public Safety.

HB 2057 by Representatives Hayes, Hurst, Klippert, Holy, Van De Wege and Hope

AN ACT Relating to arrest without warrant; and amending RCW 10.31.100.

Referred to Committee on Public Safety.

ESSB 5895 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to education funding; amending RCW 43.135.025, 82.45.100, 82.16.020, 82.18.040, 67.70.190, 28A.525.010, 28A.525.020, 28A.515.320, 39.42.140, and 84.52.067; reenacting and amending RCW 82.45.060 and 43.135.045; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 82.08 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 5895 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to education funding; amending RCW 43.135.025, 82.45.100, 82.16.020, 82.18.040, 67.70.190, 28A.525.010, 28A.525.020, 28A.515.320, 39.42.140, and 84.52.067; reenacting and amending RCW 82.45.060 and

43.135.045; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 82.08 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

April 24, 2013

HB 1707 Prime Sponsor, Representative Springer: Concerning the taxation of large airplanes. Reported by Committee on Technology & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chair; Habib, Vice Chair; Smith, Ranking Minority Member; Crouse, Assistant Ranking Minority Member; Dahlquist; Freeman; Hudgins; Kochmar; Magendanz; Maxwell; Tarleton; Vick; Walsh and Zeiger.

MINORITY recommendation: Without recommendation. Signed by Representatives Morrell; Stonier and Wylie.

Referred to Committee on Finance.

April 23, 2013

HB 1935 Prime Sponsor, Representative Haler: Concerning state parks and recreation. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2029 Prime Sponsor, Representative Morris: Eliminating economic development-related agencies, boards, and commissions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Cody; Dunshee; Fagan; Green; Haigh; Haler; Harris; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Pike; Ross; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Parker; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2050 Prime Sponsor, Representative Hunter: Achieving correctional savings related to certification of jail time served. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 23, 2013

HB 2051 Prime Sponsor, Representative Lytton: Implementing basic education expenditures. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

April 23, 2013

2SSB 5794 Prime Sponsor, Committee on Ways & Means: Concerning alternative learning experience courses. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education.

Strike everything after the enacting clause and insert the following:

"Sec. 1. 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read as follows:

(1) Under Article IX of the Washington state Constitution, all children are entitled to an opportunity to receive a basic education. Although the state must assure that students in public schools have opportunities to participate in the instructional program of basic education, there is no obligation for either the state or school districts

to provide that instruction using a particular delivery method or through a particular program.

(2) The legislature finds ample evidence of the need to examine and reconsider policies under which alternative learning that occurs outside the classroom using an individual student learning plan may be considered equivalent to full-time attendance in school, including for funding purposes. Previous legislative studies have raised questions about financial practices and accountability in alternative learning experience ~~((programs))~~ courses. Since 2005, there has been significant enrollment growth in alternative learning experience online ~~((programs))~~ courses, with evidence of unexpected financial impact when large numbers of nonresident students enroll in ~~((programs))~~ courses. Based on this evidence, there is a rational basis on which to conclude that there are different costs associated with providing ~~((a program))~~ courses not primarily based on full-time, daily contact between teachers and students and not primarily occurring on-site in a classroom.

(3) For these reasons, the legislature intends to allow for continuing review and revision of the way in which state funding allocations are used to support alternative learning experience ~~((programs))~~ courses.

Sec. 2. RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each amended to read as follows:

(1) ~~((For purposes of this chapter,))~~ The definitions in this subsection apply throughout this chapter unless the context clearly requires otherwise.

(a) "Alternative learning experience ~~((program))~~ course" means a course ~~((or set of courses)),~~ or for grades kindergarten through eight grade-level coursework, that is a delivery method for the program of basic education and is:

~~((a))~~ (i) Provided in whole or in part independently from a regular classroom setting or schedule, but may include some components of direct instruction;

~~((b))~~ (ii) Supervised, monitored, assessed, evaluated, and documented by a certificated teacher employed by the school district or under contract as permitted by applicable rules; and

~~((c))~~ (iii) Provided in accordance with a written student learning plan that is implemented pursuant to the school district's policy and rules adopted by the superintendent of public instruction for alternative learning experiences.

(b) "In-person" means face-to-face instructional contact in a physical classroom environment.

(c) "Instructional contact time" means instructional time with a certificated teacher. Instructional contact time must be for the purposes of actual instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the student's written student learning plan. Instructional contact time must be related to an alternative learning experience course identified in the student's written student learning plan. Instructional contact time may occur in a group setting between the teacher and multiple students and may be delivered either in-person or remotely using technology.

(d) "Online course" means an alternative learning experience course that has the same meaning as provided in RCW 28A.250.010.

(e) "Remote course" means an alternative learning experience course that is not an online course where the student has in-person instructional contact time for less than twenty percent of the total weekly time for the course. No minimum in-person instructional contact time is required.

(f) "Site-based course" means an alternative learning experience course where the student has in-person instructional contact time for at least twenty percent of the total weekly time for the course.

(g) "Total weekly time" means the estimated average hours per school week the student will engage in learning activities to meet the requirements of the written student learning plan.

(2) ~~((The broad categories of alternative learning experience programs include, but are not limited to:~~

(a) Online programs as defined in RCW 28A.150.262;

(b) Parent partnership programs that include significant participation and partnership by parents and families in the design and implementation of a student's learning experience; and

(c) Contract-based learning programs)) School districts may claim state funding under section 3 of this act, to the extent otherwise allowed by state law including the provisions of RCW 28A.250.060, for students enrolled in remote, site-based, or online alternative learning experience courses. High school courses must meet district or state graduation requirements and be offered for high school credit.

(3) School districts that offer alternative learning experience ~~((programs))~~ courses may not provide any compensation, reimbursement, gift, reward, or gratuity to any parents, guardians, or students for participation in the courses. School district employees are prohibited from receiving any compensation or payment as an incentive to increase student enrollment of out-of-district students in ~~((an))~~ alternative learning experience ~~((program))~~ courses. This prohibition includes, but is not limited to, providing funds to parents, guardians, or students for the purchase of educational materials, supplies, experiences, services, or technological equipment. A district may purchase educational materials, equipment, or other nonconsumable supplies for students' use in alternative learning experience ~~((programs))~~ courses if the purchase is consistent with the district's approved curriculum, conforms to applicable laws and rules, and is made in the same manner as such purchases are made for students in the district's regular instructional program. Items so purchased remain the property of the school district upon program completion. School districts may not purchase or contract for instructional or cocurricular experiences and services that are included in an alternative learning experience written student learning plan, including but not limited to lessons, trips, and other activities, unless substantially similar experiences and services are available to students enrolled in the district's regular instructional program. School districts that purchase or contract for such experiences and services for students enrolled in an alternative learning experience ~~((program))~~ course must submit an annual report to the office of the superintendent of public instruction detailing the costs and purposes of the expenditures. These requirements extend to contracted providers of alternative learning experience ~~((programs))~~ courses, and each district shall be responsible for monitoring the compliance of its providers with these requirements. However, nothing in this ~~((section))~~ subsection shall prohibit school districts from contracting with school district employees to provide services or experiences to students, or from contracting with online providers approved by the office of the superintendent of public instruction pursuant to chapter 28A.250 RCW.

(4) ~~((Part-time enrollment in alternative learning experiences is subject to the provisions of RCW 28A.150.350.~~

(5) The superintendent of public instruction shall adopt rules defining minimum requirements and accountability for alternative learning experience programs)) Each school district offering or contracting to offer alternative learning experience courses must:

(a) Report annually to the superintendent of public instruction regarding the course types and offerings, and number of students participating in each; and

(b) Document the district of residence for each student enrolled in an alternative learning experience course.

(5) A school district offering or contracting to offer an alternative learning experience course to a nonresident student must inform the resident school district if the student drops out of the course or is otherwise no longer enrolled.

(6) School districts must assess the educational progress of enrolled students at least annually, using, for full-time students, the state assessment for the student's grade level and using any other

annual assessments required by the school district. Part-time students must also be assessed at least annually. However, part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in an approved private school under chapter 28A.195 RCW are not required to participate in the assessments required under chapter 28A.655 RCW. The rules must address how students who reside outside the geographic service area of the school district are to be assessed.

(7) Beginning with the 2013-14 school year, school districts must designate alternative learning experience courses as such when reporting course information to the office of the superintendent of public instruction under RCW 28A.300.500.

(8)(a) The superintendent of public instruction shall adopt rules necessary to implement this section.

(b) Rules adopted for weekly direct personal contact requirements and monthly progress evaluation must be flexible and reflect the needs of the student and the student's individual learning plan rather than specifying an amount of time. In addition, the rules must reduce documentation requirements, particularly for students making satisfactory progress, based on the unique aspects of the alternative learning experience course types defined in this section and taking into consideration the technical and system capabilities associated with the different course types.

(c) The rules must establish procedures that address how the counting of students must be coordinated by resident and nonresident districts for state funding so that no student is counted for more than one full-time equivalent in the aggregate.

NEW SECTION. Sec. 3. (1) The superintendent of public instruction shall separately calculate and allocate moneys appropriated under RCW 28A.150.260 to school districts for each full-time equivalent student enrolled in an alternative learning experience course that may be claimed for state funding under this section. The calculation shall be based on the estimated statewide annual average allocation per full-time equivalent student in grades nine through twelve in general education, excluding small high school enhancements, and including applicable rules and provisions of the omnibus appropriations act.

(2) School districts may claim state funding for students enrolled in alternative learning experience courses under RCW 28A.150.325 (as recodified by this act) and 28A.250.060 as follows:

(a) School districts may claim state funding for students who reside in the district.

(b) School districts may claim state funding for students who do not reside in the district only if any of the following conditions are met:

(i) All alternative learning experience courses identified in the student's written student learning plan are online courses;

(ii) The alternative learning experience course in which the student is enrolled is a site-based course;

(iii) At least ninety percent of the school district's total headcount number of students enrolled in alternative learning experience courses consists of students who reside in the district. The calculation under this subsection (b)(iii) of the total headcount of students enrolled in alternative learning experience courses must exclude any students claimed under (b)(i) or (ii) of this subsection; or

(iv) The student resides in an adjacent school district.

Sec. 4. RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Multidistrict online provider" means:

(i) A private or nonprofit organization that enters into a contract with a school district to provide online courses or programs to K-12 students from more than one school district;

(ii) A private or nonprofit organization that enters into contracts with multiple school districts to provide online courses or programs to K-12 students from those districts; or

(iii) Except as provided in (b) of this subsection, a school district that provides online courses or programs to students who reside outside the geographic boundaries of the school district.

(b) "Multidistrict online provider" does not include a school district online learning program in which fewer than ten percent of the students enrolled in the program are from other districts under the interdistrict student transfer provisions of RCW 28A.225.225.

"Multidistrict online provider" also does not include regional online learning programs that are jointly developed and implemented by two or more school districts or an educational service district through an interdistrict cooperative program agreement that addresses, at minimum, how the districts share student full-time equivalency for state basic education funding purposes and how categorical education programs, including special education, are provided to eligible students.

(2)(a) "Online course" means a course or grade-level coursework where:

(i) More than half of the course content is delivered electronically using the internet or other computer-based methods; ~~(and)~~

(ii) More than half of the teaching is conducted from a remote location through an online course learning management system or other online or electronic tools;

(iii) A certificated teacher has the primary responsibility for the student's instructional interaction. Instructional interaction between the teacher and the student includes, but is not limited to, direct instruction, review of assignments, assessment, testing, progress monitoring, and educational facilitation; and

(iv) Students have access to the teacher synchronously, asynchronously, or both.

(b) "Online school program" means a school program that(:

(i) Offers courses or grade-level coursework that is delivered primarily electronically using the internet or other computer-based methods;

(ii) Offers courses or grade-level coursework that is taught by a teacher primarily from a remote location using online or other electronic tools. Students enrolled in an online program may have access to the teacher synchronously, asynchronously, or both;

(iii) offers a sequential set of online courses or grade-level coursework that may be taken in a single school term or throughout the school year in a manner that could provide a full-time basic education program if so desired by the student. Students may enroll in the program as part-time or full-time students(; and

(iv) Has an online component of the program with online lessons and tools for student and data management)).

(c) An online course or online school program may be delivered to students at school as part of the regularly scheduled school day. An online course or online school program also may be delivered to students, in whole or in part, independently from a regular classroom schedule, but such courses or programs must comply with RCW ~~((28A.150.262))~~ 28A.150.325 (as recodified by this act) and associated rules adopted by the superintendent of public instruction to qualify for state basic education funding.

(3) "Online provider" means any provider of an online course or program, including multidistrict online providers, all school district online learning programs, and all regional online learning programs.

Sec. 5. RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each amended to read as follows:

(1) The superintendent of public instruction, in collaboration with the state board of education, shall develop and implement approval criteria and a process for approving online providers; a process for monitoring and if necessary rescinding the approval of courses or programs offered by an online provider; and an appeals process. The

criteria and processes for multidistrict online providers shall be adopted by rule by December 1, 2009.

(2) When developing the approval criteria, the superintendent of public instruction shall require that providers offering online courses or programs have accreditation, or are candidates for accreditation, through the Northwest accreditation commission or another national, regional, or state accreditation program listed by the office of the superintendent of public instruction (~~(after consultation with the Washington coalition for online learning)~~). In addition to other criteria, the approval criteria shall include the degree of alignment with state academic standards and require that all teachers be certificated in accordance with Washington state law. When reviewing online providers that offer high school courses, the superintendent of public instruction shall assure that the courses offered by the provider are eligible for high school credit. However, final decisions regarding whether credit meets the school district's graduation requirements shall remain the responsibility of the school districts.

(3) Initial approval of online providers by the superintendent of public instruction shall be for four years. The superintendent of public instruction shall develop a process for the renewal of approvals and for rescinding approvals based on noncompliance with approval requirements. Any multidistrict online provider that was approved by the digital learning commons or accredited by the Northwest association of accredited schools before July 26, 2009, and that meets the teacher certification requirements of subsection (2) of this section, is exempt from the initial approval process under this section until August 31, 2012, but must comply with the process for renewal of approvals and must comply with approval requirements.

(4) The superintendent of public instruction shall make the first round of decisions regarding approval of multidistrict online providers by April 1, 2010. The first round of decisions regarding approval of online providers that are not multidistrict online providers shall be made by April 1, 2013. Thereafter, the superintendent of public instruction shall make annual approval decisions no later than November 1st of each year.

(5) The superintendent of public instruction shall establish an online learning advisory committee within existing resources that shall provide advice to the superintendent regarding the approval criteria, major components of the web site, the model school district policy, model agreements, and other related matters. The committee shall include a representative of each of the following groups: Private and public online providers, parents of online students, accreditation organizations, educational service districts, school principals, teachers, school administrators, school board members, institutions of higher education, and other individuals as determined by the superintendent. Members of the advisory committee shall be selected by the superintendent based on nominations from statewide organizations, shall serve three-year terms, and may be reappointed. The superintendent shall select the chair of the committee.

Sec. 6. RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each amended to read as follows:

(1) By August 31, 2010, all school district boards of directors shall develop policies and procedures regarding student access to online courses and online learning programs. The policies and procedures shall include but not be limited to: Student eligibility criteria; the types of online courses available to students through the school district; the methods districts will use to support student success, which may include a local advisor; when the school district will and will not pay course fees and other costs; the granting of high school credit; and a process for students and parents or guardians to formally acknowledge any course taken for which no credit is given. The policies and procedures shall take effect beginning with the 2010-11 school year. School districts shall submit their policies to the superintendent of public instruction by September 15, 2010. By December 1, 2010, the superintendent of public instruction shall

summarize the school district policies regarding student access to online courses and submit a report to the legislature.

(2) School districts must award credit and grades for online high school courses successfully completed by a student that meet the school district's graduation requirements and are provided by an approved online provider.

(3) School districts shall provide students with information regarding online courses that are available through the school district. The information shall include the types of information described in subsection (1) of this section.

(4) When developing local or regional online learning programs, school districts shall incorporate into the program design the approval criteria developed by the superintendent of public instruction under RCW 28A.250.020.

Sec. 7. RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each amended to read as follows:

(1) Beginning with the 2011-12 school year, school districts may claim state funding under (~~(RCW 28A.150.260)~~) section 3 of this act, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are:

(a) Offered by a multidistrict online provider approved under RCW 28A.250.020 by the superintendent of public instruction;

(b) Offered by a school district online learning program if the program serves students who reside within the geographic boundaries of the school district, including school district programs in which fewer than ten percent of the program's students reside outside the school district's geographic boundaries; or

(c) Offered by a regional online learning program where courses are jointly developed and offered by two or more school districts or an educational service district through an interdistrict cooperative program agreement.

(2) Beginning with the 2013-14 school year, school districts may claim state funding under (~~(RCW 28A.150.260)~~) section 3 of this act, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are offered by an online provider approved under RCW 28A.250.020 by the superintendent of public instruction.

(3) Criteria shall be established by the superintendent of public instruction to allow online courses that have not been approved by the superintendent of public instruction to be eligible for state funding if the course is in a subject matter in which no courses have been approved and, if it is a high school course, the course meets Washington high school graduation requirements.

Sec. 8. RCW 28A.250.070 and 2009 c 542 s 8 are each amended to read as follows:

Nothing in this chapter is intended to diminish the rights of students to attend a nonresident school district in accordance with RCW 28A.225.220 through 28A.225.230 for the purposes of enrolling in online courses or online school programs. The office of online learning under RCW 28A.250.030 shall develop a standard form, which must be used by all school districts, for releasing a student to a nonresident school district for the purposes of enrolling in an online course or online school program.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.250 RCW to read as follows:

An online school program may request a waiver from the office of the superintendent of public instruction to administer one or more sections of the statewide student assessment for grades three through eight for some or all students enrolled in the program on alternate days or on an alternate schedule, as long as the administration is within the testing period established by the office. The office may deny a request for a waiver if the online school program's proposal does not maintain adequate test security or would reduce the reliability of the assessment results by providing an inequitable advantage for some students.

Sec. 10. RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2 are each reenacted and amended to read as follows:

(1) Any board of directors may make agreements with adults choosing to attend school, and may charge the adults reasonable tuition.

(2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district or the request of a parent or guardian for his or her child to transfer as a student receiving home-based instruction.

(3) A district shall release a student to a nonresident district that agrees to accept the student if:

(a) A financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer; or

(b) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or

(c) There is a special hardship or detrimental condition; or

(d) The purpose of the transfer is for the student to enroll in an online course or online school program offered by an online provider approved under RCW 28A.250.020.

(4) A district may deny the request of a resident student to transfer to a nonresident district if the release of the student would adversely affect the district's existing desegregation plan.

(5) For the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire.

(6) Beginning with the 1993-94 school year, school districts may not charge transfer fees or tuition for nonresident students enrolled under subsection (3) of this section and RCW 28A.225.225. Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a transfer fee as affecting the apportionment of current state school funds.

Sec. 11. RCW 28A.225.225 and 2009 c 380 s 7 are each amended to read as follows:

(1) Except for students who reside out-of-state and students under RCW 28A.225.217, a district shall accept applications from nonresident students who are the children of full-time certificated and classified school employees, and those children shall be permitted to enroll:

(a) At the school to which the employee is assigned;

(b) At a school forming the district's K through 12 continuum which includes the school to which the employee is assigned; or

(c) At a school in the district that provides early intervention services pursuant to RCW 28A.155.065 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

(2) A district may reject applications under this section if:

(a) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;

(b) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (2)(b) must apply uniformly to both resident and nonresident applicants; ~~((or))~~

(c) Enrollment of a child under this section would displace a child who is a resident of the district, except that if a child is admitted under subsection (1) of this section, that child shall be permitted to remain enrolled at that school, or in that district's kindergarten through twelfth grade continuum, until he or she has completed his or her schooling; or

(d) The student has repeatedly failed to comply with requirements

for participation in an online school program, such as participating in weekly direct contact with the teacher or monthly progress evaluations.

(3) Except as provided in subsection (1) of this section, all districts accepting applications from nonresident students or from students receiving home-based instruction for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990. The policy may include rejection of a nonresident student if:

(a) Acceptance of a nonresident student would result in the district experiencing a financial hardship;

(b) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership; or

(c) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (3)(c) must apply uniformly to both resident and nonresident applicants.

For purposes of subsections (2)(a) and (3)(b) of this section, "gang" means a group which: (i) Consists of three or more persons; (ii) has identifiable leadership; and (iii) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

(4) The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3).

Sec. 12. RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each amended to read as follows:

(1) For the purposes of this section and RCW 28A.150.410 and 28A.400.200, "basic education certificated instructional staff" means all full-time equivalent classroom teachers, teacher librarians, guidance counselors, certificated student health services staff, and other certificated instructional staff in the following programs as defined for statewide school district accounting purposes: Basic education, secondary vocational education, general instructional support, and general supportive services.

(2) Each school district shall maintain a ratio of at least forty-six basic education certificated instructional staff to one thousand annual average full-time equivalent students. This requirement does not apply to that portion of a district's annual average full-time equivalent enrollment that is enrolled in alternative learning experience ~~((programs))~~ courses as defined in RCW 28A.150.325 (as recodified by this act).

Sec. 13. RCW 28A.525.162 and 2012 c 244 s 2 are each amended to read as follows:

(1) Funds appropriated to the superintendent of public instruction from the common school construction fund shall be allotted by the superintendent of public instruction in accordance with this chapter.

(2) No allotment shall be made to a school district until such district has provided local funds equal to or greater than the difference between the total approved project cost and the amount of state funding assistance to the district for financing the project computed pursuant to RCW 28A.525.166, with the following exceptions:

(a) The superintendent of public instruction may waive the local requirement for state funding assistance for districts which have provided funds for school building construction purposes through the authorization of bonds or through the authorization of excess tax levies or both in an amount equivalent to two and one-half percent of the value of its taxable property, as defined in RCW 39.36.015.

(b) No such local funds shall be required as a condition to the allotment of funds from the state for the purpose of making major or minor structural changes to existing school facilities in order to bring

such facilities into compliance with the barrier free access requirements of section 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and rules implementing the act.

(3) For the purpose of computing the state funding assistance percentage under RCW 28A.525.166 when a school district is granted authority to enter into contracts, adjusted valuation per pupil shall be calculated using headcount student enrollments from the most recent October enrollment reports submitted by districts to the superintendent of public instruction, adjusted as follows:

(a) In the case of projects for which local bonds were approved after May 11, 1989:

(i) For districts which have been designated as serving high school districts under RCW 28A.540.110, students residing in the nonhigh district so designating shall be excluded from the enrollment count if the student is enrolled in any grade level not offered by the nonhigh district;

(ii) The enrollment of nonhigh school districts shall be increased by the number of students residing within the district who are enrolled in a serving high school district so designated by the nonhigh school district under RCW 28A.540.110, including only students who are enrolled in grade levels not offered by the nonhigh school district; and

(iii) The number of preschool students with disabilities included in the enrollment count shall be multiplied by one-half;

(b) In the case of construction or modernization of high school facilities in districts serving students from nonhigh school districts, the adjusted valuation per pupil shall be computed using the combined adjusted valuations and enrollments of each district, each weighted by the percentage of the district's resident high school students served by the high school district;

(c) The number of kindergarten students included in the enrollment count shall be counted as one headcount student; and

(d) The number of students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~ courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the total.

(4) In lieu of the exclusion in subsection (3)(d) of this section, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~ courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a regular duration by out-of-district alternative learning experience (~~(program)~~ students subtracted by the headcount of in-district alternative learning experience (~~(program)~~ students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel, shall prescribe such rules as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

(6) For the purposes of this section, "preschool students with disabilities" means children of preschool age who have developmental disabilities who are entitled to services under RCW 28A.155.010 through 28A.155.100 and are not included in the kindergarten enrollment count of the district.

Sec. 14. RCW 28A.525.166 and 2012 c 244 s 3 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

	3-valuation	÷	District adjusted adjusted valuation	Total state		
Computed				per pupil	per	
State	=		State			
Ratio	3+valuation	÷	District adjusted adjusted valuation	Total state	per pupil	per pupil
					=-	% Funding

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~ courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~ courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience (~~(program)~~ students subtracted by the headcount of in-district alternative learning experience (~~(program)~~ students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the

project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

NEW SECTION. Sec. 15. RCW 28A.150.262 (Defining full-time equivalent student--Students receiving instruction through alternative learning experience online programs--Requirements) and 2011 1st sp.s. c 34 s 3, 2009 c 542 s 9, & 2005 c 356 s 2 are each repealed.

NEW SECTION. Sec. 16. (1) RCW 28A.150.325 is recodified as a section in chapter 28A.-- RCW (the new chapter created in section 17 of this act).

(2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter 28A.-- RCW (the new chapter created in section 17 of this act).

NEW SECTION. Sec. 17. Sections 1 and 3 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 18. Section 3 of this act takes effect September 1, 2013."

Correct the title.

Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Harris; Parker; Pike; Ross; Schmick and Taylor.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

SECOND READING

HOUSE BILL NO. 2042, by Representatives Cody, Hunter and Sullivan

Modifying the nursing facility medicaid payment system by delaying the rebase of certain rate components and extending certain rate add-ons.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Alexander and Hunter spoke in favor of the passage of the bill.

MOTION

On motion of Representative Holy, Representatives Hope and Rodne were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2042, and the bill passed the House by the following vote: Yeas, 88; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Holy, MacEwen, Overstreet, Parker, Scott, Shea and Taylor.

Excused: Representatives Hope and Rodne.

HOUSE BILL NO. 2042, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2044, by Representatives Hunter and Sullivan

Delaying the implementation of the family leave insurance program until funding and payment of benefits are authorized in law.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Pike, Fagan and Morrell spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2044.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2044, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Hayes, Holy, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, DeBolt, Farrell, Haler, Harris, Hawkins, Hudgins, Johnson, Kretz, Kristiansen, Liias, MacEwen, Magendanz, Overstreet, Parker, Reykdal, Ross, Sawyer, Schmick, Scott, Shea, Short, Taylor, Vick and Wilcox.

Excused: Representatives Hope and Rodne.

HOUSE BILL NO. 2044, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2045, by Representatives Hunter and Sullivan

Concerning payments to counties in lieu of taxes.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (467).

On page 1, at the beginning of line 6, insert "(1)"

On page 1, after line 17, insert the following:

"(2)(a) A county legislative authority may elect to either reduce payments or excuse from payments under this section all department-owned game lands, as defined in RCW 77.12.203, on which the department has authorized an activity deemed by the county legislative authority as beneficial for the economic development of the county.

(b) The county legislative authority is the sole arbiter as to what activities qualify as suitable economic activity under this subsection. Examples of activities which a county may consider include mineral extraction, oil and gas exploration, private grazing leases, and timber harvest.

(c) A county electing to reduce or excuse payments under this subsection for game lands with economic activity may still collect full payments for all other department-owned game lands located in the county."

On page 2, beginning on line 7, after "to" strike all material through "2015," on line 11 and insert "that amount paid on similar parcels of open space land taxable under chapter 84.34 RCW or the greater of seventy cents per acre per year or the amount paid in 1984"

On page 2, beginning on line 23, after "(3)" strike all material through "(4)" on line 25 and insert "(This section shall not apply to lands transferred after April 23, 1990, to the department from other state agencies.

—(4))"

Renumber the remaining subsections consecutively and correct any internal references accordingly

On page 3, after line 17, insert the following:

"**NEW SECTION. Sec. 3.** The legislature finds that prior to the effective date of this section, the department of fish and wildlife was not required to make payments under RCW 77.12.203 for lands transferred to the department from other state agencies after April 23, 1990. It is the intent of section 2 of this act to repeal this provision and require payments under RCW 77.12.203 for this grouping of lands prospectively only. Nothing in this act may be interpreted to require the department of fish and wildlife to make retroactive back payments under RCW 77.12.203 for the period of time between April 23, 1990, and the effective date of this section."

Representatives Taylor and Wilcox spoke in favor of the adoption of the amendment.

Representative Hunter spoke against the adoption of the amendment.

Amendment (467) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hunter spoke in favor of the passage of the bill.

Representatives Taylor and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2045.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2045, and the bill passed the House by the following vote: Yeas, 52; Nays, 44; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Fitzgibbon, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Tharinger, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Hope and Rodne.

HOUSE BILL NO. 2045, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5337, by Senators Pearson, Fraser, Hargrove, Nelson, Smith, Fain, Kline, Hobbs, Shin, Tom and Parlette

Modifying expiration dates affecting the department of natural resources' timber sale program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5337.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5337, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Hope and Rodne.

SENATE BILL NO. 5337, having received the necessary constitutional majority, was declared passed.

THIRD READING

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1723 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.215 RCW to read as follows:

The legislature finds that the first five years of a child's life establish the foundation for educational success. The legislature also finds that children who have high quality early learning opportunities from birth through age five are more likely to succeed throughout their K-12 education and beyond. The legislature further finds that the benefits of high quality early learning experiences are particularly significant for low-income parents and children, and provide an opportunity to narrow the opportunity gap in Washington's K-12 educational system. The legislature understands that early supports for high-risk parents of young children through home visiting services show a high return on investment due to significantly improved chances of better education, health, and life outcomes for children. The legislature further recognizes that, when parents work or go to school, high quality and full-day early learning opportunities should be available and accessible for their children. In order to improve

education outcomes, particularly for low-income children, the legislature is committed to expanding high quality early learning opportunities and integrating currently disparate funding streams for all birth-to-five early learning services including, working connections child care and the early childhood education and assistance program, into a single high quality continuum of learning that provides essential services to low-income families and prepares all enrolled children for success in school. The legislature therefore intends to establish the early start program to provide a continuum of high quality and accountable early learning opportunities for Washington's parents and children.

Sec. 2. RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased to at least one thousand eighty instructional hours for students enrolled in each of grades seven through twelve and at least one thousand instructional hours for students in each of grades one through six according to an implementation schedule adopted by the legislature, but not before the 2014-15 school year; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, subject to a phased-in implementation of the twenty-four credits as established by the legislature. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one

hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315. However, schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory. In addition, effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 3. RCW 43.215.010 and 2011 c 295 s 3 and 2011 c 78 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides (~~child day care~~) early childhood education and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child (~~day~~) care provider who regularly provides (~~child day care~~) early childhood education and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Nongovernmental private-public partnership" means an entity registered as a nonprofit corporation in Washington state with a primary focus on early learning, school readiness, and parental support, and an ability to raise a minimum of five million dollars in contributions;

(e) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (~~(2)((a))~~), even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools (~~or kindergartens~~) that are engaged primarily in (~~educational work~~) early childhood education with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing child care for periods of less than twenty-four hours when a parent or legal guardian of the child remains on the premises of the facility for the purpose of participating in:

(i) Activities other than employment; or

(ii) Employment of up to two hours per day when the facility is operated by a nonprofit entity that also operates a licensed child care program at the same facility in another location or at another facility;

(i) (~~Any agency having been in operation in this state ten years before June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;~~

~~(j) An agency~~) A program operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

~~(k) An agency~~) (j) A program located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

~~(l) An agency~~) (k) A program that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

(3) "Applicant" means a person who requests or seeks employment in an agency.

(4) "Conviction information" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the applicant.

(5) "Department" means the department of early learning.

(6) "Director" means the director of the department.

(7) "Early achievers" means a program that improves the quality of early learning programs and supports and rewards providers for their participation.

(8) "Early start" means an integrated high quality continuum of early learning programs for children birth-to-five years of age. Components of early start include, but are not limited to, the following:

(a) Home visiting and parent education and support programs;

(b) The early achievers program described in RCW 43.215.100;

(c) Integrated full-day and part-day high quality early learning programs; and

(d) High quality preschool for children whose family income is at or below one hundred ten percent of the federal poverty level.

(9) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

~~((8))~~ (10) "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW

43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

~~((9))~~ (11) "Negative action" means a court order, court judgment, or an adverse action taken by an agency, in any state, federal, tribal, or foreign jurisdiction, which results in a finding against the applicant reasonably related to the individual's character, suitability, and competence to care for or have unsupervised access to children in child care. This may include, but is not limited to:

(a) A decision issued by an administrative law judge;

(b) A final determination, decision, or finding made by an agency following an investigation;

(c) An adverse agency action, including termination, revocation, or denial of a license or certification, or if pending adverse agency action, the voluntary surrender of a license, certification, or contract in lieu of the adverse action;

(d) A revocation, denial, or restriction placed on any professional license; or

(e) A final decision of a disciplinary board.

~~((40))~~ (12) "Nonconviction information" means arrest, founded allegations of child abuse, or neglect pursuant to chapter 26.44 RCW, or other negative action adverse to the applicant.

~~((11))~~ (13) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

~~((42))~~ (14) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(15) "Washington state preschool program" means an education program for children three-to-five years of age who have not yet entered kindergarten, such as the early childhood education and assistance program.

NEW SECTION. Sec. 4. (1)(a) The chairs of the early learning committees of the legislature shall convene a technical working group to:

(i) Review federal and state early education funding streams;

(ii) Develop technical options for aligning eligibility requirements for child care and Washington state preschool;

(iii) Develop recommendations for an effective and responsive eligibility system;

(iv) Develop technical options for system designs that blend and braid disparate federal and state funding streams into a single program, including the option of applying for waivers from existing federal requirements; and

(v) Present findings and options in a report to the early learning committees of both houses of the legislature by December 1, 2013.

(b) At a minimum, the technical working group must be composed of financial and policy staff from the department of social and health services and the department of early learning.

(2) The technical working group shall provide monthly progress reports to the staff of the legislative early learning committees and the relevant legislative fiscal committees. The legislative staff shall share the progress reports with the chairs of the legislative committees. The chairs of the committees may provide additional guidance to the working group through legislative staff depending on the information that is shared with the chairs.

(3) This section expires December 31, 2013.

Sec. 5. RCW 43.215.020 and 2010 c 233 s 1, 2010 c 232 s 2, and 2010 c 231 s 6 are each reenacted and amended to read as follows:

(1) The department of early learning is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.

(2) The primary duties of the department are to implement state early learning policy and to coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funding as efficiently as possible. The department's duties include, but are not limited to, the following:

(a) To support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs;

(b) To make early learning resources available to parents and caregivers;

(c) To carry out activities, including providing clear and easily accessible information about quality and improving the quality of early learning opportunities for young children, in cooperation with the nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To apply data already collected comparing the following factors and make biennial recommendations to the legislature regarding working connections subsidy and state-funded preschool rates and compensation models that would attract and retain high quality early learning professionals:

(i) State-funded early learning subsidy rates and market rates of licensed early learning homes and centers;

(ii) Compensation of early learning educators in licensed centers and homes and early learning teachers at state higher education institutions;

(iii) State-funded preschool program compensation rates and Washington state head start program compensation rates; and

(iv) State-funded preschool program compensation to compensation in similar comprehensive programs in other states.

(f) To serve as the state lead agency for Part C of the federal individuals with disabilities education act (IDEA);

~~((6))~~ (g) To standardize internal financial audits, oversight visits, performance benchmarks, and licensing criteria, so that programs can function in an integrated fashion;

~~((8))~~ (h) To support the implementation of the nongovernmental private-public partnership and cooperate with that partnership in pursuing its goals including providing data and support necessary for the successful work of the partnership;

~~((4))~~ (i) To work cooperatively and in coordination with the early learning council;

~~((3))~~ (j) To collaborate with the K-12 school system at the state and local levels to ensure appropriate connections and smooth transitions between early learning and K-12 programs;

~~((7))~~ (k) To develop and adopt rules for administration of the program of early learning established in RCW 43.215.141;

~~((4))~~ (l) To develop a comprehensive birth-to-three plan to provide education and support through a continuum of options including, but not limited to, services such as: Home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers; and

~~((4))~~ (m) Upon the development of an early learning information system, to make available to parents timely inspection and licensing action information and provider comments through the internet and other means.

(3) When additional funds are appropriated for the specific purpose of home visiting and parent and caregiver support, the department must reserve at least eighty percent for home visiting services to be deposited into the home visiting services account and up to twenty percent of the new funds for other parent or caregiver support.

(4) Home visiting services must include programs that serve families involved in the child welfare system.

(5) Subject to the availability of amounts appropriated for this specific purpose, the legislature shall fund the expansion in the Washington state preschool program pursuant to RCW 43.215.142 in fiscal year 2014.

(6) The department's programs shall be designed in a way that

respects and preserves the ability of parents and legal guardians to direct the education, development, and upbringing of their children, and that recognizes and honors cultural and linguistic diversity. The department shall include parents and legal guardians in the development of policies and program decisions affecting their children.

Sec. 6. RCW 43.215.100 and 2007 c 394 s 4 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department, in collaboration with community and statewide partners, shall implement a voluntary quality rating and improvement system, called the early achievers program, that is applicable to licensed or certified child care centers and homes and early education programs.

(2) The purpose of the ~~((voluntary quality rating and improvement system))~~ early achievers program is: (a) To give parents clear and easily accessible information about the quality of child care and early education programs, support improvement in early learning programs throughout the state, increase the readiness of children for school, and close the disparity in access to quality care; and (b) to establish a common set of expectations and standards that define, measure, and improve the quality of early learning settings.

(3) Participation in the early achievers program is voluntary for licensed or certified child care centers and homes.

(4) By fiscal year 2015, Washington state preschool programs receiving state funds must enroll in the early achievers program and maintain a minimum score level.

(5) Before final implementation of the ~~((voluntary quality rating and improvement system))~~ early achievers program, the department shall report on program progress, as defined within the race to the top federal grant award, and expenditures to the appropriate policy and fiscal committees of the legislature. Nothing in this section changes the department's responsibility to collectively bargain over mandatory subjects.

Sec. 7. RCW 43.215.430 and 1994 c 166 s 8 are each amended to read as follows:

The department shall review applications from public or private nonsectarian organizations for state funding of early childhood education and assistance programs ~~((and award funds as determined by department rules and based on))~~. The department shall consider local community needs ~~((and)), demonstrated capacity ~~((to provide services))~~, and the need to support a mixed delivery system of early learning that includes alternative models for delivery including licensed centers and licensed family child care providers when reviewing applications.~~

Sec. 8. RCW 43.215.545 and 2006 c 265 s 204 are each amended to read as follows:

The department of early learning shall:

(1) Work in conjunction with the statewide child care resource and referral network as well as local governments, nonprofit organizations, businesses, and community child care advocates to create local child care resource and referral organizations. These organizations may carry out needs assessments, resource development, provider training, technical assistance, and parent information and training;

(2) Actively seek public and private money for distribution as grants to the statewide child care resource and referral network and to existing or potential local child care resource and referral organizations;

(3) Adopt rules regarding the application for and distribution of grants to local child care resource and referral organizations. The rules shall, at a minimum, require an applicant to submit a plan for achieving the following objectives:

(a) Provide parents with information about child care resources, including location of services and subsidies;

(b) Carry out child care provider recruitment and training programs, including training under RCW 74.25.040;

(c) Offer support services, such as parent and provider seminars, toy-lending libraries, and substitute banks;

(d) Provide information for businesses regarding child care supply and demand;

(e) Advocate for increased public and private sector resources devoted to child care;

(f) Provide technical assistance to employers regarding employee child care services; and

(g) Serve recipients of temporary assistance for needy families and working parents with incomes at or below household incomes of ~~((one))~~ two hundred ~~((seventy-five))~~ percent of the federal poverty line;

(4) Provide staff support and technical assistance to the statewide child care resource and referral network and local child care resource and referral organizations;

(5) Maintain a statewide child care licensing data bank and work with department licensors to provide information to local child care resource and referral organizations about licensed child care providers in the state;

(6) Through the statewide child care resource and referral network and local resource and referral organizations, compile data about local child care needs and availability for future planning and development;

(7) Coordinate with the statewide child care resource and referral network and local child care resource and referral organizations for the provision of training and technical assistance to child care providers; ~~((and))~~

(8) Collect and assemble information regarding the availability of insurance and of federal and other child care funding to assist state and local agencies, businesses, and other child care providers in offering child care services;

(9) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, increase the base rate for all child care providers by ten percent;

(10) Subject to the availability of amounts appropriated for this specific purpose, provide tiered subsidy rate enhancements to child care providers if the provider meets the following requirements:

(a) The provider enrolls in quality rating and improvement system levels 2, 3, 4, or 5;

(b) The provider is actively participating in the early achievers program;

(c) The provider continues to advance towards level 5 of the early achievers program; and

(d) The provider must complete level 2 within thirty months or the reimbursement rate returns the level 1 rate; and

(11) Require exempt providers to participate in continuing education, if adequate funding is available.

Sec. 9. RCW 43.215.135 and 2012 c 253 s 5 and 2012 c 251 s 1 are each reenacted and amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote continuity of care for children.

(2) Beginning in fiscal year 2013, authorizations for the working connections child care subsidy shall be effective for twelve months unless a change in circumstances necessitates reauthorization sooner than twelve months. The twelve-month certification applies only if the enrollments in the child care subsidy or working connections child care program are capped.

(3) Subject to the availability of amounts appropriated for this specific purpose, beginning September 1, 2013, working connections child

care providers shall receive a five percent increase in the subsidy rate for enrolling in level 2 in the early achievers programs. Providers must complete level 2 and advance to level 3 within thirty months in order to maintain this increase."

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 28A.150.220, 43.215.100, and 43.215.430; reenacting and amending RCW 43.215.010, 43.215.020, and 43.215.135; adding a new section to chapter 43.215 RCW; creating a new section; and providing an expiration date."

and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SECOND SUBSTITUTE HOUSE BILL NO. 1723 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1723, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1723, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kretz, Kristiansen, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1723, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1821 with the following amendment:

On page 4, line 7, after "(IV)" strike "Where" and insert "Until June 30, 2015, where"

On page 4, beginning on line 10, after "(V)" strike all material through "service" on line 14 and insert "Until June 30, 2015, where a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home"

and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1821 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Freeman and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1821, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1821, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1821, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 22, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 5221 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SENATE BILL NO. 5221 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5221, by Senators Kohl-Welles, Carrell and Darneille

Requiring notification of release of a person following dismissal of charges based on incompetence to stand trial.

The bill was read the second time.

Representative Pedersen moved the adoption of amendment (472).

On page 3, beginning on line 3, after "(4)" strike all material through "determination." on line 7 and insert "A facility conducting a civil commitment evaluation under RCW 10.77.086(4) or 10.77.088(1)(b)(ii) that makes a determination to release the person instead of filing a civil commitment petition must provide written notice to the prosecutor and defense attorney at least twenty-four hours prior to release. The notice may be given by electronic mail, facsimile, or other means reasonably likely to communicate the information immediately."

Representatives Pedersen and O'Ban spoke in favor of the adoption of the amendment.

Amendment (472) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5221, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5221, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove,

Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5221, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 5510 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SENATE BILL NO. 5510 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5510, by Senators Becker, Keiser, Kohl-Welles, McAuliffe and Conway

Concerning the abuse of vulnerable adults.

The bill was read the second time.

Representative Pedersen moved the adoption of amendment (479).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.34.020 and 2012 c 10 s 62 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and exploitation of a vulnerable adult, which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual contact, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse includes any sexual contact between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or

receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, prodding, or the use of chemical restraints or physical restraints unless the restraints are consistent with licensing requirements, and includes restraints that are otherwise being used inappropriately.

(c) "Mental abuse" means any willful action or inaction of mental or verbal abuse. Mental abuse includes, but is not limited to, coercion, harassment, inappropriately isolating a vulnerable adult from family, friends, or regular activity, and verbal assault that includes ridiculing, intimidating, yelling, or swearing.

(d) "Exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(3) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(4) "Department" means the department of social and health services.

(5) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, assisted living facilities; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed or certified by the department.

(6) "Financial exploitation" means the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

(7) "Financial institution" has the same meaning as in RCW 30.22.040 and 30.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(8) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

(9) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

(10) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's

intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(11) "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

(12) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

(13) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

(14) "Protective services" means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement, arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

(15) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

(16) "Social worker" means:

(a) A social worker as defined in RCW 18.320.010(2); or

(b) Anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support, or education of vulnerable adults, or providing social services to vulnerable adults, whether in an individual capacity or as an employee or agent of any public or private organization or institution.

(17) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

Sec. 2. RCW 74.34.035 and 2010 c 133 s 4 are each amended to read as follows:

(1) When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred, mandated reporters shall immediately report to the department.

(2) When there is reason to suspect that sexual assault has occurred, mandated reporters shall immediately report to the appropriate law enforcement agency and to the department.

(3) When there is reason to suspect that physical assault has occurred or there is reasonable cause to believe that an act has caused fear of imminent harm:

(a) Mandated reporters shall immediately report to the department; and

(b) Mandated reporters shall immediately report to the appropriate law enforcement agency, except as provided in subsection (4) of this section.

(4) A mandated reporter is not required to report to a law enforcement agency, unless requested by the injured vulnerable adult or his or her legal representative or family member, an incident of physical assault between vulnerable adults that causes minor bodily injury and does not require more than basic first aid, unless:

(a) The injury appears on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal area;

(b) There is a fracture;

(c) There is a pattern of physical assault between the same vulnerable adults or involving the same vulnerable adults; or

(d) There is an attempt to choke a vulnerable adult.

(5) When there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect, or abandonment by another person, mandated reporters shall, pursuant to RCW 68.50.020, report the death to the medical examiner or coroner having jurisdiction, as well as the department and local law enforcement, in the most expeditious manner possible. A mandated reporter is not relieved from the reporting requirement provisions of this subsection by the existence of a previously signed death certificate. If abuse, neglect, or abandonment caused or contributed to the death of a vulnerable adult, the death is a death caused by unnatural or unlawful means, and the body shall be the jurisdiction of the coroner or medical examiner pursuant to RCW 68.50.010.

(6) Permissive reporters may report to the department or a law enforcement agency when there is reasonable cause to believe that a vulnerable adult is being or has been abandoned, abused, financially exploited, or neglected.

(7) No facility, as defined by this chapter, agency licensed or required to be licensed under chapter 70.127 RCW, or facility or agency under contract with the department to provide care for vulnerable adults may develop policies or procedures that interfere with the reporting requirements of this chapter.

(8) Each report, oral or written, must contain as much as possible of the following information:

(a) The name and address of the person making the report;

(b) The name and address of the vulnerable adult and the name of the facility or agency providing care for the vulnerable adult;

(c) The name and address of the legal guardian or alternate decision maker;

(d) The nature and extent of the abandonment, abuse, financial exploitation, neglect, or self-neglect;

(e) Any history of previous abandonment, abuse, financial exploitation, neglect, or self-neglect;

(f) The identity of the alleged perpetrator, if known; and

(g) Other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect, or the cause of death of the deceased vulnerable adult.

(9) Unless there is a judicial proceeding or the person consents, the identity of the person making the report under this section is confidential.

(10) In conducting an investigation of abandonment, abuse, financial exploitation, self-neglect, or neglect, the department or law enforcement, upon request, must have access to all relevant records related to the vulnerable adult that are in the possession of mandated reporters and their employees, unless otherwise prohibited by law.

Records maintained under RCW 4.24.250, 18.20.390, 43.70.510, 70.41.200, 70.230.080, and 74.42.640 shall not be subject to the requirements of this subsection. Providing access to records relevant to an investigation by the department or law enforcement under this provision may not be deemed a violation of any confidential communication privilege. Access to any records that would violate attorney-client privilege shall not be provided without a court order unless otherwise required by court rule or caselaw.

Sec. 3. RCW 74.34.067 and 2011 c 170 s 2 are each amended to read as follows:

(1) Where appropriate, an investigation by the department may include a private interview with the vulnerable adult regarding the alleged abandonment, abuse, financial exploitation, neglect, or self-neglect.

(2) In conducting the investigation, the department shall interview the complainant, unless anonymous, and shall use its best efforts to interview the vulnerable adult or adults harmed, and, consistent with the protection of the vulnerable adult shall interview facility staff, any available independent sources of relevant information, including if appropriate the family members of the vulnerable adult.

(3) The department may conduct ongoing case planning and consultation with: (a) Those persons or agencies required to report under this chapter or submit a report under this chapter; (b) consultants designated by the department; and (c) designated representatives of Washington Indian tribes if client information exchanged is pertinent to cases under investigation or the provision of protective services. Information considered privileged by statute and not directly related to reports required by this chapter must not be divulged without a valid written waiver of the privilege.

(4) The department shall prepare and keep on file a report of each investigation conducted by the department for a period of time in accordance with policies established by the department.

(5) If the department has reason to believe that the vulnerable adult has suffered from abandonment, abuse, financial exploitation, neglect, or self-neglect, and lacks the ability or capacity to consent, and needs the protection of a guardian, the department may bring a guardianship action under chapter 11.88 RCW.

(6) For purposes consistent with this chapter, the department, the certified professional guardian board, and the office of public guardianship may share information contained in reports and investigations of the abuse, abandonment, neglect, self-neglect, and financial exploitation of vulnerable adults. This information may be used solely for (a) recruiting or appointing appropriate guardians and (b) monitoring, or when appropriate, disciplining certified professional or public guardians. Reports of abuse, abandonment, neglect, self-neglect, and financial exploitation are confidential under RCW 74.34.095 and other laws, and secondary disclosure of information shared under this section is prohibited.

~~(7)~~ (7) When the investigation is completed and the department determines that an incident of abandonment, abuse, financial exploitation, neglect, or self-neglect has occurred, the department shall inform the vulnerable adult of their right to refuse protective services, and ensure that, if necessary, appropriate protective services are provided to the vulnerable adult, with the consent of the vulnerable adult. The vulnerable adult has the right to withdraw or refuse protective services.

~~((7))~~ (8) The department's adult protective services division may enter into agreements with federally recognized tribes to investigate reports of abandonment, abuse, financial exploitation, neglect, or self-neglect of vulnerable adults on property over which a federally recognized tribe has exclusive jurisdiction. If the department has information that abandonment, abuse, financial exploitation, or neglect is criminal or is placing a vulnerable adult on tribal property at potential risk of personal or financial harm, the department may notify tribal law enforcement or another tribal representative specified by the tribe. Upon receipt of the notification, the tribe may assume

jurisdiction of the matter. Neither the department nor its employees may participate in the investigation after the tribe assumes jurisdiction. The department, its officers, and its employees are not liable for any action or inaction of the tribe or for any harm to the alleged victim, the person against whom the allegations were made, or other parties that occurs after the tribe assumes jurisdiction. Nothing in this section limits the department's jurisdiction and authority over facilities or entities that the department licenses or certifies under federal or state law.

((8)) (9) The department may photograph a vulnerable adult or their environment for the purpose of providing documentary evidence of the physical condition of the vulnerable adult or his or her environment. When photographing the vulnerable adult, the department shall obtain permission from the vulnerable adult or his or her legal representative unless immediate photographing is necessary to preserve evidence. However, if the legal representative is alleged to have abused, neglected, abandoned, or exploited the vulnerable adult, consent from the legal representative is not necessary. No such consent is necessary when photographing the physical environment.

((9)) (10) When the investigation is complete and the department determines that the incident of abandonment, abuse, financial exploitation, or neglect has occurred, the department shall inform the facility in which the incident occurred, consistent with confidentiality requirements concerning the vulnerable adult, witnesses, and complainants."

Correct the title.

Representatives Pedersen and Shea spoke in favor of the adoption of the amendment.

Amendment (479) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Pedersen and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5510, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5510, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SENATE BILL NO. 5510, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5705 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SUBSTITUTE SENATE BILL NO. 5705 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5705, by Senate Committee on Governmental Operations (originally sponsored by Senators Brown, King and Hatfield)

Concerning amounts received by taxing districts from property tax refunds and abatements.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (484).

On page 2, after line 3, insert the following:

"**NEW SECTION. Sec. 2.** The legislature finds that it is difficult for many property owners to pay property taxes under the current system where past due property tax payments must be paid in full, including penalties and interest. The legislature further finds that providing counties and property owners some flexibility in structuring past due property tax payments may provide some relief for property owners with delinquent tax payments.

Sec. 3. RCW 84.56.020 and 2010 c 200 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and, except as provided in this section, shall be delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of"

County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax be paid on or before the thirtieth day of April, the remainder of such tax is due and payable on or before the thirty-first day of October following and shall be delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the thirty-first day of October following and is delinquent after that date.

(5) Except as provided in (c) of this subsection, delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the full year amount of tax unpaid from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the full year amount of tax unpaid is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the amount of tax delinquent on December 1st of the year in which the tax is due.

(c) If a taxpayer is successfully participating in a payment agreement under subsection (11)(b) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement.

(6)(a) When real property taxes become delinquent and prior to the filing of the certificate of delinquency, the treasurer is authorized to assess and collect tax foreclosure avoidance costs.

(b) For the purposes of this section, "tax foreclosure avoidance costs" means those costs that can be identified specifically with the administration of properties subject to and prior to foreclosure. Tax foreclosure avoidance costs include:

(i) Compensation of employees for the time devoted and identified specifically to administering the avoidance of property foreclosure; and

(ii) The cost of materials, services, or equipment acquired, consumed, or expended specifically for the purpose of administering tax foreclosure avoidance prior to the filing of a certificate of delinquency.

(c) When tax foreclosure avoidance costs are collected, the tax foreclosure avoidance costs must be credited to the county treasurer service fund account, except as otherwise directed.

(d) For purposes of chapter 84.64 RCW, any taxes, interest, or penalties deemed delinquent under this section remain delinquent until such time as all taxes, interest, and penalties for the tax year in which the taxes were first due and payable have been paid in full.

(7) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict on delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

~~((7))~~ (8) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at

the request of any taxpayer affected by the emergency, may grant extensions of the due date of any taxes payable under this section as the treasurer deems proper.

~~((8))~~ (9) For purposes of this chapter, "interest" means both interest and penalties.

~~((9))~~ (10) All collections of interest on delinquent taxes must be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and must be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

~~((10))~~ (11)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, interest, and charges by electronic bill presentment and payment. Electronic bill presentment and payment may be utilized as an option by the taxpayer, but the treasurer may not require the use of electronic bill presentment and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for ~~((prepayments))~~ delinquent tax year payments only or for prepayments of current tax. All prepayments must be paid in full by the due date specified in (c) of this subsection. Payments on past due taxes must include collection of the oldest delinquent year, which includes interest and taxes within a twelve-month period, prior to filing a certificate of delinquency under chapter 84.64 RCW or distraint pursuant to RCW 84.56.070.

(b) The treasurer must provide, by electronic means or otherwise, a payment agreement that ~~((may include prepayment collection charges. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic bill))~~ provides for payment of current year taxes, inclusive of prepayment collection charges. The treasurer may provide, by electronic means or otherwise, a payment agreement for payment of past due delinquencies, which must also require current year taxes to be paid timely. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic or alternative bill, which includes a payment plan for current year taxes.

(c) All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the thirty-first day of October following and is delinquent after that date. All other assessments, fees, rates, and charges are delinquent after the due date.

(d) A county treasurer may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfer payments on a monthly basis. Delinquent taxes are subject to interest and penalties, as provided in subsection (5) of this section.

(e) The treasurer must pay any collection costs, investment earnings, or both on past due payments or prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((11))~~ (12) For purposes of this section unless the context clearly requires otherwise, the following definitions apply:

(a) "Electronic bill presentment and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010.

Sec. 4. RCW 84.56.070 and 2009 c 350 s 2 are each amended to read as follows:

(1) The county treasurer (~~(shall)~~) must proceed to collect all personal property taxes after first completing the tax roll for the current year's collection.

(2) The treasurer (~~(shall)~~) must give notice by mail to all persons charged with personal property taxes, and if such taxes are not paid before they become delinquent, the treasurer (~~(shall forthwith proceed to collect the same)~~) must commence delinquent collection efforts. A delinquent collection charge for costs incurred by the treasurer may be added to the account.

(3) In the event that (~~(he or she)~~) the treasurer is unable to collect the (~~(same)~~) taxes when due under this section, the treasurer (~~(shall)~~) must prepare papers in distraint, which (~~(shall)~~) must contain a description of the personal property, the amount of taxes, the amount of the accrued interest at the rate provided by law from the date of delinquency, and the name of the owner or reputed owner.

(a) The treasurer (~~(shall)~~) must without demand or notice distraint sufficient goods and chattels belonging to the person charged with such taxes to pay the same, with interest at the rate provided by law from the date of delinquency, together with all accruing costs, and (~~(shall)~~) must proceed to advertise the same by posting written notices in three public places in the county in which such property has been distrained, one of which places (~~(shall)~~) must be at the county courthouse, such notice to state the time when and place where such property will be sold.

(b) The county treasurer, or the treasurer's deputy, (~~(shall)~~) must tax the same fees for making the distraint and sale of goods and chattels for the payment of taxes as are allowed by law to sheriffs for making levy and sale of property on execution; traveling fees to be computed from the county seat of the county to the place of making distraint.

(c) If the taxes for which such property is distrained, and the interest and costs accruing thereon, are not paid before the date appointed for such sale, which (~~(shall be)~~) may not be less than ten days after the taking of such property, such treasurer or treasurer's designee (~~(shall)~~) must proceed to sell such property at public auction, or so much thereof as (~~(shall be)~~) is sufficient to pay such taxes, with interest and costs, and if there be any excess of money arising from the sale of any personal property, the treasurer (~~(shall)~~) must pay such excess less any cost of the auction to the owner of the property so sold or to his or her legal representative (~~(- PROVIDED, That whenever it shall become)~~).

(d) If necessary to distraint any standing timber owned separately from the ownership of the land upon which the same may stand, or any fish trap, pound net, reef net, set net, or drag seine fishing location, or any other personal property as the treasurer (~~(shall)~~) determines to be incapable or reasonably impracticable of manual delivery, it (~~(shall be)~~) is deemed to have been distrained and taken into possession when the treasurer (~~(shall have)~~) has, at least thirty days before the date fixed for the sale thereof, filed with the auditor of the county wherein such property is located a notice in writing reciting that the treasurer has distrained such property, describing it, giving the name of the owner or reputed owner, the amount of the tax due, with interest, and the time and place of sale(~~(s)~~). A copy of the notice (~~(shall)~~) must also be sent to the owner or reputed owner at his or her last known address, by registered letter at least thirty days prior to the date of sale(~~(- AND PROVIDED FURTHER, That)~~).

(e) If the county treasurer has reasonable grounds to believe that any personal property, including mobile homes, manufactured homes, or park model trailers, upon which taxes have been levied, but not paid, is about to be removed from the county where the same has been assessed, or is about to be destroyed, sold, or disposed of, the county treasurer may demand such taxes, without the notice provided for in this section, and if necessary may (~~(forthwith)~~) distraint sufficient goods and chattels to pay the same."

Correct the title.

Representatives Carlyle and Nealey spoke in favor of the adoption of the amendment.

Amendment (484) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Tharinger and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5705, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5705, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5705, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

CONFERENCE COMMITTEE REPORT

April 23, 2013

Engrossed Senate Bill No. 5666

Includes "New Item": YES

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 5666, concerning disclosure of information by health care quality improvement programs, quality assurance programs, and peer review committees, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment be adopted.

and that the bill do pass as recommended by the Conference Committee:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 7.71.030 and 2012 c 165 s 1 are each amended to read as follows:

(1) If the limitation on damages under RCW 7.71.020 and P.L. 99-660 Sec. 411(a)(1) does not apply, this section shall provide the exclusive ((remedy)) remedies in any lawsuit by a health care provider for any action taken by a professional peer review body of health care providers as defined in RCW 7.70.020((, that is found to be based on matters not related to the competence or professional conduct of a health care provider)).

(2) ~~((Actions))~~ Remedies shall be limited to appropriate injunctive relief, and damages shall be allowed only for lost earnings directly attributable to the action taken by the professional peer review body, incurred between the date of such action and the date the action is functionally reversed by the professional peer review body.

(3) Reasonable attorneys' fees and costs shall be awarded if approved by the court under RCW 7.71.035.

(4) The statute of limitations for actions under this section shall be one year from the date of the action of the professional peer review body.

Sec. 2. RCW 70.41.200 and 2007 c 273 s 22 and 2007 c 261 s 3 are each reenacted and amended to read as follows:

(1) Every hospital shall maintain a coordinated quality improvement program for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The program shall include at least the following:

(a) The establishment of ~~((a))~~ one or more quality improvement committees with the responsibility to review the services rendered in the hospital, both retrospectively and prospectively, in order to improve the quality of medical care of patients and to prevent medical malpractice. ~~((The))~~ Different quality improvement committees may be established as a part of a quality improvement program to review different health care services. Such committees shall oversee and coordinate the quality improvement and medical malpractice prevention program and shall ensure that information gathered pursuant to the program is used to review and to revise hospital policies and procedures;

(b) A process, including a medical staff privileges sanction procedure which must be conducted substantially in accordance with medical staff bylaws and applicable rules, regulations, or policies of the medical staff through which credentials, physical and mental capacity, professional conduct, and competence in delivering health care services are periodically reviewed as part of an evaluation of staff privileges;

(c) ~~((The))~~ A process for the periodic review of the credentials, physical and mental capacity, professional conduct, and competence in delivering health care services of all ((persons)) other health care providers who are employed or associated with the hospital;

(d) A procedure for the prompt resolution of grievances by patients or their representatives related to accidents, injuries, treatment, and other events that may result in claims of medical malpractice;

(e) The maintenance and continuous collection of information concerning the hospital's experience with negative health care outcomes and incidents injurious to patients including health care-associated infections as defined in RCW 43.70.056, patient grievances, professional liability premiums, settlements, awards, costs incurred by the hospital for patient injury prevention, and safety improvement activities;

(f) The maintenance of relevant and appropriate information gathered pursuant to (a) through (e) of this subsection concerning individual physicians within the physician's personnel or credential file maintained by the hospital;

(g) Education programs dealing with quality improvement, patient safety, medication errors, injury prevention, infection control, staff responsibility to report professional misconduct, the legal aspects of patient care, improved communication with patients, and causes of

malpractice claims for staff personnel engaged in patient care activities; and

(h) Policies to ensure compliance with the reporting requirements of this section.

(2) Any person who, in substantial good faith, provides information to further the purposes of the quality improvement and medical malpractice prevention program or who, in substantial good faith, participates on the quality improvement committee shall not be subject to an action for civil damages or other relief as a result of such activity. Any person or entity participating in a coordinated quality improvement program that, in substantial good faith, shares information or documents with one or more other programs, committees, or boards under subsection (8) of this section is not subject to an action for civil damages or other relief as a result of the activity. For the purposes of this section, sharing information is presumed to be in substantial good faith. However, the presumption may be rebutted upon a showing of clear, cogent, and convincing evidence that the information shared was knowingly false or deliberately misleading.

(3) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to review or disclosure, except as provided in this section, or discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by regulation of the department of health to be made regarding the care and treatment received.

(4) Each quality improvement committee shall, on at least a semiannual basis, report to the governing board of the hospital in which the committee is located. The report shall review the quality improvement activities conducted by the committee, and any actions taken as a result of those activities.

(5) The department of health shall adopt such rules as are deemed appropriate to effectuate the purposes of this section.

(6) The medical quality assurance commission or the board of osteopathic medicine and surgery, as appropriate, may review and audit the records of committee decisions in which a physician's privileges are terminated or restricted. Each hospital shall produce and make accessible to the commission or board the appropriate records and otherwise facilitate the review and audit. Information so gained shall not be subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section. Failure of a hospital to comply with this subsection is punishable by a civil penalty not to exceed two hundred fifty dollars.

(7) The department, the joint commission on accreditation of health care organizations, and any other accrediting organization may review and audit the records of a quality improvement committee or

peer review committee in connection with their inspection and review of hospitals. Information so obtained shall not be subject to the discovery process, and confidentiality shall be respected as required by subsection (3) of this section. Each hospital shall produce and make accessible to the department the appropriate records and otherwise facilitate the review and audit.

(8) A coordinated quality improvement program may share information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee or a peer review committee under RCW 4.24.250 with one or more other coordinated quality improvement programs maintained in accordance with this section or RCW 43.70.510, a coordinated quality improvement committee maintained by an ambulatory surgical facility under RCW 70.230.070, a quality assurance committee maintained in accordance with RCW 18.20.390 or 74.42.640, or a peer review committee under RCW 4.24.250, for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The privacy protections of chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and its implementing regulations apply to the sharing of individually identifiable patient information held by a coordinated quality improvement program. Any rules necessary to implement this section shall meet the requirements of applicable federal and state privacy laws. Information and documents disclosed by one coordinated quality improvement program to another coordinated quality improvement program or a peer review committee under RCW 4.24.250 and any information and documents created or maintained as a result of the sharing of information and documents shall not be subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section, RCW 18.20.390 (6) and (8), 74.42.640 (7) and (9), and 4.24.250.

(9) A hospital that operates a nursing home as defined in RCW 18.51.010 may conduct quality improvement activities for both the hospital and the nursing home through a quality improvement committee under this section, and such activities shall be subject to the provisions of subsections (2) through (8) of this section.

(10) Violation of this section shall not be considered negligence per se.

Sec. 3. RCW 70.41.230 and 1994 sp.s. c 9 s 744 are each amended to read as follows:

(1) Prior to granting or renewing clinical privileges or association of any physician or hiring a physician, a hospital or facility approved pursuant to this chapter shall request from the physician and the physician shall provide the following information:

(a) The name of any hospital or facility with or at which the physician had or has any association, employment, privileges, or practice during the prior five years: PROVIDED, That the hospital may request additional information going back further than five years, and the physician shall use his or her best efforts to comply with such a request for additional information;

(b) ~~((If such association, employment, privilege, or practice was discontinued, the reasons for its discontinuation))~~ Whether the physician has ever been or is in the process of being denied, revoked, terminated, suspended, restricted, reduced, limited, sanctioned, placed on probation, monitored, or not renewed for any professional activity listed in (b)(i) through (x) of this subsection, or has ever voluntarily or involuntarily relinquished, withdrawn, or failed to proceed with an application for any professional activity listed in (b)(i) through (x) of this subsection in order to avoid an adverse action or to preclude an investigation or while under investigation relating to professional competence or conduct;

(i) License to practice any profession in any jurisdiction;

(ii) Other professional registration or certification in any jurisdiction;

(iii) Specialty or subspecialty board certification;

(iv) Membership on any hospital medical staff;

(v) Clinical privileges at any facility, including hospitals, ambulatory surgical centers, or skilled nursing facilities;

(vi) Medicare, medicaid, the food and drug administration, the national institute of health (office of human research protection), governmental, national, or international regulatory agency, or any public program;

(vii) Professional society membership or fellowship;

(viii) Participation or membership in a health maintenance organization, preferred provider organization, independent practice association, physician-hospital organization, or other entity;

(ix) Academic appointment;

(x) Authority to prescribe controlled substances (drug enforcement agency or other authority);

(c) Any pending professional medical misconduct proceedings or any pending medical malpractice actions in this state or another state, the substance of the allegations in the proceedings or actions, and any additional information concerning the proceedings or actions as the physician deems appropriate;

(d) The substance of the findings in the actions or proceedings and any additional information concerning the actions or proceedings as the physician deems appropriate;

(e) A waiver by the physician of any confidentiality provisions concerning the information required to be provided to hospitals pursuant to this subsection; and

(f) A verification by the physician that the information provided by the physician is accurate and complete.

(2) Prior to granting privileges or association to any physician or hiring a physician, a hospital or facility approved pursuant to this chapter shall request from any hospital with or at which the physician had or has privileges, was associated, or was employed, during the preceding five years, the following information concerning the physician:

(a) Any pending professional medical misconduct proceedings or any pending medical malpractice actions, in this state or another state;

(b) Any judgment or settlement of a medical malpractice action and any finding of professional misconduct in this state or another state by a licensing or disciplinary board; and

(c) Any information required to be reported by hospitals pursuant to RCW 18.71.0195.

(3) The medical quality assurance commission shall be advised within thirty days of the name of any physician denied staff privileges, association, or employment on the basis of adverse findings under subsection (1) of this section.

(4) A hospital or facility that receives a request for information from another hospital or facility pursuant to subsections (1) and (2) of this section shall provide such information concerning the physician in question to the extent such information is known to the hospital or facility receiving such a request, including the reasons for suspension, termination, or curtailment of employment or privileges at the hospital or facility. A hospital, facility, or other person providing such information in good faith is not liable in any civil action for the release of such information.

(5) Information and documents, including complaints and incident reports, created specifically for, and collected, and maintained by a quality improvement committee are not subject to discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil

action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by regulation of the department of health to be made regarding the care and treatment received.

(6) Hospitals shall be granted access to information held by the medical quality assurance commission and the board of osteopathic medicine and surgery pertinent to decisions of the hospital regarding credentialing and recertification of practitioners.

(7) Violation of this section shall not be considered negligence per se.

Sec. 4. RCW 70.230.080 and 2007 c 273 s 9 are each amended to read as follows:

(1) Every ambulatory surgical facility shall maintain a coordinated quality improvement program for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The program shall include at least the following:

(a) The establishment of ~~((a))~~ one or more quality improvement committees with the responsibility to review the services rendered in the ambulatory surgical facility, both retrospectively and prospectively, in order to improve the quality of medical care of patients and to prevent medical malpractice. ~~((The))~~ Different quality improvement committees may be established as a part of the quality improvement program to review different health care services. Such committees shall oversee and coordinate the quality improvement and medical malpractice prevention program and shall ensure that information gathered pursuant to the program is used to review and to revise the policies and procedures of the ambulatory surgical facility;

(b) A process, including a medical staff privileges sanction procedure which must be conducted substantially in accordance with medical staff bylaws and applicable rules, regulations, or policies of the medical staff through which credentials, physical and mental capacity, professional conduct, and competence in delivering health care services are periodically reviewed as part of an evaluation of staff privileges;

(c) The periodic review of the credentials, physical and mental capacity, and competence in delivering health care services of all persons who are employed or associated with the ambulatory surgical facility;

(d) A procedure for the prompt resolution of grievances by patients or their representatives related to accidents, injuries, treatment, and other events that may result in claims of medical malpractice;

(e) The maintenance and continuous collection of information concerning the ambulatory surgical facility's experience with negative health care outcomes and incidents injurious to patients, patient grievances, professional liability premiums, settlements, awards, costs incurred by the ambulatory surgical facility for patient injury prevention, and safety improvement activities;

(f) The maintenance of relevant and appropriate information gathered pursuant to (a) through (e) of this subsection concerning individual practitioners within the practitioner's personnel or credential file maintained by the ambulatory surgical facility;

(g) Education programs dealing with quality improvement, patient safety, medication errors, injury prevention, staff responsibility to report professional misconduct, the legal aspects of patient care, improved communication with patients, and causes of

malpractice claims for staff personnel engaged in patient care activities; and

(h) Policies to ensure compliance with the reporting requirements of this section.

(2) Any person who, in substantial good faith, provides information to further the purposes of the quality improvement and medical malpractice prevention program or who, in substantial good faith, participates on the quality improvement committee is not subject to an action for civil damages or other relief as a result of such activity. Any person or entity participating in a coordinated quality improvement program that, in substantial good faith, shares information or documents with one or more other programs, committees, or boards under subsection (8) of this section is not subject to an action for civil damages or other relief as a result of the activity. For the purposes of this section, sharing information is presumed to be in substantial good faith. However, the presumption may be rebutted upon a showing of clear, cogent, and convincing evidence that the information shared was knowingly false or deliberately misleading.

(3) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to review or disclosure, except as provided in this section, or discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence of information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any, and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by rule of the department to be made regarding the care and treatment received.

(4) Each quality improvement committee shall, on at least a semiannual basis, report to the management of the ambulatory surgical facility, as identified in the facility's application, in which the committee is located. The report shall review the quality improvement activities conducted by the committee, and any actions taken as a result of those activities.

(5) The department shall adopt such rules as are deemed appropriate to effectuate the purposes of this section.

(6) The medical quality assurance commission, the board of osteopathic medicine and surgery, or the podiatric medical board, as appropriate, may review and audit the records of committee decisions in which a practitioner's privileges are terminated or restricted. Each ambulatory surgical facility shall produce and make accessible to the commission or board the appropriate records and otherwise facilitate the review and audit. Information so gained is not subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section. Failure of an ambulatory surgical facility to comply with this subsection is punishable by a civil penalty not to exceed two hundred fifty dollars.

(7) The department and any accrediting organization may review and audit the records of a quality improvement committee or peer review committee in connection with their inspection and review of the ambulatory surgical facility. Information so obtained is not subject to the discovery process, and confidentiality shall be respected as required by subsection (3) of this section. Each ambulatory surgical facility shall produce and make accessible to the department the appropriate records and otherwise facilitate the review and audit.

(8) A coordinated quality improvement program may share information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee or a peer review committee under RCW 4.24.250 with one or more other coordinated quality improvement programs maintained in accordance with this section or RCW 43.70.510 or 70.41.200, a quality assurance committee maintained in accordance with RCW 18.20.390 or 74.42.640, or a peer review committee under RCW 4.24.250, for the improvement of the quality of health care services rendered to patients and the identification and prevention of medical malpractice. The privacy protections of chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and its implementing regulations apply to the sharing of individually identifiable patient information held by a coordinated quality improvement program. Any rules necessary to implement this section shall meet the requirements of applicable federal and state privacy laws. Information and documents disclosed by one coordinated quality improvement program to another coordinated quality improvement program or a peer review committee under RCW 4.24.250 and any information and documents created or maintained as a result of the sharing of information and documents are not subject to the discovery process and confidentiality shall be respected as required by subsection (3) of this section, RCW 18.20.390 (6) and (8), 70.41.200(3), 74.42.640 (7) and (9), and 4.24.250.

(9) An ambulatory surgical facility that participates in a coordinated quality improvement program under RCW 43.70.510 shall be deemed to have met the requirements of this section.

(10) Violation of this section shall not be considered negligence per se.

Sec. 5. RCW 70.230.140 and 2007 c 273 s 15 are each amended to read as follows:

(1) Prior to granting or renewing clinical privileges or association of any practitioner or hiring a practitioner, an ambulatory surgical facility approved pursuant to this chapter shall request from the practitioner and the practitioner shall provide the following information:

(a) The name of any hospital, ambulatory surgical facility, or other facility with or at which the practitioner had or has any association, employment, privileges, or practice during the prior five years: PROVIDED, That the ambulatory surgical facility may request additional information going back further than five years, and the physician shall use his or her best efforts to comply with such a request for additional information;

(b) ~~((If such association, employment, privilege, or practice was discontinued, the reasons for its discontinuation))~~ Whether the physician has ever been or is in the process of being denied, revoked, terminated, suspended, restricted, reduced, limited, sanctioned, placed on probation, monitored, or not renewed for any professional activity listed in (b)(i) through (x) of this subsection, or has ever voluntarily or involuntarily relinquished, withdrawn, or failed to proceed with an application for any professional activity listed in (b)(i) through (x) of this subsection in order to avoid an adverse action or to preclude an investigation or while under investigation relating to professional competence or conduct;

(i) License to practice any profession in any jurisdiction;

(ii) Other professional registration or certification in any jurisdiction;

(iii) Specialty or subspecialty board certification;

(iv) Membership on any hospital medical staff;

(v) Clinical privileges at any facility, including hospitals, ambulatory surgical centers, or skilled nursing facilities;

(vi) Medicare, medicaid, the food and drug administration, the national institute of health (office of human research protection), governmental, national, or international regulatory agency, or any public program;

(vii) Professional society membership or fellowship;

(viii) Participation or membership in a health maintenance organization, preferred provider organization, independent practice association, physician-hospital organization, or other entity;

(ix) Academic appointment;

(x) Authority to prescribe controlled substances (drug enforcement agency or other authority);

(c) Any pending professional medical misconduct proceedings or any pending medical malpractice actions in this state or another state, the substance of the allegations in the proceedings or actions, and any additional information concerning the proceedings or actions as the practitioner deems appropriate;

(d) The substance of the findings in the actions or proceedings and any additional information concerning the actions or proceedings as the practitioner deems appropriate;

(e) A waiver by the practitioner of any confidentiality provisions concerning the information required to be provided to ambulatory surgical facilities pursuant to this subsection; and

(f) A verification by the practitioner that the information provided by the practitioner is accurate and complete.

(2) Prior to granting privileges or association to any practitioner or hiring a practitioner, an ambulatory surgical facility approved under this chapter shall request from any hospital or ambulatory surgical facility with or at which the practitioner had or has privileges, was associated, or was employed, during the preceding five years, the following information concerning the practitioner:

(a) Any pending professional medical misconduct proceedings or any pending medical malpractice actions, in this state or another state;

(b) Any judgment or settlement of a medical malpractice action and any finding of professional misconduct in this state or another state by a licensing or disciplinary board; and

(c) Any information required to be reported by hospitals or ambulatory surgical facilities pursuant to RCW 18.130.070.

(3) The medical quality assurance commission, board of osteopathic medicine and surgery, podiatric medical board, or dental quality assurance commission, as appropriate, shall be advised within thirty days of the name of any practitioner denied staff privileges, association, or employment on the basis of adverse findings under subsection (1) of this section.

(4) A hospital, ambulatory surgical facility, or other facility that receives a request for information from another hospital, ambulatory surgical facility, or other facility pursuant to subsections (1) and (2) of this section shall provide such information concerning the physician in question to the extent such information is known to the hospital, ambulatory surgical facility, or other facility receiving such a request, including the reasons for suspension, termination, or curtailment of employment or privileges at the hospital, ambulatory surgical facility, or facility. A hospital, ambulatory surgical facility, other facility, or other person providing such information in good faith is not liable in any civil action for the release of such information.

(5) Information and documents, including complaints and incident reports, created specifically for, and collected and maintained by, a quality improvement committee are not subject to discovery or introduction into evidence in any civil action, and no person who was in attendance at a meeting of such committee or who participated in the creation, collection, or maintenance of information or documents specifically for the committee shall be permitted or required to testify in any civil action as to the content of such proceedings or the

documents and information prepared specifically for the committee. This subsection does not preclude: (a) In any civil action, the discovery of the identity of persons involved in the medical care that is the basis of the civil action whose involvement was independent of any quality improvement activity; (b) in any civil action, the testimony of any person concerning the facts which form the basis for the institution of such proceedings of which the person had personal knowledge acquired independently of such proceedings; (c) in any civil action by a health care provider regarding the restriction or revocation of that individual's clinical or staff privileges, introduction into evidence information collected and maintained by quality improvement committees regarding such health care provider; (d) in any civil action, disclosure of the fact that staff privileges were terminated or restricted, including the specific restrictions imposed, if any, and the reasons for the restrictions; or (e) in any civil action, discovery and introduction into evidence of the patient's medical records required by rule of the department to be made regarding the care and treatment received.

(6) Ambulatory surgical facilities shall be granted access to information held by the medical quality assurance commission, board of osteopathic medicine and surgery, or podiatric medical board pertinent to decisions of the ambulatory surgical facility regarding credentialing and recredentialing of practitioners.

(7) Violation of this section shall not be considered negligence per se."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "health care quality improvement measures, including professional peer review; amending RCW 7.71.030, 70.41.230, 70.230.080, and 70.230.140; and reenacting and amending RCW 70.41.200."

Senators Dammeier, Becker and Frockt
Representatives Jinkins, Pedersen and Rodne

There being no objection, the House adopted the conference committee report on ENGROSSED SENATE BILL NO. 5666 and advanced the bill as recommended by the conference committee to final passage.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representatives Pedersen and Rodne spoke in favor of the passage of the bill, as recommended by the conference committee.

The Speaker (Representative Moeller presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 5666, as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5666, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick,

Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5666, as recommended by the conference committee, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 22, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 5607 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position in its amendment to ENGROSSED SENATE BILL NO. 5607 and asked the Senate to concur therein.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5193, by Senate Committee on Ways & Means (originally sponsored by Senators Smith, Roach, Honeyford and Delvin)

Concerning large wild carnivore conflict management. Revised for 2nd Substitute: Concerning large wild carnivore conflict management. (REVISED FOR ENGROSSED: Concerning gray wolf conflict management.)

The bill was read the second time.

Representative Kretz moved the adoption of amendment (478).

On page 1, beginning on line 6, strike all of section 1
Renummer the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Beginning on page 6, line 8, strike all of sections 7, 8, and 9 and insert the following:

"**Sec. 7.** RCW 46.17.210 and 2011 c 171 s 57 are each amended to read as follows:

In addition to all fees and taxes required to be paid upon application for a vehicle registration under chapter 46.16A RCW, the holder of a personalized license plate shall pay an initial fee of (~~forty-two~~) fifty-two dollars and (~~thirty-two~~) forty-two dollars for each renewal. The personalized license plate fee must be distributed as provided in RCW 46.68.435.

NEW SECTION. Sec. 8. Section 7 of this act applies only to vehicle registrations that are due or become due on or after October 1, 2013."

Correct the title.

Representatives Kretz, Blake and Wilcox spoke in favor of the adoption of the amendment.

Amendment (478) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake and Kretz spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5193, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5193, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Taylor.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5193, as amended by the House, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SECOND SUBSTITUTE HOUSE BILL NO. 1723 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1723, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1723, on reconsideration, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kretz,

Kristiansen, Manweller, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Wilcox and Zeiger.

SECOND SUBSTITUTE HOUSE BILL NO. 1723 on reconsideration, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 25, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5053
 SUBSTITUTE SENATE BILL NO. 5287
 SENATE BILL NO. 5337
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5449
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5551
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
 SUBSTITUTE SENATE BILL NO. 5601
 SENATE BILL NO. 5810
 SENATE JOINT MEMORIAL NO. 8001

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

THIRD READING

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1130 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.55.120 and 2009 c 387 s 3 are each amended to read as follows:

(1)(a) Vehicles or other items of personal property registered or titled with the department that are impounded by registered tow truck operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140 may be redeemed only (~~under the following circumstances~~) by the following persons or entities:

~~((a) Only)~~ (i) The legal owner((:));

(ii) The registered owner((:));

~~(iii) A person authorized in writing by the registered owner ((or the vehicle's insurer.));~~

(iv) The vehicle's insurer or a vendor working on behalf of the vehicle's insurer;

(v) A third-party insurer that has a duty to repair or replace the vehicle, has obtained consent from the registered owner or the owner's agent to move the vehicle, and has documented that consent in the insurer's claim file, or a vendor working on behalf of a third-party insurer that has received such consent; provided, however, that at all times the registered owner must be granted access to and may reclaim possession of the vehicle. For the purposes of this subsection, "owner's agent" means the legal owner of the vehicle, a driver in possession of the vehicle with the registered owner's permission, or an adult member of the registered owner's family;

~~(vi) A person who is determined and verified by the operator to have the permission of the registered owner of the vehicle or other item of personal property registered or titled with the department((or one)); or~~

(vii) A person who has purchased a vehicle or item of personal property registered or titled with the department from the registered owner who produces proof of ownership or written authorization and

signs a receipt therefor (~~(c)~~ may redeem an impounded vehicle or items of personal property registered or titled with the department).

(b) In addition, a vehicle impounded because the operator is in violation of RCW 46.20.342(1)(c) shall not be released until a person eligible to redeem it under (a) of this subsection (~~((1)(a))~~) satisfies the requirements of (~~((e))~~) (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency. If the department's records show that the operator has been convicted of a violation of RCW 46.20.342 or a similar local ordinance within the past five years, the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. A vehicle impounded because the operator is arrested for a violation of RCW 46.20.342 may be released only pursuant to a written order from the agency that ordered the vehicle impounded or from the court having jurisdiction. An agency shall issue a written order to release pursuant to a provision of an applicable state agency rule or local ordinance authorizing release on the basis of the following:

(i) Economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record; or

(ii) The owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this subsection or RCW 46.55.113(3).

In order to avoid discriminatory application, other than for the reasons for release set forth in (~~((a))~~) (b)(i) and (ii) of this subsection, an agency shall, under a provision of an applicable state agency rule or local ordinance, deny release in all other circumstances without discretion.

If a vehicle is impounded because the operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle may be held for up to thirty days at the written direction of the agency ordering the vehicle impounded. However, if the department's records show that the operator has been convicted of a violation of RCW 46.20.342(1) (a) or (b) or a similar local ordinance within the past five years, the vehicle may be held at the written direction of the agency ordering the vehicle impounded for up to sixty days, and for up to ninety days if the operator has two or more such prior offenses. If a vehicle is impounded because the operator is arrested for a violation of RCW 46.20.342, the vehicle may not be released until a person eligible to redeem it under (a) of this subsection (~~((1)(a))~~) satisfies the requirements of (~~((e))~~) (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency.

(~~((b))~~) (c) If the vehicle is directed to be held for a suspended license impound, a person who desires to redeem the vehicle at the end of the period of impound shall within five days of the impound at the request of the tow truck operator pay a security deposit to the tow truck operator of not more than one-half of the applicable impound storage rate for each day of the proposed suspended license impound. The tow truck operator shall credit this amount against the final bill for removal, towing, and storage upon redemption. The tow truck operator may accept other sufficient security in lieu of the security deposit. If the person desiring to redeem the vehicle does not pay the security deposit or provide other security acceptable to the tow truck operator, the tow truck operator may process and sell at auction the vehicle as an abandoned vehicle within the normal time limits set out in RCW 46.55.130(1). The security deposit required by this section may be paid and must be accepted at any time up to twenty-four hours before the beginning of the auction to sell the vehicle as abandoned. The registered owner is not eligible to purchase the vehicle at the auction, and the tow truck operator shall sell the vehicle to the highest bidder who is not the registered owner.

(~~((e))~~) (d) Notwithstanding (~~((b))~~) (c) of this subsection, a rental car business may immediately redeem a rental vehicle it owns by

payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound.

(~~((b))~~) (e) Notwithstanding (~~((b))~~) (c) of this subsection, a motor vehicle dealer or lender with a perfected security interest in the vehicle may redeem or lawfully repossess a vehicle immediately by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound. A motor vehicle dealer or lender with a perfected security interest in the vehicle may not knowingly and intentionally engage in collusion with a registered owner to repossess and then return or resell a vehicle to the registered owner in an attempt to avoid a suspended license impound. However, this provision does not preclude a vehicle dealer or a lender with a perfected security interest in the vehicle from repossessing the vehicle and then selling, leasing, or otherwise disposing of it in accordance with chapter 62A.9A RCW, including providing redemption rights to the debtor under RCW 62A.9A-623. If the debtor is the registered owner of the vehicle, the debtor's right to redeem the vehicle under chapter 62A.9A RCW is conditioned upon the debtor obtaining and providing proof from the impounding authority or court having jurisdiction that any fines, penalties, and forfeitures owed by the registered owner, as a result of the suspended license impound, have been paid, and proof of the payment must be tendered to the vehicle dealer or lender at the time the debtor tenders all other obligations required to redeem the vehicle. Vehicle dealers or lenders are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.

(~~((e))~~) (f) The vehicle or other item of personal property registered or titled with the department shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such vehicle, with credit being given for the amount of any security deposit paid under (~~((b))~~) (c) of this subsection. In addition, if a vehicle is impounded because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345 and was being operated by the registered owner when it was impounded under local ordinance or agency rule, it must not be released to any person until the registered owner establishes with the agency that ordered the vehicle impounded or the court having jurisdiction that any penalties, fines, or forfeitures owed by him or her have been satisfied. Registered tow truck operators are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound. Commercially reasonable tender shall include, without limitation, cash, major bank credit cards issued by financial institutions, or personal checks drawn on Washington state branches of financial institutions if accompanied by two pieces of valid identification, one of which may be required by the operator to have a photograph. If the towing firm cannot determine through the customer's bank or a check verification service that the presented check would be paid by the bank or guaranteed by the service, the towing firm may refuse to accept the check. Any person who stops payment on a personal check or credit card, or does not make restitution within ten days from the date a check becomes insufficient due to lack of funds, to a towing firm that has provided a service pursuant to this section or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

(2)(a) The registered tow truck operator shall give to each person who seeks to redeem an impounded vehicle, or item of personal property registered or titled with the department, written notice of the right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, the name of the person or agency authorizing the impound, and a copy of

the towing and storage invoice. The registered tow truck operator shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(b) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district or municipal court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. The district court has jurisdiction to determine the issues involving all impoundments including those authorized by the state or its agents. The municipal court has jurisdiction to determine the issues involving impoundments authorized by agents of the municipality. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the appropriate court within ten days of the date the opportunity was provided for in ~~(subsection (2))~~(a) of this subsection and more than five days before the date of the auction. At the time of the filing of the hearing request, the petitioner shall pay to the court clerk a filing fee in the same amount required for the filing of a suit in district court. If the hearing request is not received by the court within the ten-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The court, within five days after the request for a hearing, shall notify the registered tow truck operator, the person requesting the hearing if not the owner, the registered and legal owners of the vehicle or other item of personal property registered or titled with the department, and the person or agency authorizing the impound in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper. The court may consider a written report made under oath by the officer who authorized the impoundment in lieu of the officer's personal appearance at the hearing.

(c) At the conclusion of the hearing, the court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the posted rates, and who is responsible for payment of the fees. The court may not adjust fees or charges that are in compliance with the posted or contracted rates.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs shall be assessed against the person or persons requesting the hearing, unless the operator did not have a signed and valid impoundment authorization from a private property owner or an authorized agent.

(e) If the impoundment is determined to be in violation of this chapter, then the registered and legal owners of the vehicle or other item of personal property registered or titled with the department shall bear no impoundment, towing, or storage fees, and any security shall be returned or discharged as appropriate, and the person or agency who authorized the impoundment shall be liable for any towing, storage, or other impoundment fees permitted under this chapter. The court shall enter judgment in favor of the registered tow truck operator against the person or agency authorizing the impound for the impoundment, towing, and storage fees paid. In addition, the court shall enter judgment in favor of the registered and legal owners of the vehicle, or other item of personal property registered or titled with the department, for the amount of the filing fee required by law for the impound hearing petition as well as reasonable damages for loss of the use of the vehicle during the time the same was impounded against the person or agency authorizing the impound. However, if an impoundment arising from an alleged violation of RCW 46.20.342 or 46.20.345 is determined to be in violation of this chapter, then the law enforcement officer directing the impoundment and the

government employing the officer are not liable for damages if the officer relied in good faith and without gross negligence on the records of the department in ascertaining that the operator of the vehicle had a suspended or revoked driver's license. If any judgment entered is not paid within fifteen days of notice in writing of its entry, the court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment may be made by registered or certified mail, and proof of mailing may be made by affidavit of the party mailing the notice. Notice of the entry of the judgment shall read essentially as follows:

TO:

YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the Court located at in the sum of \$., in an action entitled, Case No. YOU ARE FURTHER NOTIFIED that attorneys fees and costs will be awarded against you under RCW . . . if the judgment is not paid within 15 days of the date of this notice.

DATED this day of, (year) . . .

Signature

Typed name

and address

of party mailing

notice

(4) Any impounded abandoned vehicle or item of personal property registered or titled with the department that is not redeemed within fifteen days of mailing of the notice of custody and sale as required by RCW 46.55.110(3) shall be sold at public auction in accordance with all the provisions and subject to all the conditions of RCW 46.55.130. A vehicle or item of personal property registered or titled with the department may be redeemed at any time before the start of the auction upon payment of the applicable towing and storage fees."

On page 1, line 1 of the title, after "vehicles;" strike the remainder of the title and insert "and amending RCW 46.55.120."

and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1130 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Kirby and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1130, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1130, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Reykdal, Riccelli, Roberts, Rodne, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Pollet and Ryu.

Excused: Representative DeBolt.

SUBSTITUTE HOUSE BILL NO. 1130, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.48.100 and 1984 c 273 s 4 are each amended to read as follows:

For the purposes of RCW 9A.48.070 through 9A.48.090 inclusive:

(1) "Physical damage", in addition to its ordinary meaning, shall include the total or partial alteration, damage, obliteration, or erasure of records, information, data, computer programs, or their computer representations, which are recorded for use in computers or the impairment, interruption, or interference with the use of such records, information, data, or computer programs, or the impairment, interruption, or interference with the use of any computer or services provided by computers. "Physical damage" also includes any diminution in the value of any property as the consequence of an act and the cost to repair any physical damage;

(2) If more than one item of property is physically damaged as a result of a common scheme or plan by a person and the physical damage to the property would, when considered separately, constitute mischief in the third degree because of value, then the value of the damages may be aggregated in one count. If the sum of the value of all the physical damages exceeds two hundred fifty dollars, the defendant may be charged with and convicted of malicious mischief in the second degree.

Sec. 2. RCW 9A.56.030 and 2012 c 233 s 2 are each amended to read as follows:

(1) A person is guilty of theft in the first degree if he or she commits theft of:

(a) Property or services which exceed(s) five thousand dollars in value other than a firearm as defined in RCW 9.41.010;

(b) Property of any value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle, taken from the person of another;

(c) A search and rescue dog, as defined in RCW 9.91.175, while the search and rescue dog is on duty; or

(d) ~~Commercial metal ((wire, taken from a public service company, as defined in RCW 80.04.010, or a consumer owned utility, as defined in RCW 19.280.020,))~~ property, nonferrous metal property, or private metal property, as those terms are defined in RCW 19.290.010, and the costs of the damage to the ~~((public service company's or consumer owned utility's))~~ owner's property exceed five thousand dollars in value.

(2) Theft in the first degree is a class B felony.

Sec. 3. RCW 9A.56.040 and 2012 c 233 s 3 are each amended to read as follows:

(1) A person is guilty of theft in the second degree if he or she commits theft of:

(a) Property or services which exceed(s) seven hundred fifty dollars in value but does not exceed five thousand dollars in value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle;

(b) A public record, writing, or instrument kept, filed, or deposited according to law with or in the keeping of any public office or public servant;

(c) ~~Commercial metal ((wire, taken from a public service company, as defined in RCW 80.04.010, or a consumer owned utility, as defined in RCW 19.280.020,))~~ property, nonferrous metal property, or private metal property, as those terms are defined in RCW 19.290.010, and the costs of the damage to the ~~((public service company's or consumer owned utility's))~~ owner's property exceed seven hundred fifty dollars but does not exceed five thousand dollars in value; or

(d) An access device.

(2) Theft in the second degree is a class C felony.

Sec. 4. RCW 19.290.010 and 2008 c 233 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commercial account" means a relationship between a scrap metal business and a commercial enterprise that is ongoing and properly documented under RCW 19.290.030.

(2) "Commercial enterprise" means a corporation, partnership, limited liability company, association, state agency, political subdivision of the state, public corporation, or any other legal or commercial entity.

(3) "Commercial metal property" means: Utility access covers; street light poles and fixtures; road and bridge guardrails; highway or street signs; water meter covers; traffic directional and control signs; traffic light signals; any metal property marked with the name of a commercial enterprise, including but not limited to a telephone, commercial mobile radio services, cable, electric, water, natural gas, or other utility, or railroad; unused or undamaged building construction materials consisting of copper pipe, tubing, or wiring, or aluminum wire, siding, downspouts, or gutters; aluminum or stainless steel fence panels made from one inch tubing, forty-two inches high with four-inch gaps; aluminum decking, bleachers, or risers; historical markers; statue plaques; grave markers and funeral vases; or agricultural irrigation wheels, sprinkler heads, and pipes.

(4) "Nonferrous metal property" means metal property for which the value of the metal property is derived from the property's content of copper, brass, aluminum, bronze, lead, zinc, nickel, and their alloys. "Nonferrous metal property" does not include precious metals.

(5) "Precious metals" means gold, silver, and platinum.

(6) "Private metal property" means catalytic converters, either singly or in bundles, bales, or bulk, that have been removed from vehicles for sale as a specific commodity.

(7) "Record" means a paper, electronic, or other method of storing information.

(8) "Scrap metal business" means a scrap metal supplier, scrap metal ~~((recycling center))~~ recycler, and scrap metal processor.

(9) "Scrap metal processor" means a person with a current business license that conducts business from a permanent location, that is engaged in the business of purchasing or receiving private metal property, nonferrous metal property, and commercial metal property for the purpose of altering the metal in preparation for its use as feedstock in the manufacture of new products, and that maintains a hydraulic bailer, shearing device, or shredding device for recycling.

(10) "Scrap metal ~~((recycling center))~~ recycler" means a person with a current business license that is engaged in the business of purchasing or receiving private metal property, nonferrous metal property, and commercial metal property for the purpose of aggregation and sale to another scrap metal business and that maintains a fixed place of business within the state.

(11) "Scrap metal supplier" means a person with a current business license that is engaged in the business of purchasing or receiving private metal property or nonferrous metal property for the purpose of aggregation and sale to a scrap metal ~~((recycling center))~~ recycler or scrap metal processor and that does not maintain a fixed business location in the state.

(12) "Transaction" means a pledge, or the purchase of, or the trade of any item of private metal property or nonferrous metal property by a scrap metal business from a member of the general public. "Transaction" does not include donations or the purchase or receipt of private metal property or nonferrous metal property by a scrap metal business from a commercial enterprise, from another scrap metal business, or from a duly authorized employee or agent of the commercial enterprise or scrap metal business.

(13) "Engage in business" means conducting more than twelve transactions in a twelve-month period.

(14) "Person" means an individual, domestic or foreign corporation, limited liability corporation, partnership, trust, unincorporated association, or other entity; an affiliate or associate of any such person; or any two or more persons acting as a partnership, syndicate, or other group for the purpose of acquiring, holding, or dispersing of securities of a domestic or foreign corporation.

Sec. 5. RCW 19.290.020 and 2008 c 233 s 2 are each amended to read as follows:

(1) At the time of a transaction, every scrap metal business doing business in this state shall produce wherever that business is conducted an accurate and legible record of each transaction involving private metal property or nonferrous metal property. This record must be written in the English language, documented on a standardized form or in electronic form, and contain the following information:

(a) The signature of the person with whom the transaction is made;

(b) The time, date, location, and value of the transaction;

(c) The name of the employee representing the scrap metal business in the transaction;

(d) The name, street address, and telephone number of the person with whom the transaction is made;

(e) The license plate number and state of issuance of the license plate on the motor vehicle used to deliver the private metal property or nonferrous metal property subject to the transaction;

(f) A description of the motor vehicle used to deliver the private metal property or nonferrous metal property subject to the transaction;

(g) The current driver's license number or other government-issued picture identification card number of the seller or a copy of the seller's government-issued picture identification card; and

(h) A description of the predominant types of private metal property or nonferrous metal property subject to the transaction, ~~((including the property's classification code as provided in))~~ utilizing the institute of scrap recycling industries' ((scrap specifications circular, 2006)) generally accepted terminology, and including weight, quantity, or volume.

(2) For every transaction that involves private metal property or nonferrous metal property, every scrap metal business doing business in the state shall require the person with whom a transaction is being made to sign a declaration. The declaration may be included as part of the transactional record required under subsection (1) of this section, or on a receipt for the transaction. The declaration must state substantially the following:

"I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property."

The declaration must be signed and dated by the person with whom the transaction is being made. An employee of the scrap metal business must witness the signing and dating of the declaration and sign the declaration accordingly before any transaction may be consummated.

(3) The record and declaration required under this section must be open to the inspection of any commissioned law enforcement officer of the state or any of its political subdivisions at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, and must be maintained wherever that business is conducted for ~~((one))~~ five years following the date of the transaction.

Sec. 6. RCW 19.290.030 and 2008 c 233 s 3 are each amended to read as follows:

(1) No scrap metal business may enter into a transaction to purchase or receive private metal property or nonferrous metal property from any person who cannot produce at least one piece of current government-issued picture identification, including a valid driver's license or identification card issued by any state.

(2) No scrap metal business may purchase or receive private metal property or commercial metal property unless the seller: (a) Has a commercial account with the scrap metal business; (b) can prove ownership of the property by producing written documentation that the seller is the owner of the property; or (c) can produce written documentation that the seller is an employee or agent authorized to sell the property on behalf of a commercial enterprise.

(3) No scrap metal business may enter into a transaction to purchase or receive metallic wire that was burned in whole or in part to remove insulation unless the seller can produce written proof to the scrap metal business that the wire was lawfully burned.

~~(4)(a) No transaction involving private metal property or nonferrous metal property ((valued at greater than thirty dollars)) may be made in cash or with any person who does not provide a street address under the requirements of RCW 19.290.020 except as described in (b) of this subsection. ((For transactions valued at greater than thirty dollars,))~~ The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the scrap metal business to a street address provided under RCW 19.290.020, no earlier than ((ten)) three days after the transaction was made. A transaction occurs on the date provided in the record required under RCW 19.290.020.

(b) A scrap metal business that is in compliance with this chapter that digitally captures: (i) A copy of one piece of current government-issued picture identification, including a current driver's license or identification card issued by any state and (ii) either a picture or video of either the material subject to the transaction in the form received or the material subject to the transaction within the vehicle which the material was transported to the scrap metal business, may pay up to a maximum of thirty dollars in cash, stored value device, or electronic funds transfer. The balance of the value of the transaction may be

made by nontransferable check, stored value device, or electronic funds transfer at the time the transaction is made. A scrap metal business's usage of video surveillance shall be sufficient to comply with this subsection (4)(b)(ii) as long as the video captures the material subject to the transaction. A digital image or picture taken under this subsection must be available for two years from the date of transaction, while a video recording must be available for thirty days.

(5) No scrap metal business may purchase or receive beer kegs from anyone except a manufacturer of beer kegs or licensed brewery.

Sec. 7. RCW 19.290.040 and 2008 c 233 s 4 are each amended to read as follows:

(1) Every scrap metal business must create and maintain a permanent record with a commercial enterprise, including another scrap metal business, in order to establish a commercial account. That record, at a minimum, must include the following information:

(a) The full name of the commercial enterprise or commercial account;

(b) The business address and telephone number of the commercial enterprise or commercial account; and

(c) The full name of the person employed by the commercial enterprise who is authorized to deliver private metal property, nonferrous metal property, and commercial metal property to the scrap metal business.

(2) The record maintained by a scrap metal business for a commercial account must document every purchase or receipt of private metal property, nonferrous metal property, and commercial metal property from the commercial enterprise. The record must be maintained for three years following the date of the transfer or receipt. The documentation must include, at a minimum, the following information:

(a) The time, date, and value of the property being purchased or received;

(b) A description of the predominant types of property being purchased or received; and

(c) The signature of the person delivering the property to the scrap metal business.

Sec. 8. RCW 19.290.050 and 2008 c 233 s 5 are each amended to read as follows:

(1) Upon request by any commissioned law enforcement officer of the state or any of its political subdivisions, every scrap metal business shall furnish a full, true, and correct transcript of the records from the purchase or receipt of private metal property, nonferrous metal property, and commercial metal property involving only a ~~((specific))~~ specified individual, vehicle, or item of private metal property, nonferrous metal property, or commercial metal property. This information may be transmitted within a specified time of not less than two business days to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar device, or by delivery of computer disk subject to the requirements of, and approval by, the chief of police or the county's chief law enforcement officer.

(2) Any records created or produced under this section are exempt from disclosure under chapter 42.56 RCW.

(3) If the scrap metal business has good cause to believe that any private metal property, nonferrous metal property, or commercial metal property in his or her possession has been previously lost or stolen, the scrap metal business shall promptly report that fact to the applicable commissioned law enforcement officer of the state, the chief of police, or the county's chief law enforcement officer, together with the name of the owner, if known, and the date when and the name of the person from whom it was received.

(4) Compliance with this section shall not give rise to or form the basis of private civil liability on the part of a scrap metal business or scrap metal recycler.

Sec. 9. RCW 19.290.060 and 2008 c 233 s 6 are each amended to read as follows:

(1) Following notification ~~((either verbally or))~~ in writing ~~((;))~~ from a commissioned law enforcement officer of the state or any of its political subdivisions that an item of private metal property, nonferrous metal property, or commercial metal property has been reported as stolen, a scrap metal business shall hold that property intact and safe from alteration, damage, or commingling, and shall place an identifying tag or other suitable identification upon the property. The scrap metal business shall hold the property for a period of time as directed by the applicable law enforcement agency up to a maximum of ten business days.

(2) A commissioned law enforcement officer of the state or any of its political subdivisions shall not place on hold any item of private metal property, nonferrous metal property, or commercial metal property unless that law enforcement agency reasonably suspects that the property is a lost or stolen item. Any hold that is placed on the property must be removed within ten business days after the property on hold is determined not to be stolen or lost and the property must be returned to the owner or released.

Sec. 10. RCW 19.290.070 and 2008 c 233 s 7 are each amended to read as follows:

It is a gross misdemeanor under chapter 9A.20 RCW for:

(1) Any person to deliberately remove, alter, or obliterate any manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon an item of private metal property, nonferrous metal property, or commercial metal property in order to deceive a scrap metal business;

(2) Any scrap metal business to enter into a transaction to purchase or receive any private metal property, nonferrous metal property, or commercial metal property where the manufacturer's make, model, or serial number, personal identification number, or identifying marks engraved or etched upon the property have been deliberately and conspicuously removed, altered, or obliterated;

(3) Any person to knowingly make, cause, or allow to be made any false entry or misstatement of any material matter in any book, record, or writing required to be kept under this chapter;

(4) Any scrap metal business to enter into a transaction to purchase or receive private metal property, nonferrous metal property, or commercial metal property from any person under the age of eighteen years or any person who is discernibly under the influence of intoxicating liquor or drugs;

(5) Any scrap metal business to enter into a transaction to purchase or receive private metal property, nonferrous metal property, or commercial metal property with anyone whom the scrap metal business has been informed by a law enforcement agency to have been convicted of a crime involving drugs, burglary, robbery, theft, or possession of or receiving stolen property, manufacturing, delivering, or possessing with intent to deliver methamphetamine, or possession of ephedrine or any of its salts or isomers or salts of isomers, pseudoephedrine or any of its salts or isomers or salts of isomers, or anhydrous ammonia with intent to manufacture methamphetamine within the past ~~((ten))~~ four years whether the person is acting in his or her own behalf or as the agent of another;

(6) Any person to sign the declaration required under RCW 19.290.020 knowing that the private metal property or nonferrous metal property subject to the transaction is stolen. The signature of a person on the declaration required under RCW 19.290.020 constitutes evidence of intent to defraud a scrap metal business if that person is found to have known that the private metal property or nonferrous metal property subject to the transaction was stolen;

(7) Any scrap metal business to possess private metal property or commercial metal property that was not lawfully purchased or received under the requirements of this chapter; ~~((or))~~

(8) Any scrap metal business to engage in a series of transactions valued at less than thirty dollars with the same seller for the purposes of avoiding the requirements of RCW 19.290.030(4); or

(9) Any person to knowingly make a false or fictitious oral or

written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, with the intent to deceive a scrap metal business as to the actual seller of the scrap metal.

Sec. 11. RCW 19.290.090 and 2008 c 233 s 8 are each amended to read as follows:

The provisions of this chapter do not apply to transactions involving metal from the components of vehicles acquired by vehicle wreckers, hulk haulers, or scrap processors licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws or transactions conducted by the following:

- (1) Motor vehicle dealers licensed under chapter 46.70 RCW;
- (2) ~~(Metal from the components of vehicles acquired by vehicle wreckers or hulk haulers licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws;~~
- (3)) Persons in the business of operating an automotive repair facility as defined under RCW 46.71.011; and
- ~~((4))~~ (3) Persons in the business of buying or selling empty food and beverage containers, including metal food and beverage containers.

NEW SECTION. Sec. 12. A new section is added to chapter 19.290 RCW to read as follows:

(1) It is unlawful for a person to engage in the business of a scrap metal processor, scrap metal recycler, or scrap metal supplier without having first applied for and received a scrap metal license.

(2)(a) Except as provided in (b) of this subsection, a person or firm engaged in the unlawful activity described in this section is guilty of a gross misdemeanor.

(b) A second or subsequent offense is a class C felony.

NEW SECTION. Sec. 13. A new section is added to chapter 19.290 RCW to read as follows:

Application for a scrap metal license or renewal of a scrap metal license shall be made on a form for this purpose, furnished by the department of licensing, and shall be signed by the license holder or his or her authorized agent and shall include the following information:

- (1) Name and address of the person, firm, partnership, association, limited liability company, or corporation under which name the business is to be conducted;
- (2) Names and residence address of all persons having an interest in the business or, if the owner is a corporation, the names and addresses of the officers thereof;
- (3) Certificate of approval of the chief executive officer or chief of police, or a designee, if the application is for a license within an incorporated city or town or, in any unincorporated area, the county legislative authority, the sheriff, or a designee, certifying that:
 - (a) The applicant has an established place of business at the address shown on the application;
 - (b) There are no known environmental, building code, zoning, or other land use regulation violations associated with the business being located at the address; and
 - (c) In the case of a renewal of a scrap metal license, the applicant is in compliance with this chapter: PROVIDED, That an authorized representative of the department of licensing may make the certification described in this section in any instance;
- (4) Any other information that the department of licensing may require.

NEW SECTION. Sec. 14. A new section is added to chapter 19.290 RCW to read as follows:

The application, together with the required fee, shall be forwarded to the department of licensing. Upon receipt of the application the department shall, if the application is in order, issue a scrap metal license authorizing the processor, recycler, or supplier to do business as such and forward the fee to the state treasurer. Upon receiving the certificate, the owner shall cause it to be prominently displayed in the place of business, where it may be inspected by an investigating officer at any time. Every license must be issued in the

name of the applicant and the holder thereof may not allow any other person to use the license.

NEW SECTION. Sec. 15. A new section is added to chapter 19.290 RCW to read as follows:

Before issuing a scrap metal license to a scrap metal processor or scrap metal recycler, the department of licensing shall require the applicant to file with the department a surety bond in the amount of ten thousand dollars, running to the state of Washington, and executed by a surety company authorized to do business in the state of Washington. The bond shall be approved as to form by the attorney general and conditioned upon the licensee conducting the business in conformity with the provisions of this chapter. Except as prohibited elsewhere in this chapter, any person who has suffered loss or damage by reason of fraud or gross negligence, or an intentional or reckless violation of the terms of this chapter, or misrepresentation on the part of the scrap metal processor or recycler, may institute an action for recovery against the licensee and surety upon the bond. However, the aggregate liability of the surety to all persons shall in no event exceed the amount of the bond.

NEW SECTION. Sec. 16. A new section is added to chapter 19.290 RCW to read as follows:

A license issued on the scrap metal license application remains in force until suspended or revoked and may be renewed annually upon reapplication and upon payment of the required fee. A licensee who fails or neglects to renew the license before the assigned expiration date shall pay the fee for an original scrap metal license as provided in this chapter.

Whenever a scrap metal processor, recycler, or supplier ceases to do business as such or the license has been suspended or revoked, the licensee shall immediately surrender the license to the department of licensing.

NEW SECTION. Sec. 17. A new section is added to chapter 19.290 RCW to read as follows:

The licensee shall obtain a special set of license plates in addition to the regular licenses and plates required for the operation of such vehicles. The special plates must be displayed on vehicles owned and/or operated by the licensee and used in the conduct of the business. The fee for these plates shall be five dollars for the original plates and two dollars for each additional set of plates bearing the same license number. A licensee with more than one licensed location in the state may use special plates bearing the same license number for vehicles operated out of any of the licensed locations.

NEW SECTION. Sec. 18. A new section is added to chapter 19.290 RCW to read as follows:

The uniform regulation of business and professions act, chapter 18.235 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter.

NEW SECTION. Sec. 19. A new section is added to chapter 19.290 RCW to read as follows:

If a person whose scrap metal license has previously been canceled for cause by the department of licensing files an application for a license to conduct business as a scrap metal processor, recycler, or supplier, or if the department is of the opinion that the application is not filed in good faith or that the application is filed by some person as a subterfuge for the real person in interest whose license has previously been canceled for cause, the department may refuse to issue the person a license to conduct business as a scrap metal processor, recycler, or supplier.

NEW SECTION. Sec. 20. A new section is added to chapter 19.290 RCW to read as follows:

(1) The director of licensing is hereby authorized to adopt reasonable rules and regulations not in conflict with provisions hereof for the proper operation and enforcement of this chapter.

(2) The director shall set all license and renewal fees in accordance with RCW 43.24.086.

NEW SECTION. Sec. 21. A new section is added to chapter 19.290 RCW to read as follows:

The chiefs of police, the county sheriffs, and the Washington state patrol may make periodic inspection of the licensee's licensed premises and records provided for in this chapter during normal business hours, and furnish a certificate of inspection to the department of licensing in such manner as may be determined by the department. In any instance, an authorized representative of the department may make the inspection. Licensees are subject to unannounced periodic inspections, as described in this section.

NEW SECTION. Sec. 22. A new section is added to chapter 19.290 RCW to read as follows:

The state of Washington hereby fully occupies and preempts the entire field of regulation of scrap metal processors, recyclers, or suppliers within the boundaries of the state. Any political subdivision in this state may enact or enforce only those laws and ordinances relating to the regulation of scrap metal processors, recyclers, or suppliers that are specifically authorized by state law and are consistent with this chapter. Nothing in this chapter is intended to limit the authority of any political subdivision to impose generally applicable zoning, land use, permitting, general business licensing, environmental, and health and safety requirements or authorized business taxes upon scrap metal processors, recyclers, or suppliers within their jurisdictions. Local ordinances pertaining specifically to scrap metal processors, recyclers, or suppliers shall have the same or lesser penalty as provided for by state law. Local scrap metal laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of state law shall not be enacted and are hereby preempted and repealed, regardless of the code, charter, or home rule status of such political subdivision.

NEW SECTION. Sec. 23. A new section is added to chapter 19.290 RCW to read as follows:

(1) In addition to the powers granted in chapter 18.235 RCW, the department of licensing or its authorized agent may examine or subpoena any persons, books, papers, records, data, vehicles, or metal property bearing upon the investigation or proceeding under this chapter.

(2) The persons subpoenaed may be required to testify and produce any books, papers, records, data, vehicles, or metal property that the director of licensing deems relevant or material to the inquiry.

(3) The director of the department of licensing or an authorized agent may administer an oath to the person required to testify, and a person giving false testimony after the administration of the oath is guilty of perjury in the first degree under RCW 9A.72.020.

(4)(a) Any authorized representative of the director of the department of licensing may apply for and obtain a superior court order approving and authorizing a subpoena in advance of its issuance. The application may be made in the county where the subpoenaed person resides or is found, or the county where the subpoenaed records or documents are located, or in Thurston county. The application must:

(i) State that an order is sought pursuant to this subsection;
(ii) Adequately specify the records, documents, or testimony; and
(iii) Declare under oath that an investigation is being conducted for a lawfully authorized purpose related to an investigation within the department's authority and that the subpoenaed documents or testimony are reasonably related to an investigation within the department's authority.

(b) Where the application under this subsection is made to the satisfaction of the court, the court must issue an order approving the subpoena. An order under this subsection constitutes authority of law for the agency to subpoena the records or testimony.

(c) Any authorized representative of the director of the department of licensing may seek approval and a court may issue an order under this subsection without prior notice to any person,

including the person to whom the subpoena is directed and the person who is the subject of an investigation.

(5) Any records created or produced under this section are exempt from disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 24. A new section is added to chapter 36.28A RCW to read as follows:

(1) When funded, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in the support of special enforcement emphasis targeting metal theft. Grant applications shall be reviewed and awarded through peer review panels. Grant applicants are encouraged to utilize multijurisdictional efforts.

(2) Each grant applicant shall:

(a) Show a significant metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(b) Verify that grant awards are sufficient to cover increased investigation, prosecution, and jail costs;

(c) Design an enforcement program that best suits the specific metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(d) Demonstrate community coordination focusing on prevention, intervention, and suppression; and

(e) Collect data on performance.

(3) The cost of administering the grants shall not exceed sixty thousand dollars, or three percent of appropriated funding, whichever is greater.

(4) Grant awards may not be used to supplant preexisting funding sources for special enforcement targeting metal theft.

NEW SECTION. Sec. 25. A new section is added to chapter 19.290 RCW to read as follows:

(1) Law enforcement agencies may register with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of private, nonferrous, or commercial metal property in the relevant geographic area.

(2) Any business licensed under this chapter shall:

(a) Sign up with the scrap theft alert system that is maintained and provided at no charge to users by the institute of scrap recycling industries, incorporated, or its successor organization, to receive alerts regarding thefts of private, nonferrous, or commercial metal property in the relevant geographic area;

(b) Download the scrap metal theft alerts generated by the scrap theft alert system on a daily basis;

(c) Use the alerts to identify potentially stolen commercial metal property, nonferrous metal property, and private metal property; and

(d) Maintain for ninety days copies of any theft alerts received and downloaded pursuant to this section.

Sec. 26. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2	
CRIMES INCLUDED WITHIN	
EACH SERIOUSNESS LEVEL	
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))

- XII Assault 1 (RCW 9A.36.011)
 Assault of a Child 1 (RCW 9A.36.120)
 Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
 Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
 Rape 1 (RCW 9A.44.040)
 Rape of a Child 1 (RCW 9A.44.073)
 Trafficking 2 (RCW 9A.40.100(2))
- XI Manslaughter 1 (RCW 9A.32.060)
 Rape 2 (RCW 9A.44.050)
 Rape of a Child 2 (RCW 9A.44.076)
 Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)
 Criminal Mistreatment 1 (RCW 9A.42.020)
 Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
 Kidnapping 1 (RCW 9A.40.020)
 Leading Organized Crime (RCW 9A.82.060(1)(a))
 Malicious explosion 3 (RCW 70.74.280(3))
 Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
 Assault of a Child 2 (RCW 9A.36.130)
 Explosive devices prohibited (RCW 70.74.180)
 Hit and Run--Death (RCW 46.52.020(4)(a))
 Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
 Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
 Malicious placement of an explosive 2 (RCW 70.74.270(2))
 Robbery 1 (RCW 9A.56.200)
 Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
 Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
 Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
 Manslaughter 2 (RCW 9A.32.070)
 Promoting Prostitution 1 (RCW 9A.88.070)
 Theft of Ammonia (RCW 69.55.010)
 Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
 Child Molestation 2 (RCW 9A.44.086)
 Civil Disorder Training (RCW 9A.48.120)
 Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
 Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
 Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
 Introducing Contraband 1 (RCW 9A.76.140)
 Malicious placement of an explosive 3 (RCW 70.74.270(3))
 Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
 Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
 Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
 Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
 Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
 Bribery (RCW 9A.68.010)
 Incest 1 (RCW 9A.64.020(1))
 Intimidating a Judge (RCW 9A.72.160)
 Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
 Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
 Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
 Rape of a Child 3 (RCW 9A.44.079)
 Theft of a Firearm (RCW 9A.56.300)
 Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
 Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
 Child Molestation 3 (RCW 9A.44.089)
 Criminal Mistreatment 2 (RCW 9A.42.030)
 Custodial Sexual Misconduct 1 (RCW 9A.44.160)
 Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
 Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
 Driving While Under the Influence (RCW 46.61.502(6))
 Extortion 1 (RCW 9A.56.120)
 Extortionate Extension of Credit (RCW 9A.82.020)

- Extortionate Means to Collect
 Extensions of Credit (RCW 9A.82.040)
 Incest 2 (RCW 9A.64.020(2))
 Kidnapping 2 (RCW 9A.40.030)
 Perjury 1 (RCW 9A.72.020)
 Persistent prison misbehavior (RCW 9.94.070)
 Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
 Possession of a Stolen Firearm (RCW 9A.56.310)
 Rape 3 (RCW 9A.44.060)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
 Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
 Sexually Violating Human Remains (RCW 9A.44.105)
 Stalking (RCW 9A.46.110)
 Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
 Assault 2 (RCW 9A.36.021)
 Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
 Assault by Watercraft (RCW 79A.60.060)
 Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
 Cheating 1 (RCW 9.46.1961)
 Commercial Bribery (RCW 9A.68.060)
 Counterfeiting (RCW 9.16.035(4))
 Endangerment with a Controlled Substance (RCW 9A.42.100)
 Escape 1 (RCW 9A.76.110)
 Hit and Run -Injury (RCW 46.52.020(4)(b))
 Hit and Run with Vessel -Injury Accident (RCW 79A.60.200(3))
 Identity Theft 1 (RCW 9.35.020(2))
 Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
 Influencing Outcome of Sporting Event (RCW 9A.82.070)
 Malicious Harassment (RCW 9A.36.080)
 Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
 Residential Burglary (RCW 9A.52.025)
 Robbery 2 (RCW 9A.56.210)
 Theft of Livestock 1 (RCW 9A.56.080)
 Threats to Bomb (RCW 9.61.160)
 Trafficking in Stolen Property 1 (RCW 9A.82.050)
 Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
 Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
 Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
 Unlawful transaction of insurance business (RCW 48.15.023(3))
 Unlicensed practice as an insurance professional (RCW 48.17.063(2))
 Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
 Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
 Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
 Willful Failure to Return from Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
 Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
 Assault of a Child 3 (RCW 9A.36.140)
 Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
 Burglary 2 (RCW 9A.52.030)
 Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
 Criminal Gang Intimidation (RCW 9A.46.120)
 Custodial Assault (RCW 9A.36.100)
 Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
 Escape 2 (RCW 9A.76.120)
 Extortion 2 (RCW 9A.56.130)
 Harassment (RCW 9A.46.020)
 Intimidating a Public Servant (RCW 9A.76.180)
 Introducing Contraband 2 (RCW 9A.76.150)
 Malicious Injury to Railroad Property (RCW 81.60.070)
 Mortgage Fraud (RCW 19.144.080)
 Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
 Organized Retail Theft 1 (RCW 9A.56.350(2))
 Perjury 2 (RCW 9A.72.030)
 Possession of Incendiary Device (RCW 9.40.120)
 Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

- Promoting Prostitution 2 (RCW 9A.88.080)
- Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))
- Securities Act violation (RCW 21.20.400)
- Tampering with a Witness (RCW 9A.72.120)
- Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
- Theft of Livestock 2 (RCW 9A.56.083)
- Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
- Trafficking in Stolen Property 2 (RCW 9A.82.055)
- Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
- Unlawful Imprisonment (RCW 9A.40.040)
- Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
- Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
- Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
- Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
- Computer Trespass 1 (RCW 9A.52.110)
- Counterfeiting (RCW 9.16.035(3))
- Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
- Escape from Community Custody (RCW 72.09.310)
- Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.132)
- Health Care False Claims (RCW 48.80.030)
- Identity Theft 2 (RCW 9.35.020(3))
- Improperly Obtaining Financial Information (RCW 9.35.010)
- Malicious Mischief 1 (RCW 9A.48.070)
- Organized Retail Theft 2 (RCW 9A.56.350(3))
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Possession of a Stolen Vehicle (RCW 9A.56.068)
- Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))
- Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (section 12 of this act)
- Theft 1 (RCW 9A.56.030)
- Theft of a Motor Vehicle (RCW 9A.56.065)
- Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
- Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
- Trafficking in Insurance Claims (RCW 48.30A.015)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
- Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
- Unlawful Practice of Law (RCW 2.48.180)
- Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
- Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
- Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))
- Voyeurism (RCW 9A.44.115)
- I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
- False Verification for Welfare (RCW 74.08.055)
- Forgery (RCW 9A.60.020)
- Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
- Malicious Mischief 2 (RCW 9A.48.080)
- Mineral Trespass (RCW 78.44.330)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Reckless Burning 1 (RCW 9A.48.040)
- Spotlighting Big Game 1 (RCW 77.15.450(3)(b))
- Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))
- Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
- Theft 2 (RCW 9A.56.040)
- Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))
- Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
- Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
- Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
- Unlawful Possession of Fictitious

Identification (RCW 9A.56.320)
 Unlawful Possession of Instruments of
 Financial Fraud (RCW 9A.56.320)
 Unlawful Possession of Payment
 Instruments (RCW 9A.56.320)
 Unlawful Possession of a Personal
 Identification Device (RCW
 9A.56.320)
 Unlawful Production of Payment
 Instruments (RCW 9A.56.320)
 Unlawful Release of Deleterious Exotic
 Wildlife (RCW 77.15.250(2)(b))
 Unlawful Trafficking in Food Stamps
 (RCW 9.91.142)
 Unlawful Use of Food Stamps (RCW
 9.91.144)
 Unlawful Use of Net to Take Fish 1
 (RCW 77.15.580(3)(b))
 Unlawful Use of Prohibited Aquatic
 Animal Species (RCW
 77.15.253(3))
 Vehicle Prowl 1 (RCW 9A.52.095)
 Violating Commercial Fishing Area or
 Time 1 (RCW 77.15.550(3)(b))

NEW SECTION. Sec. 27. A new section is added to chapter 19.290 RCW to read as follows:

(1) The following personal property is subject to seizure and forfeiture and no property right exists in them: All personal property including, but not limited to, any item, object, tool, substance, device, weapon, machine, vehicle of any kind, money, security, or negotiable instrument, which the seizing agency proves by a preponderance of the evidence was used or intended to be used by its owner or the person in charge to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, or which the seizing agency proves by a preponderance of the evidence was knowingly or intentionally furnished or was intended to be furnished by any person in the commission of, as a result of, or as compensation for the commission of, a crime involving theft, trafficking, or the unlawful possession of commercial metal property, or which the property owner acquired in whole or in part with proceeds traceable to a knowing or intentional commission of a crime involving the theft, trafficking, or unlawful possession of commercial metal property provided that such activity is not less than a class C felony; except that:

(a) No vehicle used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless the seizing agency proves by a preponderance of the evidence that the owner or other person in charge of the vehicle is a consenting party or is privy to any crime involving theft, trafficking, or the unlawful possession of commercial metal property;

(b) A forfeiture of property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had actual or constructive knowledge of nor consented to the commission of any crime involving the theft, trafficking, or unlawful possession of commercial metal property; and

(c) A property owner's property is not subject to seizure if an employee or agent of that property owner uses the property owner's property to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally aid and abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, in violation of that property owner's instructions or policies against such activity, and without the property owner's knowledge or consent.

(2) The following real property is subject to seizure and forfeiture and no property right exists in them: All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements, that the seizing agency proves by a preponderance of the evidence are being used with the knowledge of the owner for the intentional commission of any crime involving the theft, trafficking, or unlawful possession of commercial metal property, or which have been acquired in whole or in part with proceeds traceable to the commission of any crime involving the trafficking, theft, or unlawful possession of commercial metal, if such activity is not less than a class C felony and a substantial nexus exists between the commission of the violation or crime and the real property. However:

(a) No property may be forfeited pursuant to this subsection (2), to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's actual or constructive knowledge; and further, a property owner's real property is not subject to seizure if an employee or agent of that property owner uses the property owner's real property to knowingly or intentionally facilitate the commission of, or to knowingly or intentionally aid and abet the commission of, a crime involving theft, trafficking, or unlawful possession of commercial metal property, in violation of that property owner's instructions or policies against such activity, and without the property owner's knowledge or consent; and

(b) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, neither had actual or constructive knowledge, nor consented to the act or omission.

(3) Property subject to forfeiture under this chapter may be seized by any law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is entered, whichever is later: PROVIDED, That real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant; or

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.

(4) In the event of seizure pursuant to this section, proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. The notice of seizure of personal property may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure. Notice of seizure in the case of property subject to a security interest that has been perfected by filing a financing statement in accordance with chapter 62A.9A RCW, or a certificate of title shall be made by service

upon the secured party or the secured party's assignee at the address shown on the financing statement or the certificate of title.

(5) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (1) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse or domestic partner committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(6) If a person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of the seized property within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the law enforcement agency shall give the person or persons a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction. Removal may only be accomplished according to the rules of civil procedure. The person seeking removal of the matter must serve process against the state, county, political subdivision, or municipality that operates the seizing agency, and any other party of interest, in accordance with RCW 4.28.080 or 4.92.020, within forty-five days after the person seeking removal has notified the seizing law enforcement agency of the person's claim of ownership or right to possession. The court to which the matter is to be removed shall be the district court when the aggregate value of the property is within the jurisdictional limit set forth in RCW 3.66.020. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the property involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorneys' fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property.

(7) At the hearing, the seizing agency has the burden of proof to establish by a preponderance of the evidence that seized property is subject to forfeiture, and that the use or intended use of the seized property in connection with a crime pursuant to this section occurred with the owner's actual or constructive knowledge or consent. The person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property has the burden of proof to establish by a preponderance of the evidence that the person owns or has a right to possess the seized property. The possession of bare legal title is not sufficient to establish ownership of seized property if the seizing agency proves by a preponderance of the evidence that the person claiming ownership or right to possession is a nominal owner and did not actually own or exert a controlling interest in the property.

The seizing law enforcement agency shall promptly return the property to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession of the property.

(8) When property is forfeited under this chapter, after satisfying any court-ordered victim restitution, the seizing law enforcement agency may:

(a) Retain it for official use or, upon application by any law enforcement agency of this state, release such property to such agency; or

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public.

(9)(a) Within one hundred twenty days after the entry of an order of forfeiture, each seizing agency shall remit to, if known, the victim of the crime involving the seized property, an amount equal to fifty percent of the net proceeds of any property forfeited.

(b) Retained property and net proceeds not required to be paid to victims shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of law enforcement activity. Money retained under this section may not be used to supplant preexisting funding sources.

(c) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property, after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents, and the cost of any valid landlord's claim for damages.

(d) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.

(10) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

NEW SECTION. Sec. 28. A new section is added to chapter 19.290 RCW to read as follows:

The provisions of this chapter shall be liberally construed to the end that traffic in stolen private metal property or nonferrous metal property may be prevented, and irresponsible, unreliable, or dishonest persons may be prevented from engaging in the business of processing, recycling, or supplying scrap metal in this state and reliable persons may be encouraged to engage in businesses of processing, recycling, or supplying scrap metal in this state.

Sec. 29. RCW 18.235.020 and 2010 c 179 s 18 are each amended to read as follows:

(1) This chapter applies only to the director and the boards and commissions having jurisdiction in relation to the businesses and professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The director has authority under this chapter in relation to the following businesses and professions:

- (i) Auctioneers under chapter 18.11 RCW;
- (ii) Bail bond agents and bail bond recovery agents under chapter 18.185 RCW;
- (iii) Camping resorts' operators and salespersons under chapter 19.105 RCW;
- (iv) Commercial telephone solicitors under chapter 19.158 RCW;
- (v) Cosmetologists, barbers, manicurists, and estheticians under chapter 18.16 RCW;
- (vi) Court reporters under chapter 18.145 RCW;
- (vii) Driver training schools and instructors under chapter 46.82 RCW;
- (viii) Employment agencies under chapter 19.31 RCW;
- (ix) For hire vehicle operators under chapter 46.72 RCW;
- (x) Limousines under chapter 46.72A RCW;
- (xi) Notaries public under chapter 42.44 RCW;
- (xii) Private investigators under chapter 18.165 RCW;

- (xiii) Professional boxing, martial arts, and wrestling under chapter 67.08 RCW;
 - (xiv) Real estate appraisers under chapter 18.140 RCW;
 - (xv) Real estate brokers and salespersons under chapters 18.85 and 18.86 RCW;
 - (xvi) Scrap metal processors, scrap metal recyclers, and scrap metal suppliers under chapter 19.290 RCW;
 - ~~(xvii)~~ Security guards under chapter 18.170 RCW;
 - ~~((xviii))~~ (xviii) Sellers of travel under chapter 19.138 RCW;
 - ~~((xviii))~~ (xix) Timeshares and timeshare salespersons under chapter 64.36 RCW;
 - ~~((xix))~~ (xx) Whitewater river outfitters under chapter 79A.60 RCW;
 - ~~((xx))~~ (xxi) Home inspectors under chapter 18.280 RCW;
 - ~~((xxi))~~ (xxii) Body artists, body piercers, and tattoo artists, and body art, body piercing, and tattooing shops and businesses, under chapter 18.300 RCW; and
 - ~~((xxii))~~ (xxiii) Appraisal management companies under chapter 18.310 RCW.
- (b) The boards and commissions having authority under this chapter are as follows:
- (i) The state board (~~(of registration)~~) for architects established in chapter 18.08 RCW;
 - (ii) The Washington state collection agency board established in chapter 19.16 RCW;
 - (iii) The state board of registration for professional engineers and land surveyors established in chapter 18.43 RCW governing licenses issued under chapters 18.43 and 18.210 RCW;
 - (iv) The funeral and cemetery board established in chapter 18.39 RCW governing licenses issued under chapters 18.39 and 68.05 RCW;
 - (v) The state board of licensure for landscape architects established in chapter 18.96 RCW; and
 - (vi) The state geologist licensing board established in chapter 18.220 RCW.
- (3) In addition to the authority to discipline license holders, the disciplinary authority may grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered under RCW 18.235.110 by the disciplinary authority.
- Sec. 30.** RCW 43.24.150 and 2011 c 298 s 25 are each amended to read as follows:
- (1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following chapters must be deposited into the account:
- (a) Chapter 18.11 RCW, auctioneers;
 - (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
 - (c) Chapter 18.145 RCW, court reporters;
 - (d) Chapter 18.165 RCW, private investigators;
 - (e) Chapter 18.170 RCW, security guards;
 - (f) Chapter 18.185 RCW, bail bond agents;
 - (g) Chapter 18.280 RCW, home inspectors;
 - (h) Chapter 19.16 RCW, collection agencies;
 - (i) Chapter 19.31 RCW, employment agencies;
 - (j) Chapter 19.105 RCW, camping resorts;
 - (k) Chapter 19.138 RCW, sellers of travel;
 - (l) Chapter 42.44 RCW, notaries public;
 - (m) Chapter 64.36 RCW, timeshares;
 - (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
 - (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;

- (p) Chapter 79A.60 RCW, whitewater river outfitters; ~~((and))~~
- (q) Chapter 19.158 RCW, commercial telephone solicitation; and
- (r) Chapter 19.290 RCW, scrap metal businesses.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees.

NEW SECTION. Sec. 31. A new section is added to chapter 43.43 RCW to read as follows:

(1) Beginning on July 1, 2014, when funded, the Washington association of sheriffs and police chiefs shall implement and operate an ongoing electronic statewide no-buy list database program.

(2) The database must be made available on a web site.

(3) The no-buy list database program shall allow for any scrap metal business to enter a customer's name and date of birth into the database. The database must determine if the customer pursuing the transaction with the scrap metal business has been convicted in Washington of any crime involving burglary, robbery, theft, or possession of or receiving stolen property within the past four years.

(4) If the customer has been convicted of any crime involving burglary, robbery, theft, or possession of or receiving stolen property within the past four years despite whether the person was acting in his or her own behalf or as the agent of another then, at a minimum, the no-buy list database program must immediately send an alert to the scrap metal business stating: (a) That the customer is listed on a current no-buy list, (b) the four-year expiration period for the customer's most recent crime listed, and (c) a notification that entering into a transaction with the customer is prohibited under RCW 19.290.070.

NEW SECTION. Sec. 32. A new section is added to chapter 19.290 RCW to read as follows:

A scrap metal business shall, before completing any transaction under this chapter, determine whether such customer is listed in the Washington association of sheriffs and police chiefs no-buy list database program established and made available under section 31 of this act.

NEW SECTION. Sec. 33. A new section is added to chapter 43.43 RCW to read as follows:

The Washington association of sheriffs and police chiefs shall not be held liable for civil damages resulting from any act or omission in carrying out the requirements of section 31 of this act other than an act or omission constituting gross negligence or willful or wanton misconduct.

NEW SECTION. Sec. 34. If one million five hundred thousand dollars for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2013, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 35. Sections 12 through 23 of this act take effect January 1, 2014.

NEW SECTION. Sec. 36. The director of the department of licensing may take the necessary steps to ensure that sections 12 through 23 of this act are implemented on January 1, 2014."

On page 1, line 1 of the title, after "theft;" strike the remainder of the title and insert "amending RCW 9A.48.100, 9A.56.030, 9A.56.040, 19.290.010, 19.290.020, 19.290.030, 19.290.040, 19.290.050, 19.290.060, 19.290.070, 19.290.090, 18.235.020, and 43.24.150; reenacting and amending RCW 9.94A.515; adding new sections to chapter 19.290 RCW; adding a new section to chapter

36.28A RCW; adding new sections to chapter 43.43 RCW; creating new sections; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives Goodman, Klippert and Goodman (again) spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1552, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1552, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED HOUSE BILL NO. 1539 and the bill was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

- ENGROSSED SENATE BILL NO. 5053
- SUBSTITUTE SENATE BILL NO. 5287
- SENATE BILL NO. 5337
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5449
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5551
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5577
- SUBSTITUTE SENATE BILL NO. 5601
- SENATE BILL NO. 5810
- SENATE JOINT MEMORIAL NO. 8001
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5082
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5153
- SUBSTITUTE SENATE BILL NO. 5227
- SUBSTITUTE SENATE BILL NO. 5282
- ENGROSSED SENATE BILL NO. 5305
- SUBSTITUTE SENATE BILL NO. 5315
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5324
- SENATE BILL NO. 5344
- SENATE BILL NO. 5417
- SUBSTITUTE SENATE BILL NO. 5437
- SENATE BILL NO. 5472
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5491
- SUBSTITUTE SENATE BILL NO. 5615
- ENGROSSED SENATE BILL NO. 5616
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5709
- SUBSTITUTE SENATE BILL NO. 5761
- SUBSTITUTE SENATE BILL NO. 5767
- SUBSTITUTE SENATE BILL NO. 5786
- ENGROSSED SENATE BILL NO. 5105
- SUBSTITUTE SENATE BILL NO. 5148
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5215
- SUBSTITUTE SENATE BILL NO. 5459
- SENATE BILL NO. 5465
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5480
- SUBSTITUTE SENATE BILL NO. 5556
- SUBSTITUTE SENATE BILL NO. 5630
- SENATE BILL NO. 5692
- SENATE BILL NO. 5748
- SENATE JOINT MEMORIAL NO. 8005
- ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8401
- SUBSTITUTE HOUSE BILL NO. 1242
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412
- SUBSTITUTE HOUSE BILL NO. 1466
- SUBSTITUTE HOUSE BILL NO. 1612
- SECOND SUBSTITUTE HOUSE BILL NO. 1764
- HOUSE BILL NO. 1768
- SUBSTITUTE HOUSE BILL NO. 1779
- SUBSTITUTE HOUSE BILL NO. 1941
- SENATE BILL NO. 5092
- ENGROSSED SENATE BILL NO. 5099
- SENATE BILL NO. 5102
- ENGROSSED SENATE BILL NO. 5104
- SENATE BILL NO. 5113
- SUBSTITUTE SENATE BILL NO. 5135
- SENATE BILL NO. 5136
- SENATE BILL NO. 5145
- ENGROSSED SENATE BILL NO. 5206
- SENATE BILL NO. 5220
- SUBSTITUTE SENATE BILL NO. 5256
- SUBSTITUTE SENATE BILL NO. 5308
- SUBSTITUTE SENATE BILL NO. 5369
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5389

SUBSTITUTE SENATE BILL NO. 5399
SUBSTITUTE SENATE BILL NO. 5507
SENATE BILL NO. 5674
ENGROSSED SENATE BILL NO. 5699
ENGROSSED SUBSTITUTE SENATE BILL NO. 5723

The Speaker called upon Representative Moeller to preside.

There being no objection, the House adjourned until 11:00 a.m., April 26, 2013, the 103rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED THIRD DAY

House Chamber, Olympia, Friday, April 26, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sophie Jenkinson and Seth Stauffer. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Judy Warnick, 13th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

April 25, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405
SENATE BILL NO. 5797

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 25, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1421

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 25, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5851

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2058 by Representatives Hawkins, Riccelli and Bergquist

AN ACT Relating to transparency in enacted state capital and transportation budget appropriations and expenditures; amending RCW 44.48.150; and creating a new section.

HCR 4405 by Representatives Sullivan and Kretz

Directing that HB 2056 be considered.

HCR 4406 by Representatives Sullivan and Kretz

Directing that HB 2058 be considered.

ESSB 5851 by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Hill and Baumgartner)

AN ACT Relating to creating a defined contribution retirement plan option for public employees; amending RCW 41.04.440, 41.04.445, 41.04.450, 41.50.030, and 43.33A.190; reenacting and amending RCW 41.50.110; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new chapter to Title 41 RCW; creating new sections; and providing an effective date.

Referred to Committee on Appropriations.

ESSB 5892 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Kline)

AN ACT Relating to reducing corrections costs; amending RCW 9.94A.517, 9.94A.190, 9.94A.729, and 70.48.130; adding a new section to chapter 9.94A RCW; adding a new section to chapter 70.41 RCW; creating new sections; providing effective dates; and declaring an emergency.

Referred to Committee on Public Safety.

SSB 5913 by Senate Committee on Ways & Means (originally sponsored by Senator Becker)

AN ACT Relating to a hospital safety net assessment and quality incentive program for increased hospital payments to improve health care access for the citizens of Washington; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.070, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.60.140, 74.60.150, 74.60.900, and 74.60.901; reenacting and amending RCW 74.09.522; adding a new section to chapter 74.60 RCW; adding a new section to chapter 74.09 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exceptions of HOUSE BILL NO. 2058, HOUSE CONCURRENT RESOLUTION NO. 4405, and HOUSE CONCURRENT RESOLUTION NO. 4406 which were read the first time, and under suspension of the rules were placed on the second reading calendar.

REPORTS OF STANDING COMMITTEES

April 22, 2013

HB 1954 Prime Sponsor, Representative Clibborn:
Concerning transportation revenue. Reported by
Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 25, 2013

HB 2056 Prime Sponsor, Representative Hurst: Correcting the definition of THC concentration as adopted by Initiative Measure No. 502 to avoid an implication that conversion, by combustion, of tetrahydrocannabinol acid into delta-9 tetrahydrocannabinol is not part of the THC content that differentiates marijuana from hemp. Reported by Committee on Government Accountability & Oversight

MAJORITY recommendation: Do pass as amended. Signed by Representatives Hurst, Chair; Wylie, Vice Chair; Blake; Kirby; Moscoso and Smith.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member; Holy, Assistant Ranking Minority Member and Shea.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee report under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2056, which was placed on the second reading calendar.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4405, by Representatives Sullivan and Kretz

Directing that HB 2056 be considered.

The resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Representatives Lytton and Shea spoke in favor of the passage of the resolution.

MOTIONS

On motion of Representative Holy, Representative Crouse was excused. On motion of Representative Van De Wege, Representative Upthegrove was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4405.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4405, and the resolution passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Hudgins.

Excused: Representatives Crouse, DeBolt and Upthegrove.

HOUSE CONCURRENT RESOLUTION NO. 4405, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4406, by Representatives Sullivan and Kretz

Directing that HB 2058 be considered.

The resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

Representatives Lytton and Wilcox spoke in favor of the passage of the resolution.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4406.

ROLL CALL

The Clerk called the roll on the final passage of House Concurrent Resolution No. 4406, and the resolution passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban,

Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hudgins, Lias, Reykdal and Sawyer.

Excused: Representatives Crouse, DeBolt and Upthegrove.

HOUSE CONCURRENT RESOLUTION NO. 4406, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 26, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1242
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1412
SUBSTITUTE HOUSE BILL NO. 1466
SUBSTITUTE HOUSE BILL NO. 1612
SECOND SUBSTITUTE HOUSE BILL NO. 1764
HOUSE BILL NO. 1768
SUBSTITUTE HOUSE BILL NO. 1779
SUBSTITUTE HOUSE BILL NO. 1941

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 1539, by Representatives Rodne, Springer, Hargrove, Sullivan, Magendanz, Takko, Kochmar, Pettigrew, Fitzgibbon and Ryu

Concerning the annexation of unincorporated territory within a code city.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (485).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35A.14.295 and 1997 c 429 s 36 are each amended to read as follows:

(1) The legislative body of a code city may resolve to annex territory containing residential property owners to the city if there is within the city, unincorporated territory:

(a) Containing less than one hundred acres and having at least eighty percent of the boundaries of such area contiguous to the code city; or

(b) Of any size and having ~~((at least eighty percent))~~ all of the boundaries of such area contiguous to the city ~~((if such area existed before June 30, 1994))~~, and is within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city ~~((was))~~ is planning under chapter 36.70A RCW ~~((as of June 30, 1994))~~.

(2) The resolution shall describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and set a date for a public hearing on such resolution for annexation. Notice of the hearing shall be given by publication of the resolution at least once a week for two weeks prior to the date of the

hearing, in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the area to be annexed.

(3) For purposes of subsection (1)(b) of this section, territory bounded by a river, lake, or other body of water is considered contiguous to a city that is also bounded by the same river, lake, or other body of water."

Correct the title.

Representatives Rodne and Springer spoke in favor of the adoption of the amendment.

Amendment (485) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rodne, Springer and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1539.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1539, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse and DeBolt.

ENGROSSED HOUSE BILL NO. 1539, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5843, by Senators Tom, Billig, Hill, Hobbs, Murray, Darneille, Kohl-Welles, Conway and Frockt

Strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide an expiration date and statement of legislative intent. (REVISED FOR ENGROSSED: Strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide a statement of legislative intent and include an expiration date where applicable.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 101, April 24, 2013).

Representative Carlyle moved the adoption of amendment (474) to the committee amendment:

On page 1, beginning on line 5 of the amendment, after "every" strike "bill enacting a"

On page 7, after line 12 of the amendment, insert the following: "**NEW SECTION. Sec. 9.** A new section is added to chapter 82.16 RCW to read as follows:

See section 1 of this act for the expiration date of new tax preferences for the tax imposed under this chapter."

Re-number the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representative Carlyle spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (474) to the committee amendment was adopted.

Representative Carlyle moved the adoption of amendment (487) to the committee amendment.

On page 2, line 12 of the amendment, after "structure;" strike "or"

On page 2, line 14 of the amendment, after "individuals" insert "; or

(f) Tax preferences intended to achieve a general purpose not identified in (a) through (e) of this subsection"

On page 3, beginning on line 3 of the amendment, after "preference" strike ", as well as the taxpayer's gross income and taxable income,"

On page 3, line 9 of the amendment, after "disclosed." insert "Taxpayers may request the department to treat the amount of the tax preference claimed by a taxpayer during a calendar year as confidential under RCW 82.32.330 if the amount for the calendar year is less than ten thousand dollars."

Beginning on page 3, line 28 of the amendment, strike all of section 4

Re-number the remaining sections consecutively, correct any internal references accordingly, and correct the title.

Representatives Carlyle and Nealey spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (487) to the committee amendment was adopted.

Representative Orcutt moved the adoption of amendment (481) to the committee amendment.

On page 3, beginning on line 3 of the amendment, after "(7)" strike all material through "(8)" on line 10 of the amendment

On page 5, beginning on line 32 of the amendment, after "disclosed." strike all material through "82.32.330." on line 35 of the amendment

Representatives Orcutt, Chandler and Alexander spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Carlyle and Pollet spoke against the adoption of the amendment to the committee amendment.

Amendment (481) to the committee amendment was not adopted.

The committee amendment was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Carlyle, Nealey and Manweller spoke in favor of the passage of the bill.

Representatives Orcutt and Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5843, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5843, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hawkins, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Dahlquist, Fagan, Haler, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, MacEwen, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick and Wilcox.

Excused: Representatives Crouse and DeBolt.

ENGROSSED SENATE BILL NO. 5843, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5072, by Senate Committee on Ways & Means (originally sponsored by Senators Delvin, Hobbs, Baumgartner, Becker, Carrell, Roach, Schoesler, Holmquist Newbry, Hatfield, Hewitt, Shin, Keiser and Rolfes)

Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 86, April 9, 2013).

Representative Orcutt moved the adoption of amendment (431) to the committee amendment:

On page 3, line 7 of the striking amendment, strike all of subsection (4).

On page 3, line 21 of the striking amendment, strike all of subsection (3).

Representative Orcutt spoke in favor of the adoption of the amendment to the committee amendment.

Representative Carlyle spoke against the adoption of the amendment to the committee amendment.

Amendment (431) to the committee amendment was not adopted.

The committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Carlyle, Angel and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5072, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5072, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse and DeBolt.

SUBSTITUTE SENATE BILL NO. 5072, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

MESSAGE FROM THE SENATE

April 25, 2013

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1183 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.21C.0384 and 1996 c 323 s 2 are each amended to read as follows:

(1) Decisions pertaining to applications to site ~~((personal))~~ wireless service facilities are not subject to the requirements of RCW 43.21C.030(2)(c), if those facilities meet the following requirements:

(a) ~~((i))~~ The ~~((facility to be sited is a microcell and is to be attached to an existing structure that is not a residence or school and does not contain a residence or a school))~~ collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures does not substantially change the physical dimensions of such structures; or ~~((ii))~~ the facility includes personal wireless service antennas, other than a microcell, and is to be attached to an existing structure (that may be an existing tower) that is not a residence or school and does not contain a residence or a school, and the existing structure to which it is to be attached is located in a commercial, industrial, manufacturing, forest, or agricultural zone; or ~~((iii))~~

~~(b) The siting project involves constructing a ((personal)) wireless service tower less than sixty feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone((; and~~

~~(b) The project is not in)). This exemption does not apply to projects within a designated ((environmentally sensitive)) critical area((; and~~

~~(c) The project does not consist of a series of actions: (i) Some of which are not categorically exempt; or (ii) that together may have a probable significant adverse environmental impact)).~~

(2) The exemption authorized under subsection (1) of this section may only be applied to a project consisting of a series of actions when all actions in the series are categorically exempt and the actions together do not have a probable significant adverse environmental impact.

(3) The department of ecology shall adopt rules to create a categorical exemption for ~~((microcells and other personal))~~ wireless service facilities that meet the conditions set forth in subsections (1) and (2) of this section.

~~((3))~~ For the purposes of this section:))

(4) By January 1, 2020, all wireless service providers granted an exemption to RCW 43.21C.030(2)(c) must provide the legislature with the number of permits issued pertaining to wireless service facilities, the number of exemptions granted under this section, and the total dollar investment in wireless service facilities between July 1, 2013, and June 30, 2019.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) ~~((Personal))~~ Wireless services' means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

(b) ~~((Personal))~~ Wireless service facilities' means facilities for the provision of ~~((personal))~~ wireless services.

(c) ("Microcell" means a wireless communication facility consisting of an antenna that is either: (i) Four feet in height and with an area of not more than five hundred eighty square inches; or (ii) if a tubular antenna, no more than four inches in diameter and no more than six feet in length)) "Collocation" means the mounting or installation of equipment on an existing tower, building, or structure for the purpose of either transmitting or receiving, or both, radio frequency signals for communications purposes.

(d) "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.

(e) "Substantially change the physical dimensions" means:

(i) The mounting of equipment on a structure that would increase the height of the structure by more than ten percent, or twenty feet, whichever is greater; or

(ii) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.

NEW SECTION. Sec. 2. The code reviser is directed to put the defined terms in RCW 43.21C.0384(5) into alphabetical order."

On page 1, line 1 of the title, after "structures;" strike the remainder of the title and insert "amending RCW 43.21C.0384; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1183 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Morris spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1183, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse and DeBolt.

SUBSTITUTE HOUSE BILL NO. 1183, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 24, 2013

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1471 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.70.056 and 2010 c 113 s 1 are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Health care-associated infection" means a localized or systemic condition that results from adverse reaction to the presence of an infectious agent or its toxins and that was not present or incubating at the time of admission to the hospital.

(b) "Hospital" means a health care facility licensed under chapter 70.41 RCW.

(2)(a) A hospital shall collect data related to health care-associated infections as required under this subsection (2) on the following:

(i) ~~((Beginning July 1, 2008,))~~ Central line-associated bloodstream infection in ~~((the intensive care unit))~~ all hospital inpatient areas where patients normally reside at least twenty-four hours;

(ii) ~~((Beginning January 1, 2009, ventilator associated pneumonia; and~~

~~—((iii) Beginning January 1, 2010,))~~ Surgical site infection for the following procedures:

(A) Deep sternal wound for cardiac surgery, including coronary artery bypass graft;

(B) Total hip and knee replacement surgery; and

(C) ~~((Hysterectomy, abdominal and vaginal;~~

~~—(b)(i) Except as required under (b)(ii) and (c) of this subsection,))~~ Colon and abdominal hysterectomy procedures.

(b) The department shall, by rule, delete, add, or modify categories of reporting when the department determines that doing so is necessary to align state reporting with the reporting categories of the centers for medicare and medicaid services. The department shall begin rule making forty-five calendar days, or as soon as practicable, after the centers for medicare and medicaid services adopts changes to reporting requirements.

(c) A hospital must routinely collect and submit the data required to be collected under (a) and (b) of this subsection to the national healthcare safety network of the United States centers for disease control and prevention in accordance with national healthcare safety network definitions, methods, requirements, and procedures.

~~(((ii) Until the national health care safety network releases a revised module that successfully interfaces with a majority of computer systems of Washington hospitals required to report data under (a)(iii) of this subsection or three years, whichever occurs sooner, a hospital shall monthly submit the data required to be collected under (a)(iii) of this subsection to the Washington state hospital association's quality benchmarking system instead of the national health care safety network. The department shall not include data reported to the quality benchmarking system in reports published under subsection (3)(d) of this section. The data the hospital submits to the quality benchmarking system under (b)(ii) of this subsection:~~

~~—(A) Must include the number of infections and the total number of surgeries performed for each type of surgery; and~~

~~—(B) Must be the basis for a report developed by the Washington state hospital association and published on its web site that compares the health care associated infection rates for surgical site infections at individual hospitals in the state using the data reported in the previous calendar year pursuant to this subsection. The report must be published on December 1, 2010, and every year thereafter until data is again reported to the national health care safety network.~~

~~—(c)(i) With respect to any of the health care associated infection measures for which reporting is required under (a) of this subsection, the department must, by rule, require hospitals to collect and submit the data to the centers for medicare and medicaid services according to the definitions, methods, requirements, and procedures of the hospital compare program, or its successor, instead of to the national healthcare safety network, if the department determines that:~~

~~—(A) The measure is available for reporting under the hospital compare program, or its successor, under substantially the same~~

definition; and

—(B) Reporting under this subsection (2)(c) will provide substantially the same information to the public.

—(ii) If the department determines that reporting of a measure must be conducted under this subsection (2)(c), the department must adopt rules to implement such reporting. The department's rules must require reporting to the centers for medicare and medicaid services as soon as practicable, but not more than one hundred twenty days, after the centers for medicare and medicaid services allow hospitals to report the respective measure to the hospital compare program, or its successor. However, if the centers for medicare and medicaid services allow infection rates to be reported using the centers for disease control and prevention's national healthcare safety network, the department's rules must require reporting that reduces the burden of data reporting and minimizes changes that hospitals must make to accommodate requirements for reporting.) If the centers for medicare and medicaid services changes reporting from the national healthcare safety network to another database or through another process, the department shall review the new reporting database or process and consider whether it aligns with the purposes of this section.

(d) Data collection and submission required under this subsection (2) must be overseen by a qualified individual with the appropriate level of skill and knowledge to oversee data collection and submission.

(e)(i) A hospital must release to the department, or grant the department access to, its hospital-specific information contained in the reports submitted under this subsection (2), as requested by the department consistent with RCW 70.02.050.

(ii) The hospital reports obtained by the department under this subsection (2), and any of the information contained in them, are not subject to discovery by subpoena or admissible as evidence in a civil proceeding, and are not subject to public disclosure as provided in RCW 42.56.360.

(3) The department shall:

(a) Provide oversight of the health care-associated infection reporting program established in this section;

(b) By ~~(January 1, 2014)~~ November 1, 2013, and biennially thereafter, submit a report to the appropriate committees of the legislature ~~((based on the recommendations of the advisory committee established in subsection (5) of this section for additional reporting requirements related to health care associated infections, considering the methodologies and practices of the United States centers for disease control and prevention, the centers for medicare and medicaid services, the joint commission, the national quality forum, the institute for healthcare improvement, and other relevant organizations))~~ that contains: (i) Categories of reporting currently required of hospitals under subsection (2)(a) of this section; (ii) categories of reporting the department plans to add, delete, or modify by rule; and (iii) a description of the evaluation process used under (d) of this subsection;

(c) ~~((Delete, by rule, the reporting of categories that the department determines are no longer necessary to protect public health and safety;~~

—(d)) By December 1, 2009, and by each December 1st thereafter, prepare and publish a report on the department's web site that compares the health care-associated infection rates at individual hospitals in the state using the data reported in the previous calendar year pursuant to subsection (2) of this section. The department may update the reports quarterly. In developing a methodology for the report and determining its contents, the department shall consider the recommendations of the advisory committee established in subsection (5) of this section. The report is subject to the following:

(i) The report must disclose data in a format that does not release health information about any individual patient; and

(ii) The report must not include data if the department determines that a data set is too small or possesses other characteristics that make

it otherwise unrepresentative of a hospital's particular ability to achieve a specific outcome; ~~((and~~

—(e)) (d) Evaluate, on a regular basis, the quality and accuracy of health care-associated infection reporting required under subsection (2) of this section and the data collection, analysis, and reporting methodologies; and

(e) Provide assistance to hospitals with the reporting requirements of this chapter including definitions of required reporting elements.

(4) The department may respond to requests for data and other information from the data required to be reported under subsection (2) of this section, at the requestor's expense, for special studies and analysis consistent with requirements for confidentiality of patient records.

(5)(a) The department shall establish an advisory committee which may include members representing infection control professionals and epidemiologists, licensed health care providers, nursing staff, organizations that represent health care providers and facilities, health maintenance organizations, health care payers and consumers, and the department. The advisory committee shall make recommendations to assist the department in carrying out its responsibilities under this section, including making recommendations on allowing a hospital to review and verify data to be released in the report and on excluding from the report selected data from certified critical access hospitals. ~~((Annually, beginning January 1, 2011, the advisory committee shall also make a recommendation to the department as to whether current science supports expanding presurgical screening for methicillin-resistant staphylococcus aureus prior to open chest cardiac, total hip, and total knee elective surgeries.))~~

(b) In developing its recommendations, the advisory committee shall consider methodologies and practices related to health care-associated infections of the United States centers for disease control and prevention, the centers for medicare and medicaid services, the joint commission, the national quality forum, the institute for healthcare improvement, and other relevant organizations.

(6) The department shall adopt rules as necessary to carry out its responsibilities under this section.

Sec. 2. RCW 43.70.056 and 2013 c ... s 1 (section 1 of this act) are each amended to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Health care-associated infection" means a localized or systemic condition that results from adverse reaction to the presence of an infectious agent or its toxins and that was not present or incubating at the time of admission to the hospital.

(b) "Hospital" means a health care facility licensed under chapter 70.41 RCW.

(2)(a) A hospital shall collect data related to health care-associated infections as required under this subsection (2) on the following:

(i) Central line-associated bloodstream infection in all hospital inpatient areas where patients normally reside at least twenty-four hours;

(ii) Surgical site infection for ~~((the following procedures:~~

—(A) Deep sternal wound for cardiac surgery, including coronary artery bypass graft;

—(B) Total hip and knee replacement surgery; and

—(C)) colon and abdominal hysterectomy procedures.

(b) The department shall, by rule, delete, add, or modify categories of reporting when the department determines that doing so is necessary to align state reporting with the reporting categories of the centers for medicare and medicaid services. The department shall begin rule making forty-five calendar days, or as soon as practicable, after the centers for medicare and medicaid services adopts changes to reporting requirements.

(c) A hospital must routinely collect and submit the data required to be collected under (a) and (b) of this subsection to the national healthcare safety network of the United States centers for disease control and prevention in accordance with national healthcare safety network definitions, methods, requirements, and procedures.

If the centers for medicare and medicaid services changes reporting from the national healthcare safety network to another database or through another process, the department shall review the new reporting database or process and consider whether it aligns with the purposes of this section.

(d) Data collection and submission required under this subsection (2) must be overseen by a qualified individual with the appropriate level of skill and knowledge to oversee data collection and submission.

(e)(i) A hospital must release to the department, or grant the department access to, its hospital-specific information contained in the reports submitted under this subsection (2), as requested by the department consistent with RCW 70.02.050.

(ii) The hospital reports obtained by the department under this subsection (2), and any of the information contained in them, are not subject to discovery by subpoena or admissible as evidence in a civil proceeding, and are not subject to public disclosure as provided in RCW 42.56.360.

(3) The department shall:

(a) Provide oversight of the health care-associated infection reporting program established in this section;

(b) By November 1, 2013, and biennially thereafter, submit a report to the appropriate committees of the legislature that contains:

(i) Categories of reporting currently required of hospitals under subsection (2)(a) of this section; (ii) categories of reporting the department plans to add, delete, or modify by rule; and (iii) a description of the evaluation process used under (d) of this subsection;

(c) By December 1, 2009, and by each December 1st thereafter, prepare and publish a report on the department's web site that compares the health care-associated infection rates at individual hospitals in the state using the data reported in the previous calendar year pursuant to subsection (2) of this section. The department may update the reports quarterly. In developing a methodology for the report and determining its contents, the department shall consider the recommendations of the advisory committee established in subsection (5) of this section. The report is subject to the following:

(i) The report must disclose data in a format that does not release health information about any individual patient; and

(ii) The report must not include data if the department determines that a data set is too small or possesses other characteristics that make it otherwise unrepresentative of a hospital's particular ability to achieve a specific outcome;

(d) Evaluate, on a regular basis, the quality and accuracy of health care-associated infection reporting required under subsection (2) of this section and the data collection, analysis, and reporting methodologies; and

(e) Provide assistance to hospitals with the reporting requirements of this chapter including definitions of required reporting elements.

(4) The department may respond to requests for data and other information from the data required to be reported under subsection (2) of this section, at the requestor's expense, for special studies and analysis consistent with requirements for confidentiality of patient records.

(5)(a) The department shall establish an advisory committee which may include members representing infection control professionals and epidemiologists, licensed health care providers, nursing staff, organizations that represent health care providers and facilities, health maintenance organizations, health care payers and consumers, and the department. The advisory committee shall make recommendations to assist the department in carrying out its

responsibilities under this section, including making recommendations on allowing a hospital to review and verify data to be released in the report and on excluding from the report selected data from certified critical access hospitals.

(b) In developing its recommendations, the advisory committee shall consider methodologies and practices related to health care-associated infections of the United States centers for disease control and prevention, the centers for medicare and medicaid services, the joint commission, the national quality forum, the institute for healthcare improvement, and other relevant organizations.

(6) The department shall adopt rules as necessary to carry out its responsibilities under this section.

NEW SECTION. Sec. 3. Section 1 of this act expires July 1, 2017.

NEW SECTION. Sec. 4. Section 2 of this act takes effect July 1, 2017."

On page 1, line 2 of the title, after "reporting;" strike the remainder of the title and insert "amending RCW 43.70.056 and 43.70.056; providing an effective date; and providing an expiration date."

and the same is herewith transmitted.

Brad Hendrickson, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1471 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Riccelli and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1471, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse and DeBolt.

HOUSE BILL NO. 1471, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

ROLL CALL**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1130
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253
 ENGROSSED HOUSE BILL NO. 1421
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552
 SECOND SUBSTITUTE HOUSE BILL NO. 1723
 SUBSTITUTE HOUSE BILL NO. 1821

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 26, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SECOND SUBSTITUTE SENATE BILL NO. 5213
 ENGROSSED SENATE BILL NO. 5221

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 26, 2013

MR. SPEAKER:

The Senate has passed: HOUSE CONCURRENT RESOLUTION NO. 4405 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the sixth order of business.

SECOND READING**HOUSE BILL NO. 2056, by Representatives Hurst and Condotta**

Correcting the definition of THC concentration as adopted by Initiative Measure No. 502 to avoid an implication that conversion, by combustion, of tetrahydrocannabinol acid into delta-9 tetrahydrocannabinol is not part of the THC content that differentiates marijuana from hemp.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Accountability & Oversight was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2056.

The Clerk called the roll on the final passage of Engrossed House Bill No. 2056, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Hudgins.

Excused: Representatives Crouse and DeBolt.

ENGROSSED HOUSE BILL NO. 2056, having received the necessary constitutional majority, was declared passed.

THIRD READING**MESSAGE FROM THE SENATE**

April 26, 2013

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 5236 and asks the House to recede therefrom, and the same is herewith transmitted.

Hunter Goodman Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SENATE BILL NO. 5236 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING**ENGROSSED SENATE BILL NO. 5236, by Senators Kline and Padden****Creating the uniform correction or clarification of defamation act.**

The bill was read the second time.

Representative Goodman moved the adoption of amendment (491).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. INTENT. Since the United States Supreme Court recognized the First Amendment limitations on the common law tort of defamation and defamation-like torts, courts have

struggled to achieve a balance between constitutionally protected guarantees of free expression and the need to protect citizens from reputational harm. Unlike personal injuries, harm to reputation can often be cured by means other than money damages. The correction or clarification of a published statement may restore a person's reputation more quickly and more thoroughly than a victorious lawsuit. The salutary effect of a correction or clarification is enhanced if it is published reasonably soon after a statement is made.

This act seeks to provide strong incentives for individuals to promptly correct or clarify an alleged false statement as an alternative to costly litigation. The options created by this act provide an opportunity for a plaintiff who believes he or she has been harmed by a false statement to secure quick and complete vindication of his or her reputation. This act provides publishers with a quick and cost-effective means of correcting or clarifying alleged mistakes and avoiding costly litigation.

NEW SECTION. Sec. 2. DEFINITION. The definition in this section applies throughout this chapter unless the context clearly requires otherwise.

"Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, or other legal or commercial entity. The term does not include a government or governmental subdivision, agency, or instrumentality.

NEW SECTION. Sec. 3. SCOPE. (1) This chapter applies to any claim for relief, however characterized, for damages arising out of harm caused by the false content of a publication that is published on or after the effective date of this section.

(2) This chapter applies to all publications, including writings, broadcasts, oral communications, electronic transmissions, or other forms of transmitting information.

NEW SECTION. Sec. 4. REQUEST FOR CORRECTION OR CLARIFICATION. (1) A person may maintain an action for defamation or another claim covered by this chapter only if:

(a) The person has made a timely and adequate request for correction or clarification from the defendant; or

(b) The defendant has made a correction or clarification.

(2) A request for correction or clarification is timely if made within the period of limitation for commencement of an action for defamation.

(3) A request for correction or clarification is adequate if it:

(a) Is made in writing and reasonably identifies the person making the request;

(b) Specifies with particularity the statement alleged to be false and defamatory or otherwise actionable and, to the extent known, the time and place of publication;

(c) Alleges the defamatory meaning of the statement;

(d) Specifies the circumstances giving rise to any defamatory meaning of the statement which arises from other than the express language of the publication; and

(e) States that the alleged defamatory meaning of the statement is false.

(4) In the absence of a previous adequate request, service of a summons and complaint stating a claim for defamation or another claim covered by this chapter and containing the information required in subsection (3) of this section constitutes an adequate request for correction or clarification.

(5) The period of limitation for commencement of a defamation action or another claim covered by this chapter is tolled during the period allowed in section 7(1) of this act for responding to a request for correction or clarification.

NEW SECTION. Sec. 5. DISCLOSURE OF EVIDENCE OF FALSITY. (1) A person who has been requested to make a correction or clarification may ask the requester to disclose reasonably available information material to the falsity of the allegedly defamatory or otherwise actionable statement.

(2) If a correction or clarification is not made, a person who unreasonably fails to disclose the information after a request to do so may not recover damages for injury to reputation or presumed damages; however, the person may recover all other damages permitted by law.

NEW SECTION. Sec. 6. EFFECT OF CORRECTION OR CLARIFICATION. If a timely and sufficient correction or clarification is made, a person may not recover damages for injury to reputation or presumed damages; however, the person may recover all other damages permitted by law.

NEW SECTION. Sec. 7. TIMELY AND SUFFICIENT CORRECTION OR CLARIFICATION. (1) A correction or clarification is timely if it is published before, or within thirty days after, receipt of a request for correction or clarification or of the information in section 5(1) of this act, whichever is later, unless the period is extended by written agreement of the parties.

(2) A correction or clarification is sufficient if it:

(a) Is published with a prominence and in a manner and medium reasonably likely to reach substantially the same audience as the publication complained of;

(b) Refers to the statement being corrected or clarified and:

(i) Corrects the statement;

(ii) In the case of defamatory or false meaning arising from other than the express language of the publication, disclaims an intent to communicate that meaning or to assert its truth; or

(iii) In the case of a statement attributed to another person, identifies the person and disclaims an intent to assert the truth of the statement;

(c) In advance of the publication, is provided to the person who has made a request for correction or clarification; and

(d) Accompanies and is an equally prominent part of any electronic publication of the allegedly defamatory or otherwise actionable statement by the publisher.

(3) A correction or clarification is published in a medium reasonably likely to reach substantially the same audience as the publication complained of if it is published in a later issue, edition, or broadcast of the original publication.

(4) If a later issue, edition, or broadcast of the original publication will not be published within the time limits established for a timely correction or clarification, a correction or clarification is published in a manner and medium reasonably likely to reach substantially the same audience as the publication complained of if:

(a) It is timely published in a reasonably prominent manner:

(i) In another medium likely to reach an audience reasonably equivalent to the original publication; or

(ii) If the parties cannot agree on another medium, in the newspaper with the largest general circulation in the region in which the original publication was distributed;

(b) Reasonable steps are taken to correct undistributed copies of the original publication, if any; and

(c) It is published in the next practicable issue, edition, or broadcast, if any, of the original publication.

(5) A correction or clarification is timely and sufficient if the parties agree in writing that it is timely and sufficient.

NEW SECTION. Sec. 8. CHALLENGES TO CORRECTION OR CLARIFICATION OR TO REQUEST FOR CORRECTION OR CLARIFICATION. (1) If a defendant in an action governed by this chapter intends to rely on a timely and sufficient correction or clarification, the defendant's intention to do so, and the correction or clarification relied upon, must be set forth in a notice served on the plaintiff within sixty days after service of the summons and complaint or ten days after the correction or clarification is made, whichever is later.

(2) If a defendant in an action governed by this chapter intends to challenge the adequacy or timeliness of a request for correction or clarification, the defendant must set forth the challenge in a motion to

declare the request inadequate or untimely served within sixty days after service of the summons and complaint. The court shall rule on the motion at the earliest appropriate time before trial.

NEW SECTION. Sec. 9. OFFER TO CORRECT OR CLARIFY. (1) If a timely correction or clarification is no longer possible, the publisher of an alleged defamatory or otherwise actionable statement may offer, at any time before trial, to make a correction or clarification. The offer must be made in writing to the person allegedly harmed by the publication and:

(a) Contain the publisher's offer to:

(i) Publish, at the person's request, a sufficient correction or clarification; and

(ii) Pay the person's reasonable expenses of litigation, including attorneys' fees, incurred before publication of the correction or clarification; and

(b) Be accompanied by a copy of the proposed correction or clarification and the plan for its publication.

(2) If the person accepts in writing an offer to correct or clarify made pursuant to subsection (1) of this section:

(a) The person is barred from commencing an action against the publisher based on the statement; or

(b) If an action has been commenced, the court shall dismiss the action against the defendant with prejudice after the defendant complies with the terms of the offer.

(3) A person who does not accept an offer made in conformance with subsection (1) of this section may not recover damages for injury to reputation or presumed damages in an action based on the statement; however, the person may recover all other damages permitted by law, together with reasonable expenses of litigation, including attorneys' fees, incurred before the offer, unless the person failed to make a good-faith attempt to request a correction or clarification in accordance with section 4 of this act or failed to disclose information in accordance with section 5 of this act.

(4) On request of either party, a court shall promptly determine the sufficiency of the offered correction or clarification.

NEW SECTION. Sec. 10. SCOPE OF PROTECTION. A timely and sufficient correction or clarification made by a person responsible for a publication constitutes a correction or clarification made by all persons responsible for that publication other than a republisher. However, a correction or clarification that is sufficient only because of the operation of section 7(2)(b)(iii) of this act does not constitute a correction or clarification made by the person to whom the statement is attributed.

NEW SECTION. Sec. 11. UNIFORMITY OF APPLICATION AND CONSTRUCTION. This chapter shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

NEW SECTION. Sec. 12. SHORT TITLE. This chapter may be known and cited as the uniform correction or clarification of defamation act.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. Sections 2 through 12 of this act constitute a new chapter in Title 7 RCW."

Correct the title.

Representative Goodman spoke in favor of the adoption of the amendment.

Representative Shea spoke against the adoption of the amendment.

Amendment (491) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and O'Ban spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5236, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5236, as amended by the House, and the bill passed the House by the following vote: Yeas, 70; Nays, 26; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, Haler, Holy, Hope, Johnson, Klippert, Kretz, MacEwen, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Sawyer, Schmick, Scott, Shea, Short, Taylor, Vick and Walsh.

Excused: Representatives Crouse and DeBolt.

ENGROSSED SENATE BILL NO. 5236, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 12:00 Noon, April 27, 2013, the 104th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED FOURTH DAY

House Chamber, Olympia, Saturday, April 27, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Robert Foppiano and Mitch Larson. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Roger Freeman, 30th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4654, by Representatives Chandler, Taylor, and Santos

WHEREAS, Public education is widely recognized as the cornerstone of our American democracy; and

WHEREAS, The strength of our educational system rests on the selfless contributions of ordinary men and women who possess extraordinary passion for teaching and learning; and

WHEREAS, Trevor LaMont Tatanka Greene is an educator who has demonstrated outstanding leadership in the field and in service to the students of Washington State; and

WHEREAS, As principal at Toppenish High School, Trevor Greene inspires his students and staff to focus on possibilities, not on pitfalls, and to aspire toward excellence in every endeavor; and

WHEREAS, In embracing the potential of students and staff to meet rigorous academic standards through relevant and engaging curricula, Principal Greene introduced challenging science, technology, engineering, and math programs that expose his students to engineering and biomedical applications and provide college credits; and

WHEREAS, Principal Greene also established a popular robotics program that enables his students to participate in national competitions while travelling and meeting youth from across the United States; and

WHEREAS, As a result of these and other innovations, student test scores in science at Toppenish High School improved by sixty-seven percent in three years; and

WHEREAS, This accomplishment is especially noteworthy for a school in which one hundred percent of the student body qualifies for free or reduced-price lunch and for a community where opportunities are few; and

WHEREAS, In recognition of his leadership and ability to improve educational opportunities and outcomes for all students, Principal Greene has received numerous awards and accolades including, most recently, 2013 National High School Principal of the Year; and

WHEREAS, Principal Greene is the first educator from the State of Washington and the Pacific Northwest region to receive this prestigious award;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize Trevor Greene of

Toppenish High School for his exemplary service in the field of public education and commend him for his selection as the 2013 National High School Principal of the Year by the National Association of Secondary School Principals; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Principal Greene, Toppenish High School, and Educational Service District 105.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Resolution No. 4654.

HOUSE RESOLUTION NO. 4654 was adopted.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 22, 2013

HB 1954 Prime Sponsor, Representative Clibborn; Concerning transportation revenue. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton and Upthegrove.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne; Shea and Zeiger.

Passed to Committee on Rules for second reading.

April 22, 2013

HB 1955 Prime Sponsor, Representative Clibborn; Concerning additive transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Fey, Vice Chair; Lias, Vice Chair; Moscoso, Vice Chair; Bergquist; Farrell; Fitzgibbon; Habib; Moeller; Morris; Riccelli; Ryu; Sells; Takko; Tarleton; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant

Ranking Minority Member; Angel; Hayes; Johnson; Klippert; Kochmar; Kretz; Kristiansen; O'Ban; Rodne and Shea.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

MESSAGES FROM THE SENATE

April 27, 2013

MR. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5213
ENGROSSED SENATE BILL NO. 5221

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 27, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5193
SUBSTITUTE SENATE BILL NO. 5211
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267
SUBSTITUTE SENATE BILL NO. 5456
ENGROSSED SENATE BILL NO. 5484
SENATE BILL NO. 5510
SECOND SUBSTITUTE SENATE BILL NO. 5595
ENGROSSED SUBSTITUTE SENATE BILL NO. 5744

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 27, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2056
HOUSE CONCURRENT RESOLUTION NO. 4406

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 27, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5405
ENGROSSED SENATE BILL NO. 5666
SENATE BILL NO. 5797

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 27, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1130
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1253
ENGROSSED HOUSE BILL NO. 1421
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552
SECOND SUBSTITUTE HOUSE BILL NO. 1723
SUBSTITUTE HOUSE BILL NO. 1821

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 2058, by Representatives Hawkins, Riccelli and Bergquist

Requiring transparency in enacted state capital and transportation budget appropriations and expenditures.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hawkins, Riccelli, Hunt, Klippert, Stonier, Scott, Farrell, Reykdal, Sawyer, Angel, Rodne, Fitzgibbon and Condotta spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Farrell, Representatives Upthegrove and Van De Wege were excused. On motion of Representative Harris, Representatives Crouse and Hope were excused. On motion of Representative Fitzgibbon, Representative Carlyle was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2058.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2058, and the bill passed the House by the following vote: Yeas, 92; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Liias.

Excused: Representatives Carlyle, Crouse, Hope, Upthegrove and Van De Wege.

HOUSE BILL NO. 2058, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Condotta congratulated Representative Hawkins on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1:00 p.m.,
April 28, 2013, the 105th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

ONE HUNDRED FIFTH DAY

House Chamber, Olympia, Sunday, April 28, 2013

The House was called to order at 1:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Angela Bastien and James Gutsch. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt, 20th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2059 by Representative Morris

AN ACT Relating to the voluntary purchase of eligible renewable resources by customers of electric utilities; and adding new sections to chapter 19.29A RCW.

Referred to Committee on Technology & Economic Development.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Education was relieved of HOUSE BILL NO. 2017, and the bill was placed on the second reading calendar:

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2017, by Representatives Parker, Lytton, Santos, Magendanz and Fagan

Changing the deadline for notices of nonrenewal of contracts for certificated school employees.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Santos and Parker spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Harris, Representative Crouse was excused. On motion of Representative Van De Wege, Representative Uptegrove was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2017.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2017, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet, Shea and Taylor.

Excused: Representatives Crouse and Uptegrove.

HOUSE BILL NO. 2017, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5024, by Senate Committee on Transportation (originally sponsored by Senators King, Eide and McAuliffe)

Making transportation appropriations for the 2011-2013 and 2013-2015 fiscal biennia.

The bill was read the second time.

Representative Clibborn moved the adoption of amendment (483).

Strike everything after the enacting clause and insert the following:

"2013-2015 FISCAL BIENNIUM

NEW SECTION. Sec. 1. (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the

several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2015.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending June 30, 2014.

(b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending June 30, 2015.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

2013-2015 FISCAL BIENNIUM
GENERAL GOVERNMENT AGENCIES OPERATING

**NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF
ARCHAEOLOGY AND HISTORIC PRESERVATION**

Motor Vehicle Account--State Appropriation \$435,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation is provided solely for staffing costs to be dedicated to state transportation activities. Staff hired to support transportation activities must have practical experience with complex construction projects.

**NEW SECTION. Sec. 102. FOR THE UTILITIES AND
TRANSPORTATION COMMISSION**

Grade Crossing Protective Account--State Appropriation
\$504,000

**NEW SECTION. Sec. 103. FOR THE OFFICE OF
FINANCIAL MANAGEMENT**

Motor Vehicle Account--State Appropriation \$1,641,000
Puget Sound Ferry Operations Account--State
Appropriation \$176,000
TOTAL APPROPRIATION \$1,817,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$932,000 of the motor vehicle account--state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to identify, analyze, evaluate, and implement county transportation performance measures associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: identify, analyze, and report on county transportation system preservation; identify, evaluate, and report on opportunities to streamline reporting requirements for counties; and evaluate project management tools to help improve project delivery at the county level.

(2) \$70,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the state's share of the marine salary survey.

**NEW SECTION. Sec. 104. FOR THE DEPARTMENT OF
ENTERPRISE SERVICES**

Motor Vehicle Account--State Appropriation \$502,000

**NEW SECTION. Sec. 105. FOR THE STATE PARKS AND
RECREATION COMMISSION**

Motor Vehicle Account--State Appropriation \$986,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

**NEW SECTION. Sec. 106. FOR THE DEPARTMENT OF
AGRICULTURE**

Motor Vehicle Account--State Appropriation \$1,208,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$351,000 of the motor vehicle account--state appropriation is provided solely for costs associated with the motor fuel quality program.

(2) \$857,000 of the motor vehicle account--state appropriation is provided solely to test the quality of biofuel. The department must test fuel quality at the biofuel manufacturer, distributor, and retailer.

**NEW SECTION. Sec. 107. FOR THE LEGISLATIVE
EVALUATION AND ACCOUNTABILITY PROGRAM
COMMITTEE**

Motor Vehicle Account--State Appropriation \$529,000

**NEW SECTION. Sec. 108. FOR THE JOINT
LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

Motor Vehicle Account--State Appropriation \$243,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$243,000 of the motor vehicle account--state appropriation is for the joint legislative audit and review committee to conduct a review of the methods and systems used by the department of transportation to develop asset condition and maintenance service level needs and subsequent funding requests for highway preservation and maintenance programs, to include tolled facilities. The review will examine whether the methods and systems used by the department of transportation for estimating preservation and maintenance needs and costs are consistent with industry practices and other appropriate standards. The review will include analysis of a selection of preservation and maintenance requests and address issues such as:

(a) Was a systematic, documented process used to develop the estimate of need?

(b) Are practices in place to minimize life-cycle preservation and maintenance costs?

(c) Was each stage in the cost estimating process fully documented?

(d) If appropriate, how were risks to the cost estimate quantified?

(e) What steps are in place to ensure that requests are not unduly impacted by outside pressures?

Expert engineering or cost estimating consultants may be used to review methods, systems, and individual estimates for accuracy. A briefing report, focusing on an overview of the methods and processes, must be completed by December 2013. A report containing any findings and recommendations must be completed by December 2014.

(2) The joint legislative audit and review committee must conduct a forensic audit of the Interstate 5/Columbia River Crossing project (400506A) to investigate possible misuse of public funds. The joint

legislative audit and review committee may contract with the state auditor's office for fraud-related investigation services, if necessary.

NEW SECTION. Sec. 109. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle Account--State Appropriation \$295,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$200,000 of the motor vehicle account--state appropriation is from the cities statewide fuel tax distributions under RCW 46.68.110(2) and is provided solely for the department to inventory, prioritize, and study fish passage barriers associated with city roads and streets in the Puget Sound region. The department shall submit the results to the department of transportation and to organizations representing cities by June 30, 2015.

(2) \$95,000 of the motor vehicle account--state appropriation is from the counties statewide fuel tax distribution under RCW 46.68.120(3) and is provided solely for the department of transportation to contract with the department to inventory, assess, and prioritize fish passage barriers associated with county roads. The department shall submit the results to the department of transportation, the office of financial management, and the transportation committees of the legislature by June 30, 2015.

TRANSPORTATION AGENCIES OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account--State Appropriation	\$3,017,000
Highway Safety Account--Federal Appropriation	\$40,699,000
Highway Safety Account--Private/Local Appropriation	\$50,000
School Zone Safety Account--State Appropriation	\$1,800,000
TOTAL APPROPRIATION	\$45,566,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall develop and implement, in collaboration with the Washington state patrol, a target zero team pilot program in Yakima and Spokane counties. The pilot program must demonstrate the effectiveness of intense, high visibility driving under the influence enforcement in Washington state. The commission shall apply to the national highway traffic safety administration for federal highway safety grants to cover the cost of the pilot program.

(2) \$20,000,000 of the highway safety account--federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2013-2015 fiscal biennium.

(3) Of the amounts provided in this section, any amounts that are granted by the commission for the traffic safety resource prosecutor program must be directed to the Washington association of prosecuting attorneys.

(4) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population over one hundred ninety-five thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2015, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation	\$945,000
Motor Vehicle Account--State Appropriation	\$2,186,000
County Arterial Preservation Account--State Appropriation	\$1,456,000
TOTAL APPROPRIATION	\$4,587,000

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account--State Appropriation \$3,804,000

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account--State Appropriation \$1,330,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$325,000 of the motor vehicle account--state appropriation is for a study of transportation cost drivers and potential efficiencies to contain project costs and gain more value from investments in Washington state's transportation system. The goal is to enable the department of transportation to construct bridge and highway projects more quickly and to build and operate them at a lower cost, while ensuring that appropriate environmental and regulatory protections are maintained and a quality project is delivered. The joint transportation committee must convene an advisory panel to provide study guidance and discuss potential efficiencies and recommendations. The scope of the study must be limited to state-level policies and practices relating to the planning, design, permitting, construction, financing, and operation of department of transportation roadway and bridge projects. The study must:

- (i) Identify best practices;
- (ii) Identify inefficiencies in state policy or agency practice where changes may save money;
- (iii) Recommend changes to improve efficiency and save money; and
- (iv) Identify potential savings to be achieved by adopting changes in practice or policy.

(b) The joint transportation committee shall issue a report of its findings to the house of representatives and senate transportation committees by December 31, 2013.

(2) The joint transportation committee shall coordinate a work group comprised of the department of licensing, the department of revenue, county auditors or other agents, and subagents to identify possible issues relating to the administration of, compliance with, and enforcement of the existing statutory requirement for a person to provide an unexpired driver's license when registering a vehicle. The work group shall provide recommendations on how administration and enforcement may be modified, as needed, to address any identified issues, including whether statutory changes may be needed. A report presenting the recommendations must be presented to the house of representatives and senate transportation committees by December 31, 2013.

(3) The joint transportation committee shall continue to convene a subcommittee for legislative oversight of the I-5/Columbia river crossing bridge replacement project. The Columbia river crossing legislative oversight subcommittee must be made up of six members: Two appointed by the cochairs of the senate transportation committee, two appointed by the chair and ranking member of the house of representatives transportation committee, one designee of the governor, and one citizen jointly appointed by the four members of the joint transportation executive committee. The citizen appointee must be a Washington state resident of the area served by the bridge. At least two of the legislative members must be from the legislative districts served by the bridge. In addition to reviewing project and financing information, the subcommittee must also coordinate with

the Oregon legislative oversight committee for the Columbia river crossing bridge.

(4) The joint transportation committee shall convene a work group to identify and evaluate internal refinance opportunities for the Tacoma Narrows bridge. The study must include a staff work group, including staff from the office of financial management, the transportation commission, the department of transportation, the office of the state treasurer, and the legislative transportation committees. The joint transportation committee shall issue a report of its findings to the house of representatives and the senate transportation committees by December 31, 2013.

(5) The joint transportation committee shall study and review the use of surplus property proceeds to fund facility replacement projects, and the possibility of using the north central region as a pilot. The joint transportation committee shall consult with the department of transportation and the office of financial management regarding the department's current process for prioritizing and funding facility improvement and replacement projects.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account--State Appropriation	\$2,947,000
Multimodal Transportation Account--State Appropriation	\$112,000
TOTAL APPROPRIATION	\$3,059,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315, during the 2013-2015 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of fares for the Washington state ferry system only in amounts not greater than those sufficient to generate the amount of revenue required by the biennial transportation budget. When adjusting ferry fares, the commission must consider input from affected ferry users by public hearing and by review with the affected ferry advisory committees, in addition to the data gathered from the current ferry user survey.

(2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013- 2015 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of toll charges applicable to the Tacoma Narrows bridge only in amounts not greater than those sufficient to support (a) any required costs for operating and maintaining the toll bridge, including the cost of insurance, (b) any amount required by law to meet the redemption of bonds and applicable interest payments, and (c) repayment of the motor vehicle fund.

(3)(a) \$400,000 of the motor vehicle account--state appropriation is provided solely for the development of the business case for the transition to a road usage charge system as the basis for funding the state transportation system, from the current motor fuel tax system. The funds are provided for fiscal year 2014 only.

(b) The legislature finds that the efforts started in the 2011-2013 fiscal biennium regarding the transition to a road usage charge system represent an important first step in the policy and conceptual development of potential alternative systems to fund transportation projects, but that the governance for the development needs clarification. The legislature also finds that significant amounts of research and public education are occurring in similar efforts in several states and that these efforts can and should be leveraged to advance the evaluation in Washington. The legislature intends, therefore, that the commission and its staff lead the policy development of the business case for a road usage charge system, with the goal of providing the business case to the governor and the legislative committees of the legislature in time for inclusion in the 2014 supplemental omnibus transportation appropriations act. The legislature intends for additional oversight in the business case

development, with guidance from a steering committee as provided in chapter 86, Laws of 2012, augmented with participation by the joint transportation committee. The legislature further intends that the department of transportation continue to address administrative, technical, and conceptual operational issues related to road usage charge systems, and that the department serve as a resource for information gleaned from other states on this topic for the commission's efforts.

(c) For the purposes of this subsection (3), the commission shall:

(i) Develop preliminary road usage charge policies that are necessary to develop the business case, as well as supporting research and data that will guide the potential application in Washington;

(ii) Develop the preferred operational concept or concepts that reflect the preliminary policies;

(iii) Evaluate the business case for the road usage charge system that would result from implementing the preliminary policies and preferred operational concept or concepts. The evaluation must assess likely financial outcomes if the system were to be implemented; and

(iv) Identify and document policy and other issues that are deemed important to further refine the preferred operational concept or concepts and to gain public acceptance. These identified issues should form the basis for continued work beyond this funding cycle.

(d) The commission shall convene a steering committee to guide the development of the business case. The membership must be the same as provided in chapter 86, Laws of 2012, except that the membership must also include the joint transportation committee executive members.

(e) The commission shall submit a report of the business case to the governor and the transportation committees of the legislature by December 15, 2013. The report must also include a proposed budget and work plan for fiscal year 2015. A progress report must be submitted to the governor and the joint transportation committee by November 1, 2013, including a presentation to the joint transportation committee.

(4) \$174,000 of the motor vehicle account--state appropriation is provided solely for the voice of Washington survey program. The funding must be utilized for continued program maintenance and two transportation surveys for the 2013-2015 fiscal biennium.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account--State Appropriation	\$904,000
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NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account--State Appropriation	\$370,354,000
State Patrol Highway Account--Federal Appropriation	\$11,137,000
State Patrol Highway Account--Private/Local Appropriation	\$3,591,000
Highway Safety Account--State Appropriation	\$19,429,000
Multimodal Transportation Account--State Appropriation	\$273,000
Ignition Interlock Device Revolving Account--State Appropriation	\$573,000
TOTAL APPROPRIATION	\$405,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The Washington state patrol shall collaborate with the Washington traffic safety commission on the target zero team pilot program referenced in section 201 of this act.

(2) During the 2013-2015 fiscal biennium, the Washington state patrol shall relocate its data center to the state data center in Olympia. The Washington state patrol shall work with the department of

enterprise services to negotiate the lease termination agreement for the current data center site.

(3) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(4) \$573,000 of the ignition interlock device revolving account--state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(5) \$370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(6) of this act. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera infraction fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in roadway construction zones.

(6) The cost allocation for any costs incurred for the facilities at the Olympia, Washington airport used for the Washington state patrol aviation section must be split evenly between the state patrol highway account and the general fund.

(7) The Washington state patrol shall work with the state interoperability executive committee to compile a list of recent studies evaluating the potential savings and benefits of consolidating law enforcement and emergency dispatching centers and report to the joint transportation committee by December 1, 2014, on the findings and recommendations of those studies. As part of this study, the Washington state patrol must look for potential efficiencies within state government.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account--State	
Appropriation	\$34,000
Motorcycle Safety Education Account--State	
Appropriation	\$4,409,000
State Wildlife Account--State Appropriation	\$885,000
Highway Safety Account--State Appropriation	\$156,679,000
Highway Safety Account--Federal Appropriation	\$4,392,000
Motor Vehicle Account--State Appropriation	\$76,819,000
Motor Vehicle Account--Federal Appropriation	\$467,000
Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
Ignition Interlock Device Revolving Account--State	
Appropriation	\$2,656,000
Department of Licensing Services Account--State	
Appropriation	\$5,959,000
TOTAL APPROPRIATION	\$253,844,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,235,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1752), Laws of 2013 (requirements for the operation of commercial motor vehicles in compliance with federal regulations). If chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(2) \$1,000,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(3) \$201,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(4) \$425,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(5) \$172,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . . (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(6) \$652,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013 (license plates). If chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(7) \$78,000 of the motor vehicle account--state appropriation and \$3,707,000 of the highway safety account--state appropriation are provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of 2013 (vehicle-related fees). If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(8) The appropriation in this section reflects the department charging an amount sufficient to cover the full cost of providing the data requested under RCW 46.12.630(1)(b).

(9)(a) The department must convene a work group to examine the use of parking placards and special license plates for persons with disabilities and develop a strategic plan for ending any abuse. In developing this plan, the department must work with the department of health, disabled citizen advocacy groups, and representatives from local government.

(b) The work group must be composed of no more than two representatives from each of the entities listed in (a) of this subsection. The work group may, when appropriate, consult with any other public or private entity in order to complete the strategic plan.

(c) The strategic plan must include:

(i) Oversight measures to ensure that parking placards and special license plates for persons with disabilities are being properly issued, including: (A) The entity responsible for coordinating a randomized review of applications for special parking privileges; (B) a volunteer panel of medical professionals to conduct such reviews; (C) a means to protect the anonymity of both the medical professional conducting a review and the medical professional under review; (D) a means to protect the privacy of applicants by removing any personally identifiable information; and (E) possible sanctions against a medical professional for repeated improper issuances of parking placards or special license plates for persons with disabilities, including those sanctions listed in chapter 18.130 RCW; and

(ii) The creation of a publicly accessible system in which the validity of parking placards and special license plates for persons with disabilities may be verified. This system must not allow the public to access any personally identifiable information or protected health information of a person who has been issued a parking placard or special license plate.

(d) The work group must convene by July 1, 2013, and terminate by December 1, 2013.

(e) By December 1, 2013, the work group must deliver to the legislature and the appropriate legislative committees the strategic plan required under this subsection, together with its findings, recommendations, and any necessary draft legislation in order to implement the strategic plan.

(10) \$3,082,000 of the highway safety account--state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION-- TOLL OPERATIONS AND MAINTENANCE--PROGRAM B

High-Occupancy Toll Lanes Operations Account--State	
Appropriation	\$1,851,000
Motor Vehicle Account--State Appropriation	\$509,000
State Route Number 520 Corridor Account--State	
Appropriation	\$32,419,000
State Route Number 520 Civil Penalties Account--State	
Appropriation	\$4,169,000
Tacoma Narrows Toll Bridge Account--State	
Appropriation	\$23,730,000
Puget Sound Ferry Operations Account--State	
Appropriation	\$250,000
TOTAL APPROPRIATION	\$62,928,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The legislature finds that the department's tolling division has expanded greatly in recent years to address the demands of administering several newly tolled facilities using emerging toll collection technologies. The legislature intends for the department to continue its good work in administering the tolled facilities of the state, while at the same time implementing controls and processes to ensure the efficient and judicious administration of toll payer dollars.

(b) The legislature finds that the department has undertaken a cost-of-service study in the winter and spring of 2013 for the purposes of identifying in detail the costs of operating and administering tolling on state route number 520, state route number 167 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose of the study is to provide results to establish a baseline by which future activity may be compared and opportunities identified for cost savings and operational efficiencies. In addition, the legislature finds that the state auditor has undertaken a performance audit of the department's contract for the customer service center and back office processing of tolling transactions. The audit findings, which are expected to include lessons learned, are due in late spring 2013.

(c) Using the results of the cost-of-service study and the state audit as a basis, the department shall conduct a review of operations using lean management principles in order to eliminate inefficiencies and redundancies, incorporate lessons learned, and identify opportunities to conduct operations more efficiently and effectively. Within current statutory and budgetary tolling policy, the department shall use the results of the review to improve operations in order to conduct toll operations within the appropriations provided in subsections (2) through (4) of this section. The department shall submit the review, along with the status of and plans for the implementation of review recommendations, to the office of financial management and the house of representatives and senate transportation committees by October 15, 2013.

(2) \$10,482,000 of the Tacoma Narrows toll bridge account--state appropriation, \$17,056,000 of the state route number 520 corridor account--state appropriation, \$1,226,000 of the high-occupancy toll lanes operations account--state appropriation, and \$509,000 of the motor vehicle account--state appropriation are provided solely for nonvendor costs of administering toll operations, including the costs of: Staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs.

(3) \$10,907,000 of the Tacoma Narrows toll bridge account--state appropriation, \$9,363,000 of the state route number 520 corridor account--state appropriation, and \$625,000 of the high-occupancy toll lanes operations account--state appropriation are provided solely for vendor-related costs of operating tolled facilities, including the costs of: The customer service center; cash collections on the Tacoma Narrows bridge; electronic payment processing; and toll collection equipment maintenance, renewal, and replacement.

(4) \$1,300,000 of the Tacoma Narrows toll bridge account--state appropriation and \$6,000,000 of the state route number 520 corridor account--state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(5) \$4,169,000 of the state route number 520 civil penalties account--state appropriation and \$1,039,000 of the Tacoma Narrows toll bridge account--state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(6) The Tacoma Narrows toll bridge account--state appropriation in this section reflects reductions in management costs of \$1,235,000.

(7) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(8) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the use of consultants in the tolling program. The reports must include the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consulting contracts.

(9)(a) \$250,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the development of a plan to integrate and transition customer service, reservation, and payment systems currently provided by the marine division to ferry users into the statewide tolling customer service center.

(b)(i) The department shall develop a plan that addresses:

(A) A phased implementation approach, beginning with "Good To Go" as a payment option for ferry users;

(B) The feasibility, schedule, and cost of creating a single account-based system for toll road and ferry users;

(C) Transitioning customer service currently provided by the marine division to the statewide tolling customer service center; and

(D) Transitioning existing and planned ferry reservation system support from the marine division to the statewide tolling customer service center.

(ii) The plan must be provided to the office of financial management and the transportation committees of the legislature by January 14, 2014.

(10) \$120,000 of the state route number 520 corridor account--state appropriation and \$120,000 of the Tacoma Narrows toll bridge account--state appropriation are provided solely to the department to enter into an interagency agreement with the office of financial management to manage a contract with a certified public accounting firm to provide annual independent audits on the state route number 520 toll bridge, as required in master bond resolution 1117, and the Tacoma Narrows bridge. The department is not limited to providing technical support on these audits within existing funds provided in the tolling program and may use resources from elsewhere in the agency.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION-- INFORMATION TECHNOLOGY-- PROGRAM C

Transportation Partnership Account--State	
Appropriation	\$1,460,000
Motor Vehicle Account--State Appropriation	\$68,483,000
Multimodal Transportation Account--State	
Appropriation	\$363,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$1,460,000
State Toxics Control Account--State Appropriation	\$290,000
TOTAL APPROPRIATION	\$72,056,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$290,000 of the state toxics control account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) \$1,460,000 of the transportation partnership account--state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for maintaining the department's project management reporting system.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION-- FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION--PROGRAM D-- OPERATING

Motor Vehicle Account--State Appropriation	\$25,401,000
State Toxics Control Account--State Appropriation	\$850,000
TOTAL APPROPRIATION	\$26,251,000

The appropriations in this section are subject to the following conditions and limitations: \$850,000 of the state toxics control

account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION-- AVIATION--PROGRAM F

Aeronautics Account--State Appropriation	\$7,361,000
Aeronautics Account--Federal Appropriation	\$2,150,000
TOTAL APPROPRIATION	\$9,511,000

The appropriations in this section are subject to the following conditions and limitations: \$3,500,000 of the aeronautics account--state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public airports for pavement, safety, planning, and security.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION-- PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H

Motor Vehicle Account--State Appropriation	\$43,184,000
Motor Vehicle Account--Federal Appropriation	\$500,000
State Toxics Control Account--State Appropriation	\$4,423,000
Multimodal Transportation Account--State	
Appropriation	\$250,000
TOTAL APPROPRIATION	\$48,357,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,423,000 of the state toxics control account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(3) The legislature recognizes that the Dryden pit site (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned real property under the jurisdiction of the department, and that the public would benefit significantly from the complete enjoyment of the natural scenic beauty and recreational opportunities available at the site. Therefore, pursuant to RCW 47.12.080, the legislature declares that transferring the property to the department of fish and wildlife for recreational use and fish and wildlife restoration efforts is consistent with the public interest in order to preserve the area for the use of the public and the betterment of the natural environment. The department shall work with the department of fish and wildlife and transfer and convey the Dryden pit site to the department of fish and wildlife as-is for an adjusted fair market value reflecting site conditions, the proceeds of which must be deposited in the motor vehicle fund. The department is not responsible for any costs associated with the cleanup or transfer of this property. This subsection expires June 30, 2014.

(4) The legislature recognizes that the trail known as the Apple Capital Loop, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on existing state route number 28. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537 and 2-09-04569 to Douglas county and the city of East Wenatchee is consistent with the public interest. The legislature directs the department to transfer the property to Douglas county and the city of East Wenatchee. The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes. Douglas county and the city of East Wenatchee must agree to accept responsibility for trail segments within their respective jurisdictions and sign an agreement with the state that the transfer of these parcels to their respective jurisdictions extinguishes any state

obligations to improve, maintain, or be in any way responsible for these assets. This subsection expires June 30, 2014.

(5) The legislature recognizes that the SR 20/Cook Road realignment and extension project in the city of Sedro-Woolley will enhance the state and local highway systems by providing a more direct route from state route number 20 and state route number 9 to Interstate 5, and will reduce traffic on state route number 20 and state route number 9, improving the capacity of each route. Furthermore, the legislature declares that certain portions of the department's property held for highway purposes located primarily to the north and west of state route number 20, between state route number 20 to the south and F and S Grade Road to the north, in the incorporated limits of Sedro-Woolley in Skagit county, can help facilitate completion of the project. Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it is the intent of the legislature that the department sell, transfer, or lease, as appropriate, to the city of Sedro-Woolley only those portions of the property necessary to construct the project, including necessary staging areas. However, any staging areas should revert to the department within three years of completion of the project.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION-- ECONOMIC PARTNERSHIPS-- PROGRAM K

Motor Vehicle Account--State Appropriation	\$570,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature finds that the efforts started in the 2011-2013 fiscal biennium regarding the transition to a road usage charge system represent an important first step in the policy and conceptual development of potential alternative systems to fund transportation projects, but that the governance for the development needs clarification. The legislature also finds that significant amounts of research and public education are occurring in similar efforts in several states and that these efforts can and should be leveraged to advance the evaluation in Washington. The legislature intends, therefore, that the transportation commission and its staff lead the policy development of the business case for a road usage charge system, with the goal of providing the business case to the governor and the legislative committees of the legislature in time for inclusion in the 2014 supplemental omnibus transportation appropriations act. The legislature intends for additional oversight in the business case development, with guidance from a steering committee as provided in chapter 86, Laws of 2012 for the transportation commission, augmented with participation by the joint transportation committee. The legislature further intends that, through the economic partnerships program, the department continue to address administrative, technical, and conceptual operational issues related to road usage charge systems, and that the department serve as a resource for information gleaned from other states on this topic for the transportation commission's efforts.

(2) The economic partnerships program must continue to explore retail partnerships at state-owned park-and-ride facilities, as authorized in RCW 47.04.295.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION-- HIGHWAY MAINTENANCE-- PROGRAM M

Highway Safety Account--State Appropriation	\$10,000,000
Motor Vehicle Account--State Appropriation	\$380,285,000
Motor Vehicle Account--Federal Appropriation	\$7,000,000
State Toxics Control Account--State Appropriation	\$9,755,000
TOTAL APPROPRIATION	\$407,040,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$377,779,000 of the motor vehicle account--state appropriation and \$10,000,000 of the highway safety account--state appropriation are provided solely for the maintenance program to achieve specific levels of service on the thirty maintenance targets listed by statewide priority in LEAP Transportation Document 2013-4 as developed April 23, 2013. Beginning in February 2014, the department shall report to the legislature annually on its updated maintenance accountability process targets and whether or not the department was able to achieve its targets.

(2) \$8,450,000 of the state toxics control account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(3) \$1,305,000 of the state toxics control account--state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(4) The department shall submit a budget decision for the 2014 legislative session package that details all costs associated with utility fees assessed by local governments as authorized under RCW 90.03.525.

(5) \$50,000 of the motor vehicle account--state appropriation is provided solely for clearing and pruning dangerous trees along state route number 542 between mile markers 43 and 48 to prevent safety hazards and delays.

(6) \$2,277,000 of the motor vehicle account--state appropriation is provided solely to replace or rehabilitate critical equipment needed to perform snow and ice removal activities and roadway maintenance. These funds may not be used to purchase passenger cars as defined in RCW 46.04.382.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION-- TRAFFIC OPERATIONS--PROGRAM Q--OPERATING

Motor Vehicle Account--State Appropriation	\$50,504,000
Motor Vehicle Account--Federal Appropriation	\$2,050,000
Motor Vehicle Account--Private/Local Appropriation	\$250,000
TOTAL APPROPRIATION	\$52,804,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account--state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) \$9,000,000 of the motor vehicle account--state appropriation is provided solely for the department's incident response program.

(3) During the 2013-2015 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service

that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(4) The department shall work with the cities of Lynnwood and Edmonds to provide traffic light synchronization on state route number 524.

(5)(a) Upon receipt of funding from the city of Kenmore, the department shall erect guide signs along Interstate 5, Interstate 405, and state route number 522 directing travelers to Bastyr University and Kenmore International Air Harbor.

(b) Within existing resources, and only if the department is replacing existing signs, the department shall erect:

(i) Guide signs on Interstate 405 northbound and southbound that include the city of Kenmore; and

(ii) Overhead signs on Interstate 5 northbound and southbound that include the city of Kenmore.

(6) The department, in consultation with the Washington state patrol, must continue a pilot program for the state patrol to issue infractions based on information from automated traffic safety cameras in roadway construction zones on state highways. For the purpose of this pilot program, during the 2013-2015 fiscal biennium, a roadway construction zone includes areas where public employees or private contractors may be present or where a driving condition exists that would make it unsafe to drive at higher speeds, such as, when the department is redirecting or realigning lanes on any public roadway pursuant to ongoing construction. The department shall use the following guidelines to administer the program:

(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(b) The department shall plainly mark the locations where the automated traffic safety cameras are used by placing signs on locations that clearly indicate to a driver that he or she is entering a roadway construction zone where traffic laws are enforced by an automated traffic safety camera;

(c) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(d) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving notification of the violation, mails to the patrol, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner, or any other extenuating circumstances;

(e) For purposes of the 2013-2015 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (6) for an infraction generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

(f) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction must be dismissed against the business if it mails to the patrol, within fourteen days of receiving the notice, a declaration under penalty of perjury of the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under

penalty of perjury to this effect. The declaration must be mailed to the patrol within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must be included with each automated traffic safety camera infraction notice issued, along with instructions for its completion and use.

(7) \$102,000 of the motor vehicle account--state appropriation is provided solely to replace or rehabilitate critical equipment needed to perform traffic control. These funds may not be used to purchase passenger cars as defined in RCW 46.04.382.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION-- TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S

Motor Vehicle Account--State Appropriation	\$27,281,000
Motor Vehicle Account--Federal Appropriation	\$30,000
Multimodal Transportation Account--State Appropriation	\$973,000
TOTAL APPROPRIATION	\$28,284,000

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION-- TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T

Motor Vehicle Account--State Appropriation	\$20,109,000
Motor Vehicle Account--Federal Appropriation	\$24,885,000
Multimodal Transportation Account--State Appropriation	\$662,000
Multimodal Transportation Account--Federal Appropriation	\$2,809,000
Multimodal Transportation Account--Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	\$48,565,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within available resources, the department must collaborate with the affected metropolitan planning organizations, regional transportation planning organizations, transit agencies, and private transportation providers to develop a plan to reduce vehicle demand, increase public transportation options, and reduce vehicle miles traveled on corridors affected by growth at Joint Base Lewis-McChord.

(2) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, the department shall contract with an independent research organization with expertise in the evaluation of wood products to determine on a life-cycle basis the cost effectiveness of using wood posts versus steel posts in new guardrail installations.

(a) The study must include the following objectives:

(i) Examine wood posts that are randomly selected, are representative of commonly found posts in service, and are of sufficient sampling size to produce a statistically valid data set;

(ii) Assess the residual flexural properties of guardrail posts after twenty years in service at various sites representing the climatic and soil variability of the state;

(iii) Measure test results against AASHTO standards;

(iv) Determine residual preservative levels in wood posts in terms of retention and penetration in order to determine the role of treatment quality on performance following test procedures outlined in American wood protection association standards;

(v) Examine the levels of decay in the guardrail posts, in terms of location of pockets and the presence of viable decay fungi, through culturing;

(vi) Investigate the effects of decay on flexural properties of guardrail posts;

(vii) Determine an acceptable level or number of nonstandard posts (i.e. posts with decay pockets that cause post strength to fall below AASHTO standards) that can be present in a guardrail run without compromising performance; and

(viii) Conduct thorough data search or identify case studies, or both, on service life of wood guardrail posts. Durability test results should also be factored in when evaluating service life.

(b) The study must be submitted to the office of financial management and the transportation committees of the legislature by January 1, 2015.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION-- CHARGES FROM OTHER AGENCIES--PROGRAM U

Motor Vehicle Account--State Appropriation	\$81,628,000
Motor Vehicle Account--Federal Appropriation	\$400,000
Multimodal Transportation Account--State Appropriation	\$40,000
TOTAL APPROPRIATION	\$82,068,000

The appropriations in this section are subject to the following conditions and limitations: The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION-- PUBLIC TRANSPORTATION-- PROGRAM V

State Vehicle Parking Account--State Appropriation	\$452,000
Regional Mobility Grant Program Account--State Appropriation	\$49,948,000
Rural Mobility Grant Program Account--State Appropriation	\$17,000,000
Multimodal Transportation Account--State Appropriation	\$39,057,000
Multimodal Transportation Account--Federal Appropriation	\$3,280,000
TOTAL APPROPRIATION	\$109,737,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$25,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$5,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$19,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2011 as reported in the "Summary of Public Transportation - 2011" published by the department of transportation.

No transit agency may receive more than thirty percent of these distributions.

(2) \$17,000,000 of the rural mobility grant program account--state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$520,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving soldiers and civilian employees at Joint Base Lewis-McChord.

(4) \$9,948,000 of the regional mobility grant program account--state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed April 23, 2013.

(5)(a) \$40,000,000 of the regional mobility grant program account--state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed April 23, 2013. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2013, and December 15, 2014, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty- five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2013-2015 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection,

(i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$6,122,000 of the total appropriation in this section is provided solely for CTR grants and activities. Of this amount:

(a) \$3,900,000 of the multimodal transportation account--state appropriation is provided solely for grants to local jurisdictions, selected by the CTR board, for the purpose of assisting employers meet CTR goals;

(b) \$1,770,000 of the multimodal transportation account--state appropriation is provided solely for state costs associated with CTR. The department shall develop more efficient methods of CTR assistance and survey procedures; and

(c) \$452,000 of the state vehicle parking account--state appropriation is provided solely for CTR-related expenditures, including all expenditures related to the guaranteed ride home program and the STAR pass program.

(8) An affected urban growth area that has not previously implemented a commute trip reduction program as of the effective date of this section is exempt from the requirements in RCW 70.94.527.

(9) \$200,000 of the multimodal transportation account--state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION-- MARINE--PROGRAM X

Puget Sound Ferry Operations Account--State

Appropriation \$484,976,000

Puget Sound Ferry Operations Account--Private/Local

Appropriation \$121,000

State Toxics Control Account--State Appropriation \$100,000

TOTAL APPROPRIATION \$485,197,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2013-2015 supplemental and 2015-2017 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2013-2015 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) \$112,342,000 of the Puget Sound ferry operations account--state appropriation is provided solely for auto ferry vessel operating fuel in the 2013-2015 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, are contingent upon the enactment of section 701 of this act. The amount provided in this subsection represent the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall develop a fuel reduction plan to be submitted as part of its 2014 supplemental budget proposal. The plan must include fuel saving proposals, such as vessel modifications, vessel speed reductions, and changes to operating procedures, along with anticipated fuel saving estimates.

(5) \$100,000 of the state toxics control account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(6) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(7) \$3,049,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the operating program share of the \$7,259,000 in lease payments for the ferry division's headquarters building. Consistent with the 2012 facilities oversight plan, the department shall strive to consolidate office space in downtown Seattle by the end of 2015. The department shall consider renewing the lease for the ferry division's current headquarters building only if the lease rate is reduced at least fifty percent and analysis shows that this is the least cost and risk option for the department. Consolidation with other divisions or state agencies, or a reduction in leased space, must also be considered as part of any headquarters lease renewal analysis.

(8) \$5,000,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the purchase of a 2013-2015 marine insurance policy. Within this amount, the department is expected to purchase a policy with the lowest deductible possible, while maintaining at least existing coverage levels for ferry vessels, and providing coverage for all terminals.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION-- RAIL--PROGRAM Y--OPERATING

Multimodal Transportation Account--State

Appropriation \$32,924,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$27,319,000 of the multimodal transportation account--state appropriation is provided solely for the Amtrak service contract and Talgo maintenance contract associated with providing and maintaining state-supported passenger rail service. In recognition of the increased costs the state is expected to absorb due to changes in federal law, the department is directed to analyze the Amtrak contract proposal and find cost saving alternatives. The department shall report to the transportation committees of the legislature before the 2014 regular legislative session on its revisions to the Amtrak contract, including a review of the appropriate costs within the contract for concession services, policing, host railroad incentives, and station services and staffing needs. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report any changes that would affect the state subsidy amount appropriated in this subsection.

(2) Amtrak Cascades runs may not be eliminated.

(3) The department shall continue a pilot program by partnering with the travel industry on the Amtrak Cascades service between Vancouver, British Columbia, and Seattle to test opportunities for increasing ridership, maximizing farebox recovery, and stimulating private investment. The pilot program must run from December 31, 2013, to December 31, 2014, and evaluate seasonal differences in the program and the effect of advertising. The department may offer to Washington universities an opportunity for business students to work as interns on the analysis of the pilot program process and results. The department shall report on the results of the pilot program to the office of financial management and the legislature by January 31, 2015.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION-- LOCAL PROGRAMS--PROGRAM Z-- OPERATING

Motor Vehicle Account--State Appropriation \$8,737,000

Motor Vehicle Account--Federal Appropriation \$2,567,000

TOTAL APPROPRIATION \$11,304,000

TRANSPORTATION AGENCIES-CAPITAL

NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account--State	
Appropriation	\$11,794,000
Freight Mobility Multimodal Account--State	
Appropriation	\$9,736,000
Freight Mobility Multimodal Account--Private/Local	
Appropriation	\$1,320,000
Highway Safety Account--State Appropriation	\$2,450,000
Motor Vehicle Account--State Appropriation	\$84,000
Motor Vehicle Account--Federal Appropriation	\$3,250,000
TOTAL APPROPRIATION	\$28,634,000

The appropriations in this section are subject to the following conditions and limitations: Except as provided otherwise in this section, the total appropriation in this section is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1256), Laws of 2013 (addressing project selection by the freight mobility strategic investment board). If chapter . . . (Substitute House Bill No. 1256), Laws of 2013 is not enacted by June 30, 2013, the amounts provided in this section lapse.

NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account--State Appropriation	\$1,926,000
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The appropriation in this section is subject to the following conditions and limitations:

- (1) \$200,000 of the state patrol highway account--state appropriation is provided solely for unforeseen emergency repairs on facilities.
- (2) \$426,000 of the state patrol highway account--state appropriation is provided solely for the replacement of the roofs of the Marysville district office and vehicle inspection building and Spokane East office.
- (3) \$450,000 of the state patrol highway account--state appropriation is provided solely for upgrades to scales at South Pasco, Deer Park, and Kelso required to meet current certification requirements.
- (4) \$850,000 of the state patrol highway account--state appropriation is provided solely for the replacement of the damaged and unrepairable scale house at the Everett southbound I-5 weigh scales, including equipment, weigh-in-motion technology, and an ALPR camera.
- (5) The Washington state patrol, in cooperation with the Washington state department of transportation, must study the federal funding options available for weigh station construction and improvements on the national highway system. A study report must be provided by July 1, 2014, to the office of financial management and the transportation committees of the legislature with recommendations on utilizing federal funds for weigh station projects.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State	
Appropriation	\$35,894,000
Highway Safety Account--State Appropriation	\$10,000,000
Motor Vehicle Account--State Appropriation	\$706,000
County Arterial Preservation Account--State	
Appropriation	\$30,000,000
TOTAL APPROPRIATION	\$76,600,000

NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account--State	
Appropriation	\$3,500,000
Highway Safety Account--State Appropriation	\$10,000,000
Transportation Improvement Account--State	
Appropriation	\$174,225,000

TOTAL APPROPRIATION \$187,725,000

The appropriations in this section are subject to the following conditions and limitations: The highway safety account--state appropriation is provided solely for:

- (1) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;
- (2) The small city pavement program to help cities meet urgent preservation needs; and
- (3) The small city low-energy street light retrofit demonstration program.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION-- FACILITIES--PROGRAM D-- (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-- CAPITAL

Transportation Partnership Account--State	
Appropriation	\$13,425,000
Motor Vehicle Account--State Appropriation	\$7,456,000
State Toxics Control Account--State Appropriation	\$650,000
TOTAL APPROPRIATION	\$21,531,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) The legislature recognizes that the Marginal Way site (King county parcel numbers 3024049182 & 5367202525) is surplus state-owned real property under the jurisdiction of the department and that the public would benefit significantly if this site is used to provide important social services. Therefore, the legislature declares that committing the Marginal Way site to this use is consistent with the public interest.

Pursuant to RCW 47.12.063, the department shall work with the owner of King county parcel number 7643400010, which abuts both parcels of the Marginal Way site, and shall convey the Marginal Way site to that abutting property owner for the appraised fair market value of the parcels, the proceeds of which must be deposited in the motor vehicle fund. The conveyance is conditional upon the purchaser's agreement to commit the use of the Marginal Way site to operations with the goal of ending hunger in western Washington. The department may not make this conveyance before September 1, 2013, and may not make this conveyance after January 15, 2014.

The Washington department of transportation is not responsible for any costs associated with the cleanup or transfer of the Marginal Way site.

- (2) \$650,000 of the state toxics control account--state appropriation is provided solely for NPDES facilities projects (D311701 and D398136).

(3) \$13,425,000 of the transportation partnership account--state appropriation is provided solely for the construction of a new traffic management and emergency operations center on property owned by the department on Dayton Avenue in Shoreline (project 100010T). Consistent with the office of financial management's 2012 study, it is the intent of the legislature to appropriate no more than \$15,000,000 for the total construction costs. The department shall report to the transportation committees of the legislature and the office of financial management by June 30, 2014, on the progress of the construction of the traffic management and emergency operations center, including a schedule for terminating the current lease of the Goldsmith building in Seattle.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION-- IMPROVEMENTS--PROGRAM I

Multimodal Transportation Account--State	
Appropriation	\$1,000,000
Transportation Partnership Account--State	
Appropriation	\$1,536,032,000
Motor Vehicle Account--State Appropriation	\$57,555,000
Motor Vehicle Account--Federal Appropriation	\$473,359,000

Motor Vehicle Account--Private/Local Appropriation	\$208,452,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$242,253,000
State Route Number 520 Corridor Account--State	
Appropriation	\$737,205,000
State Route Number 520 Corridor Account--Federal	
Appropriation	\$300,000,000
Special Category C Account--State Appropriation	\$124,000
State Toxics Control Account--State Appropriation	\$3,953,000
TOTAL APPROPRIATION	\$3,559,933,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2013-1 as developed April 23, 2013, Program - Highway Improvement Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account--state appropriation and motor vehicle account--federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Improvement Program (I). It is the intent of the legislature to direct the department to give first priority of federal funds gained through efficiencies or the redistribution process to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)--state appropriation includes up to \$217,604,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account--state appropriation includes up to \$1,156,217,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) The motor vehicle account--state appropriation includes up to \$30,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(7)(a) \$1,334,000 of the transportation partnership account--state appropriation, \$48,433,500 of the motor vehicle account--private/local appropriation, and \$32,020,000 of the motor vehicle account--federal appropriation are provided solely for the I-5/Columbia River Crossing project (400506A). The federal funds appropriated in this subsection reflect the maximum amount of federal funds that may be allocated to this project. Section 603 of this act does not apply to the I-5/Columbia River Crossing project (400506A) and, therefore, funds shall not be transferred to this project. Of the amounts appropriated in this subsection, \$1,254,000 of the transportation partnership account--state appropriation, \$30,099,000 of the motor vehicle account--federal appropriation, and \$45,528,000 of the motor vehicle account--private/local appropriation in this subsection are held in unallotted status and are contingent upon the United States coast guard approving the I-5/Columbia River Crossing project's permit. If the permit is approved, the director of the office of financial management may allot the funds. If the permit is not approved, the appropriations in this

subsection must be put into allotted status by the director of the office of financial management and may be used only for the development of a new supplemental environmental impact statement to redesign the Interstate 5 bridge between Washington and Oregon in accordance with the requirements of the United States coast guard. The department shall not submit the supplemental environmental impact statement to the appropriate federal agencies for approval until July 1, 2014.

(b) It is the intent of the legislature that Washington and Oregon have equal funding commitments and equal total expenditures to date on the shared components of the I-5/Columbia River Crossing project. The department shall provide a quarterly report on this project beginning September 30, 2013. The report must include:

- (i) An update on preliminary engineering and right-of-way acquisition for the previous quarter;
- (ii) Planned objectives for right-of-way and preliminary engineering for the ensuing quarter;
- (iii) An updated comparison of the total appropriation authority for the project by state;
- (iv) An updated comparison of the total expenditures to date on the project by state; and
- (v) The committed funding provided by the state of Oregon to right-of-way acquisition.

(8)(a) \$5,000,000 of the motor vehicle account--federal appropriation and \$200,000 of the motor vehicle account--state appropriation are provided solely for the I-90 Comprehensive Tolling Study and Environmental Review project (100067T). The department shall prepare a detailed environmental impact statement that complies with the national environmental policy act regarding tolling Interstate 90 between Interstate 5 and Interstate 405 for the purposes of both managing traffic and providing funding for the construction of the unfunded state route number 520 from Interstate 5 to Medina project. As part of the preparation of the statement, the department must review any impacts to the network of highways and roads surrounding Lake Washington. In developing this statement, the department must provide significant outreach to potential affected communities. The department may consider traffic management options that extend as far east as Issaquah.

(b)(i) As part of the project in this subsection (8), the department shall perform a study of all funding alternatives to tolling Interstate 90 to provide funding for construction of the unfunded state route number 520 and explore and evaluate options to mitigate the effect of tolling on affected residents and all other users of the network of highways and roads surrounding Lake Washington including, but not limited to:

(A) Allowing all Washington residents to traverse a portion of the tolled section of Interstate 90 without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island;

(B) Assessing a toll only when a driver traverses, in either direction, the entire portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing east of Mercer Island; and

(C) Allowing affected residents to choose one portion of the tolled section of Interstate 90 upon which they may travel without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island.

(ii) The department may also consider any alternative mitigation options that conform to the purpose of this subsection (8).

(iii) For the purposes of this subsection (8), "affected resident" means anyone who must use a portion of Interstate 90 west of Interstate 405 upon which tolling is considered in order to access necessary medical services, such as a hospital.

(9) \$541,901,000 of the transportation partnership account--state appropriation, \$144,954,000 of the motor vehicle account--federal appropriation, \$129,779,000 of the motor vehicle account--private/local appropriation, and \$78,004,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the SR 99/Alaskan Way Viaduct - Replacement project (809936Z).

(10) The department shall reconvene an expert review panel of no more than three members as described under RCW 47.01.400 for the purpose of updating the work that was previously completed by the panel on the Alaskan Way viaduct replacement project and to ensure that an appropriate and viable financial plan is created and regularly reviewed. The expert review panel must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor. The expert review panel must report findings and recommendations to the transportation committees of the legislature, the governor's Alaskan Way viaduct project oversight committee, and the transportation commission annually until the project is operationally complete. This subsection takes effect if chapter ... (Substitute House Bill No. 1957), Laws of 2013 is not enacted by June 30, 2013.

(11) \$7,408,000 of the transportation partnership account--state appropriation, \$14,594,000 of the transportation 2003 account (nickel account)--state appropriation, \$3,730,000 of the motor vehicle account--state appropriation, \$1,000,000 of the multimodal transportation account--state appropriation, and \$41,395,000 of the motor vehicle account--federal appropriation are provided solely for the US 395/North Spokane Corridor projects (600010A & 600003A). Any future savings on the projects must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor projects or any future phase of the projects.

(12) \$114,369,000 of the transportation partnership account--state appropriation and \$53,755,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project.

(13)(a) The SR 520 Bridge Replacement and HOV project (0BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$819,524,625 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account--state appropriation includes up to \$668,142,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account--federal appropriation includes up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) \$153,124,000 of the transportation partnership account--state appropriation, \$300,000,000 of the state route number 520 corridor account--federal appropriation, and \$737,205,000 of the state route number 520 corridor account--state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (0BI1003). Of the amounts appropriated in this subsection (13)(d), \$105,085,000 of the state route number 520 corridor account--federal appropriation and \$227,415,000 of the state route number 520 corridor account--state appropriation must be put into unallotted status and are subject to review by the office of financial management. The director of the office of financial management shall consult with the joint

transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(14) \$1,100,000 of the motor vehicle account--federal appropriation is provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) \$22,602,000 of the motor vehicle account--state appropriation is provided solely to advance the design, preliminary engineering, and rights-of-way acquisition for the priority projects identified in LEAP Transportation Document 2013-3 as developed April 23, 2013. Funds must be used to advance the emergent, initial development of these projects for the purpose of expediting delivery of the associated major investments when funding for such investments becomes available. Funding may be reallocated between projects to maximize the accomplishment of design and preliminary engineering work and rights-of-way acquisition, provided that all projects are addressed. It is the intent of the legislature that, while seeking to maximize the outcomes in this section, the department shall provide for continuity of both the state and consulting engineer workforce, while strategically utilizing private sector involvement to ensure consistency with the department's business plan for staffing in the highway construction program in the current fiscal biennium.

(16) If a planned roundabout in the vicinity of state route number 526 and 84th Street SW would divert commercial traffic onto neighborhood streets, the department may not proceed with improvements at state route number 526 and 84th Street SW until the traffic impacts in the vicinity of state route number 526 and 40th Avenue West are addressed.

(17) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2015, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(18) The legislature finds that "right-sizing" is a lean, metric-based approach to determining project investments. This concept entails compromise between project cost and design, incorporating local community needs, desired outcomes, and available funding. Furthermore, the legislature finds that the concepts and principles the department has utilized in the safety analyst program have been effective tools to prioritize projects and reduce project costs. Therefore, the department shall establish a pilot project on the SR 3/Belfair Bypass - New Alignment (300344C) to begin implementing the concept of "right-sizing" in the highway construction program.

(19) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(20) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2014 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(21) \$28,963,000 of the motor vehicle account--state appropriation is provided solely for improvement program support activities (095901X). \$18,000,000 of this amount must be held in unallotted status until the office of financial management certifies that the department's 2014 supplemental budget request conforms to the terms of subsection (20) of this section.

(22) The department shall report to the chairs of the senate transportation committee and the house of representatives transportation committee whenever the department is in negotiations to provide a public or private entity mitigation for ten million dollars or more.

(23) Any new advisory group that the department convenes during the 2013-2015 fiscal biennium must be representative of the interests of the entire state of Washington.

(24) \$3,953,000 of the state toxics control account--state appropriation is provided solely for storm water and mitigation site improvements (0B14003).

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION-- PRESERVATION--PROGRAM P

Transportation Partnership Account--State

Appropriation	\$36,480,000	
Highway Safety Account--State Appropriation		\$10,000,000
Motor Vehicle Account--State Appropriation		\$58,503,000
Motor Vehicle Account--Federal Appropriation		\$580,062,000
Motor Vehicle Account--Private/Local Appropriation		\$11,270,000
Transportation 2003 Account (Nickel Account)--State Appropriation	\$2,285,000	
TOTAL APPROPRIATION		\$698,600,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2013-1 as developed April 23, 2013, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account--state appropriation and motor vehicle account--federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). It is the intent of the legislature to direct the department to give first priority of federal funds gained through efficiencies or the redistribution process to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) \$27,278,000 of the motor vehicle account--federal appropriation and \$1,141,000 of the motor vehicle account--state appropriation are provided solely for the SR 167/Puyallup River Bridge Replacement project (316725A). This project must be completed as a design-build project. The department must work with local jurisdictions and the community during the environmental review process to develop appropriate esthetic design elements, at no additional cost to the department, and traffic management plans pertaining to this project. The department must report to the

transportation committees of the legislature on estimated cost and/or time savings realized as a result of using the design-build process.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION-- TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL

Motor Vehicle Account--State Appropriation	\$3,194,000
Motor Vehicle Account--Federal Appropriation	\$7,959,000
TOTAL APPROPRIATION	\$11,153,000

The appropriations in this section are subject to the following conditions and limitations: \$694,000 of the motor vehicle account--state appropriation is provided solely for project 000005Q as state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION-- WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W

Puget Sound Capital Construction Account--State Appropriation	\$53,036,000	
Puget Sound Capital Construction Account--Federal Appropriation	\$91,692,000	
Puget Sound Capital Construction Account--Private/Local Appropriation	\$1,145,000	
Multimodal Transportation Account--State Appropriation		\$1,534,000
Transportation 2003 Account (Nickel Account)--State Appropriation	\$143,941,000	
TOTAL APPROPRIATION		\$291,348,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Washington State Ferries Capital Program (W).

(2) The Puget Sound capital construction account--state appropriation includes up to \$20,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(3) \$143,633,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for the acquisition of two 144-car vessels (projects L2200038 and L2200039). The department shall use as much already procured equipment as practicable on the 144- car vessels.

(4) \$8,270,000 of the Puget Sound capital construction account--federal appropriation, \$3,935,000 of the Puget Sound capital construction account--state appropriation, and \$1,534,000 of the multimodal transportation account--state appropriation are provided solely for the Mukilteo ferry terminal (project 952515P). To the greatest extent practicable, the department shall seek additional federal funding for this project.

(5) \$4,000,000 of the Puget Sound capital construction account--state appropriation is provided solely for emergency capital repair costs (project 999910K). Funds may only be spent after approval by the office of financial management.

(6) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the

department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future modifications at the terminal.

(7) \$3,800,000 of the Puget Sound capital construction account--state appropriation is provided solely for the reservation and communications system projects (L200041 & L200042).

(8) \$4,210,000 of the Puget Sound capital construction account--state appropriation is provided solely for the capital program share of \$7,259,000 in lease payments for the ferry division's headquarters building. Consistent with the 2012 facilities oversight plan, the department shall strive to consolidate office space in downtown Seattle by the end of 2015. The department shall consider renewing the lease for the ferry division's current headquarters building only if the lease rate is reduced at least fifty percent and analysis shows that this is the least cost and risk option for the department. Consolidation with other divisions or state agencies, or a reduction in leased space, must also be considered as part of any headquarters lease renewal analysis.

(9) \$21,950,000 of the total appropriation is for preservation work on the Hyak super class vessel (project 944431D), including installation of a power management system and more efficient propulsion systems, that in combination are anticipated to save up to twenty percent in fuel and reduce maintenance costs. Upon completion of this project, the department shall provide a report to the transportation committees of the legislature on the fuel and maintenance savings achieved for this vessel and the potential to save additional funds through other vessel conversions.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION-- RAIL--PROGRAM Y--CAPITAL

Essential Rail Assistance Account--State		
Appropriation	\$861,000	
Transportation Infrastructure Account--State		
Appropriation	\$8,582,000	
Multimodal Transportation Account--State		
Appropriation	\$33,156,000	
Multimodal Transportation Account--Federal		
Appropriation	\$333,881,000	
TOTAL APPROPRIATION		\$376,480,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Rail Capital Program (Y).

(b) Within the amounts provided in this section, \$7,332,000 of the transportation infrastructure account--state appropriation is for low-interest loans through the freight rail investment bank program identified in the LEAP transportation document referenced in (a) of this subsection. The department shall issue freight rail investment bank program loans with a repayment period of no more than ten years, and only so much interest as is necessary to recoup the department's costs to administer the loans.

(c) Within the amounts provided in this section, \$2,439,000 of the multimodal transportation account--state appropriation, \$1,250,000 of the transportation infrastructure account--state appropriation, and \$311,000 of the essential rail assistance account--state appropriation are for statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in (a) of this subsection.

(2) Unsuccessful 2012 freight rail assistance program grant applicants may be awarded freight rail investment bank program loans, if eligible. If any funds remain in the freight rail investment bank or freight rail assistance program reserves (projects F01001A and F01000A), or any approved grants or loans are terminated, the

department shall issue a call for projects for the freight rail investment bank loan program and the freight rail assistance grant program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 1, 2013, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(3) \$314,647,000 of the multimodal transportation account--federal appropriation and \$4,867,000 of the multimodal transportation account--state appropriation are provided solely for expenditures related to passenger high-speed rail grants. The multimodal transportation account--state appropriation funds reflect one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(4) As allowable under federal rail authority rules and existing competitive bidding practices, when purchasing new train sets, the department shall give preference to bidders that propose train sets with characteristics and maintenance requirements most similar to those currently owned by the department.

(5) The department shall provide quarterly reports to the office of financial management and the transportation committees of the legislature regarding applications that the department submits for federal funds and the status of such applications.

(6)(a) \$550,000 of the essential rail assistance account--state appropriation and \$1,893,000 of the multimodal transportation account--state appropriation are provided solely for the purpose of rehabilitation and maintenance of the Palouse river and Coulee City railroad line. The department shall complete an evaluation and assessment of future maintenance needs on the line to ensure appropriate levels of state investment.

(b) Expenditures from the essential rail assistance account--state appropriation in this section may not exceed the combined total of:

- (i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and
- (ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad line.

(7) \$31,500,000 of the multimodal transportation account--federal appropriation is provided solely for the purchase of two new train sets for the state-supported intercity passenger rail service. The department must apply for any federal waivers required to purchase the new train sets, as allowable under existing competitive bidding practices, and seek federal funds in addition to those available from the high-speed rail grants.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION-- LOCAL PROGRAMS--PROGRAM Z--CAPITAL

Highway Infrastructure Account--State	Appropriation	\$207,000
Highway Infrastructure Account--Federal	Appropriation	\$1,602,000
Freight Mobility Investment Account--State	Appropriation	\$11,794,000
Transportation Partnership Account--State	Appropriation	\$7,214,000
Highway Safety Account--State	Appropriation	\$11,255,000
Motor Vehicle Account--State	Appropriation	\$6,918,000
Motor Vehicle Account--Federal	Appropriation	\$28,413,000
Freight Mobility Multimodal Account--State	Appropriation	\$9,736,000
Freight Mobility Multimodal Account--Private/Local	Appropriation	\$1,320,000
Multimodal Transportation Account--State	Appropriation	\$13,913,000
TOTAL APPROPRIATION		\$92,372,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Local Programs (Z).

(2) With each department budget submittal, the department shall provide an update on the status of the repayment of the twenty million dollars of unobligated federal funds authority advanced by the department in September 2010 to the city of Tacoma for the Murray Morgan/11th Street bridge project. The department may negotiate with the city of Tacoma an agreement for repayment of the funds over a period of up to twenty-five years at terms agreed upon by the department and the city. The funds previously advanced by the department to the city are not to be considered a general obligation of the city but instead an obligation payable from identified revenues set aside for the repayment of the funds.

(3) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$12,160,000 of the multimodal transportation account--state appropriation, \$6,824,000 of the transportation partnership account--state appropriation, and \$62,000 of the motor vehicle account--federal appropriation are provided solely for pedestrian and bicycle safety program projects.

(b) \$11,700,000 of the motor vehicle account--federal appropriation, \$5,200,000 of the motor vehicle account--state appropriation, and \$6,750,000 of the highway safety account--state appropriation are provided solely for newly selected safe routes to school projects, and \$3,400,000 of the motor vehicle account--federal appropriation and \$2,055,000 of the highway safety account--state appropriation are reappropriated for safe routes to school projects selected in the previous biennia. The amount provided for new projects is consistent with federal funding levels from the 2011-2013 omnibus transportation appropriations act and the intent of the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws of 2012. The motor vehicle account--state appropriation in this subsection (3)(b) is the amount made available by the repeal of the deduction from motor vehicle fuel tax liability for handling losses of motor vehicle fuel, as identified in chapter . . . (Substitute House Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel). If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not enacted by June 30, 2013, the motor vehicle account--state appropriation in this subsection (3)(b) lapses.

(4) \$84,000 of the motor vehicle account--state appropriation, \$3,250,000 of the motor vehicle account--federal appropriation, \$2,450,000 of the highway safety account--state appropriation, \$11,794,000 of the freight mobility investment account--state appropriation, \$9,736,000 of the freight mobility multimodal account--state appropriation, and \$1,320,000 of the freight mobility multimodal account--private/local appropriation are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-B as developed April 23, 2013. If chapter . . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June 30, 2013, the amounts provided in this subsection lapse.

(5) The department may enter into contracts and make expenditures for projects on behalf of and selected by the freight mobility strategic investment board from the amounts provided in section 301 of this act.

(6) The department shall submit a report to the transportation committees of the legislature by December 1, 2013, and December 1, 2014, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program (OLP600P). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(7) \$50,000 of the motor vehicle account--state appropriation is provided solely for the installation of a guard rail on Deer Harbor Road in San Juan county (L2220054).

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(1) As part of its budget submittal for the 2014 supplemental budget, the department of transportation shall provide an update to the report provided to the legislature in 2013 that: (a) Compares the original project cost estimates approved in the 2003 and 2005 project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its budget submittal for the 2014 supplemental budget, the department of transportation shall provide an annual report on the number of toll credits the department has accumulated and how the department has used the toll credits.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

(4) The department shall provide a list of change orders executed for each fiscal quarter beginning September 30, 2013. The report must include the name of the contractor, the dollar value of the change order, and a brief explanation for why there needs to be a change order.

(5) The department shall provide a quarterly report, beginning September 30, 2013, on project mitigation costs. The report must show:

(a) All mitigation payments made during the current fiscal biennium;

(b) The party with whom the mitigation was negotiated; and

(c) The parties with whom the department are in on-going negotiations.

NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account--State	
Appropriation	\$10,406,000
Motor Vehicle Account--State Appropriation	\$450,000
State Route Number 520 Corridor Account--State	
Appropriation	\$3,866,000
Highway Bond Retirement Account--State	
Appropriation	\$1,074,580,000
Ferry Bond Retirement Account--State Appropriation	\$31,824,000
Transportation Improvement Board Bond Retirement Account--State Appropriation	\$16,267,000
Nondebt-Limit Reimbursable Bond Retirement Account--State	
Appropriation	\$25,825,000
Toll Facility Bond Retirement Account--State	
Appropriation	\$52,050,000
Toll Facility Bond Retirement Account--Federal	
Appropriation	\$64,982,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$1,958,000
Special Category C Account--State Appropriation	\$2,000
TOTAL APPROPRIATION	\$1,282,210,000

NEW SECTION. Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account--State	
Appropriation	\$1,156,000
Motor Vehicle Account--State Appropriation	\$50,000
State Route Number 520 Corridor Account--State	
Appropriation	\$531,000
Transportation 2003 Account (Nickel Account)--State	

Appropriation	\$218,000
TOTAL APPROPRIATION	\$1,955,000

NEW SECTION. Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS

Motor Vehicle Account--State Appropriation: For transfer to the Puget Sound Capital Construction Account	\$20,000,000
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The department of transportation is authorized to sell up to \$20,000,000 in bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead-time materials acquisition for the Washington state ferries.

NEW SECTION. Sec. 404. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account--State Appropriation: For motor vehicle fuel tax distributions to cities and counties	\$474,610,000
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NEW SECTION. Sec. 405. FOR THE STATE TREASURER--TRANSFERS

Motor Vehicle Account--State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	\$1,235,491,000
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NEW SECTION. Sec. 406. FOR THE DEPARTMENT OF LICENSING-- TRANSFERS

Motor Vehicle Account--State Appropriation: For motor vehicle fuel tax refunds and transfers	\$138,627,000
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NEW SECTION. Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS

- (1) Recreational Vehicle Account--State Appropriation: For transfer to the Motor Vehicle Account--State \$1,300,000
- (2) Multimodal Transportation Account--State Appropriation: For transfer to the Puget Sound Ferry Operations Account--State \$13,000,000
- (3) Rural Mobility Grant Program Account--State Appropriation: For transfer to the Multimodal Transportation Account--State \$3,000,000
- (4) Motor Vehicle Account--State Appropriation: For transfer to the Special Category C Account--State \$1,500,000
- (5) Capital Vessel Replacement Account--State Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)--State \$7,702,000
- (6) Multimodal Transportation Account--State Appropriation: For transfer to the Public Transportation Grant Program Account--State \$26,000,000
- (7) Motor Vehicle Account--State Appropriation: For transfer to the Puget Sound Ferry Operations Account--State \$28,000,000
- (8) Motor Vehicle Account--State Appropriation: For transfer to the Puget Sound Capital Construction Account--State \$28,000,000
- (9) State Route Number 520 Civil Penalties Account--State Appropriation: For transfer to the State Route Number 520 Corridor Account--State \$886,000
- (10) Multimodal Transportation Account--State Appropriation: For transfer to the Highway Safety Account--State \$10,000,000
- (11) Motor Vehicle Account--State Appropriation: For transfer to the State Patrol Highway Account--State \$27,000,000
- (12) Highway Safety Account--State Appropriation: For transfer to the Puget Sound Ferry Operations Account--State \$42,000,000

(13) Advanced Environmental Mitigation Revolving Account--State Appropriation: For transfer to the Motor Vehicle Account--State \$2,000,000

(14) Advanced Right-of-Way Revolving Fund--State Appropriation: For transfer to the Motor Vehicle Account--State \$6,000,000

(15) Tacoma Narrows Toll Bridge Account--State Appropriation: For transfer to the Motor Vehicle Account--State \$950,000

(16) License Plate Technology Account--State Appropriation: For transfer to the Highway Safety Account--State \$3,000,000

(17) Motor Vehicle Account--State Appropriation: For transfer to the Transportation Equipment Fund--State \$3,915,000

NEW SECTION. Sec. 408. FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES

Public Transportation Grant Program Account--State Appropriation \$26,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1) One-eighth of the appropriation in this section must be distributed quarterly to transit authorities according to the distribution formula in subsection (2) of this section. Funding must be used for operations.

(2) Of the amounts provided in subsection (1) of this section:

(a) One-third must be distributed based on vehicle miles of service provided;

(b) One-third must be distributed based on the number of vehicle hours of service provided; and

(c) One-third must be distributed based on the number of passenger trips.

(3) For the purposes of this section:

(a) "Transit authorities" has the same meaning as in RCW 9.91.025(2)(c).

(b) "Vehicle miles of service," "vehicle hours of service," and "passenger trips" are transit service metrics as reported by the public transportation program of the department of transportation in the annual report required in RCW 35.58.2796 for calendar year 2011.

NEW SECTION. Sec. 409. STATUTORY APPROPRIATIONS

In addition to the amounts appropriated in this act for revenue for distribution, state contributions to the law enforcement officers' and firefighters' retirement system, and bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made under law.

NEW SECTION. Sec. 410. The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

COMPENSATION

NEW SECTION. Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any

collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS

Sections 503 through 516 of this act represent the results of the 2013-2015 collective bargaining process required under chapters 47.64, 41.80, and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 503 through 516 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements or the continuation of terms and conditions of the 2011-2013 agreements contained in sections 503 through 516 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--OPEIU

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for an additional step on the OPEIU salary schedule. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund--state revenue from increased economic activity.

NEW SECTION. Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for a one percent salary increase for all bargaining unit members beginning July 1, 2013, and a one percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6

An agreement has been reached between the governor and the service employees international union local six pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for a new step on the salary schedule. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund--state revenue from economic activity.

NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS

An agreement has been reached between the governor and the pacific northwest regional council of carpenters pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for a one and one-half percent salary increase for all bargaining unit members beginning July 1, 2013, and a one and one-half percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal

biennium. Funding is provided for the awarded one and one-half percent salary increase for all bargaining unit members beginning July 1, 2013, and a one and one-half percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded one percent salary increase for all bargaining unit members beginning July 1, 2013, a one percent salary increase for all bargaining unit members beginning July 1, 2014, and additional vacation accrual beginning July 1, 2014.

NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded one percent salary increase for all bargaining unit members beginning July 1, 2013, a one percent salary increase for all bargaining unit members beginning July 1, 2014, and additional vacation accrual beginning July 1, 2014.

NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MATES

An agreement has been reached between the governor and the masters, mates, and pilots - mates through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members beginning July 1, 2014, additional pay for relief employees, increased uniform allowance, and increased Friday Harbor relief pay.

NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MASTERS

An agreement has been reached between the governor and the masters, mates, and pilots - masters through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for a one percent salary increase for all bargaining unit members beginning July 1, 2013, a one percent salary increase for all bargaining unit members beginning July 1, 2014, relief assignment pay for all compensated hours beginning July 1, 2014, increased uniform allowance, increased license renewal allowance, and increased Friday Harbor relief pay.

NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P WATCH SUPERVISORS

An agreement has been reached between the governor and the masters, mates, and pilots - watch supervisors through an interest arbitration decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded 16.125 percent salary increase for all bargaining unit members beginning July 1, 2013, and a 16.125 percent salary increase for all bargaining unit members beginning July 1, 2014.

NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--IBU

An agreement has been reached between the governor and the inlandboatmen's union of the pacific pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is provided for an eighteen percent increase for entry-level wage rates for all bargaining

unit members beginning July 1, 2013. For all other wage rates, funding is provided to increase rates two and one-half percent for all bargaining unit members beginning July 1, 2013, and to increase rates two and one-half percent for all bargaining unit members beginning July 1, 2014. Funding is also provided for marine license fees.

NEW SECTION. Sec. 514. COLLECTIVE BARGAINING AGREEMENTS--PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local seventeen under chapter 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to add a longevity step. The agreement also includes a one percent salary increase for all bargaining unit members effective July 1, 2014, through June 30, 2015, contingent on the state collecting \$200,000,000 or more in unanticipated general fund--state revenue from increased economic activity.

NEW SECTION. Sec. 515. COLLECTIVE BARGAINING AGREEMENTS--WSP TROOPERS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol troopers association through an interest arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2013, and a one percent increase to longevity pay for years five through nine effective July 1, 2014.

NEW SECTION. Sec. 516. COLLECTIVE BARGAINING AGREEMENTS--WSP LIEUTENANTS ASSOCIATION

An agreement has been reached between the governor and the Washington state patrol lieutenants association through an interest arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal biennium. Funding is provided for the awarded three percent salary increase for all bargaining unit members effective July 1, 2014, and for parking of department-issued vehicles for employees assigned vehicles at the general administration building or capitol campus.

NEW SECTION. Sec. 517. COMPENSATION-- REPRESENTED EMPLOYEES-- SUPER COALITION-- INSURANCE BENEFITS

An agreement has been reached between the governor and the health care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal biennium. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to continue the provisions of the 2011-2013 collective bargaining agreement and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$809 per eligible employee for fiscal year 2014. For fiscal year 2015, the monthly employer funding rate must not exceed \$820 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board must require any of the following: Employee premium copayments; increases in point-of-service cost sharing; the implementation of managed competition; or other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be \$150.00 per month.

**NEW SECTION. Sec. 518. COMPENSATION--
REPRESENTED EMPLOYEES OUTSIDE SUPER
COALITION--INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for represented employees outside the super coalition for health benefits and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$809 per eligible employee for fiscal year 2014. For fiscal year 2015, the monthly employer funding rate must not exceed \$820 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any of the following: Employee premium copayments; increases in point-of-service cost sharing; the implementation of managed competition; or other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be \$150.00 per month.

**NEW SECTION. Sec. 519. COMPENSATION--
NONREPRESENTED EMPLOYEES-- INSURANCE
BENEFITS**

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$809 per eligible employee for fiscal year 2014. For fiscal year 2015, the monthly employer funding rate must not exceed \$820 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board shall require any of the following: Employee premium copayments; increases in point-of-service cost sharing; the implementation of managed competition; or make other changes to benefits consistent with RCW 41.05.065.

(c) The health care authority shall deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be \$150.00 per month.

**NEW SECTION. Sec. 520. COMPENSATION--
NONREPRESENTED EMPLOYEES-- SALARIES AND
WAGES**

For classified state employees, except those within the Washington management service and those represented by a bargaining unit under chapter 41.80, 41.56, or 47.64 RCW, funding is provided within agency appropriations for implementation of a

longevity step, in accordance with rules adopted under RCW 41.06.133.

Sec. 521. RCW 47.64.170 and 2011 c 367 s 712 are each amended to read as follows:

(1) Any ferry employee organization certified as the bargaining representative shall be the exclusive representative of all ferry employees in the bargaining unit and shall represent all such employees fairly.

(2) A ferry employee organization or organizations and the governor may each designate any individual as its representative to engage in collective bargaining negotiations.

(3) Negotiating sessions, including strategy meetings of the employer or employee organizations, mediation, and the deliberative process of arbitrators are exempt from the provisions of chapter 42.30 RCW. Hearings conducted by arbitrators may be open to the public by mutual consent of the parties.

(4) Terms of any collective bargaining agreement may be enforced by civil action in Thurston county superior court upon the initiative of either party.

(5) Ferry system employees or any employee organization shall not negotiate or attempt to negotiate directly with anyone other than the person who has been appointed or authorized a bargaining representative for the purpose of bargaining with the ferry employees or their representative.

(6)(a) Within ten working days after the first Monday in September of every odd-numbered year, the parties shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. If the parties cannot agree on an arbitrator within the ten-day period, either party may request a list of seven arbitrators from the federal mediation and conciliation service. The parties shall select an interest arbitrator using the coin toss/alternate strike method within thirty calendar days of receipt of the list. Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the name of the arbitrator and the dates reserved for bargaining and arbitration. This subsection (6)(a) imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(b) The negotiation of a proposed collective bargaining agreement by representatives of the employer and a ferry employee organization shall commence on or about February 1st of every even-numbered year.

(c) For negotiations covering the 2009-2011 biennium and subsequent biennia, the time periods specified in this section, and in RCW 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of all agreements on or before October 1st of the even-numbered year next preceding the biennial budget period during which the agreement should take effect. These time periods may only be altered by mutual agreement of the parties in writing. Any such agreement and any impasse procedures agreed to by the parties under RCW 47.64.200 must include an agreement regarding the new time periods that will allow final resolution by negotiations or arbitration by October 1st of each even-numbered year.

(7) It is the intent of this section that the collective bargaining agreement or arbitrator's award shall commence on July 1st of each odd-numbered year and shall terminate on June 30th of the next odd-numbered year to coincide with the ensuing biennial budget year, as defined by RCW 43.88.020(7), to the extent practical. It is further the intent of this section that all collective bargaining agreements be concluded by October 1st of the even-numbered year before the

commencement of the biennial budget year during which the agreements are to be in effect. After the expiration date of a collective bargaining agreement negotiated under this chapter, except to the extent provided in subsection (11) of this section and RCW 47.64.270(4), all of the terms and conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) The office of financial management shall conduct a salary survey, for use in collective bargaining and arbitration, which must be conducted through a contract with a firm nationally recognized in the field of human resources management consulting.

(9) Except as provided in subsection (11) of this section:

(a) The governor shall submit a request either for funds necessary to implement the collective bargaining agreements including, but not limited to, the compensation and fringe benefit provisions or for legislation necessary to implement the agreement, or both. Requests for funds necessary to implement the collective bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(b) The governor shall submit a request either for funds necessary to implement the arbitration awards or for legislation necessary to implement the arbitration awards, or both. Requests for funds necessary to implement the arbitration awards shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(c) The legislature shall approve or reject the submission of the request for funds necessary to implement the collective bargaining agreements or arbitration awards as a whole for each agreement or award. The legislature shall not consider a request for funds to implement a collective bargaining agreement or arbitration award unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement and award or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 47.64.210 and 47.64.300.

(10) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(11)(a) For the collective bargaining agreements negotiated for the 2011-2013 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement even if the request for funds was not received by the office of financial management by October 1st and was not transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

(b) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee must be a separate agreement for which the governor may request funds necessary to implement the agreement. ~~((If such an~~

~~agreement is negotiated and funded by the legislature, this agreement will supersede any terms and conditions of an expired 2009-2011 biennial master collective bargaining agreement under this chapter regarding health care benefits.))~~ The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(c) For the collective bargaining agreements negotiated for the 2013-2015 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement reached after October 1st after a determination of financial infeasibility by the director of the office of financial management if the request for funds is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

Sec. 522. RCW 47.64.270 and 2011 c 367 s 713 are each amended to read as follows:

(1) The employer and one coalition of all the exclusive bargaining representatives subject to this chapter and chapter 41.80 RCW shall conduct negotiations regarding the dollar amount expended on behalf of each employee for health care benefits.

(2) Absent a collective bargaining agreement to the contrary, the department of transportation shall provide contributions to insurance and health care plans for ferry system employees and dependents, as determined by the state health care authority, under chapter 41.05 RCW.

(3) The employer and employee organizations may collectively bargain for insurance plans other than health care benefits, and employer contributions may exceed that of other state agencies as provided in RCW 41.05.050.

(4) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee must be a separate agreement for which the governor may request funds necessary to implement the agreement. ~~((If such an agreement is negotiated and funded by the legislature, this agreement will supersede any terms and conditions of an expired 2009-2011 biennial collective bargaining agreement under this chapter regarding health care benefits.))~~

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. STAFFING LEVELS

(1) As the department of transportation completes delivery of the projects funded by the 2003 and 2005 transportation revenue packages, it is clear that the current staffing levels necessary to deliver these projects are not sustainable into the future. Therefore, the department is directed to quickly move forward to develop and implement new business practices so that a smaller, more nimble state workforce can effectively and efficiently deliver transportation improvement programs as they are approved in the future, in strong partnership with the private sector, while protecting the public's interests and assets.

(2) To this end, the department of transportation is directed to reduce the size of its engineering and technical workforce to a level sustained by current law revenue levels currently estimated at two thousand FTEs by the end of the 2013-2015 fiscal biennium. The department shall submit a report on the progress made in 2011-2013 by July 1, 2013.

(3) In order to successfully deliver the highway construction program as funded, the department of transportation may continue to contract out engineering and technical services. In addition, the department may continue the incentive program for retirements and employee separations.

NEW SECTION. Sec. 602. FOR THE DEPARTMENT OF TRANSPORTATION

The department shall begin to transition from owning a fleet of passenger vehicles in Thurston county to using the state motor pool. The funding appropriated in this act may not be used by programs headquartered in Thurston county to purchase passenger cars as defined in RCW 46.04.382.

NEW SECTION. Sec. 603. FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are listed in the LEAP list titled 2013-1 as developed April 23, 2013, which consists of a list of specific projects by fund source and amount over a ten-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a ten-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2011-2013 and 2013-2015 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

- (a) Transfers may only be made within each specific fund source referenced on the respective project list;
- (b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;
- (c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2014 supplemental omnibus transportation appropriations act, any unexpended 2011-2013 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;
- (d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;
- (e) Transfers may not occur for projects not identified on the applicable project list;
- (f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline

funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

NEW SECTION. Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

(1) The agency in subsection (2) of this section may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements, or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) The Washington state patrol may enter into agreements with the department of enterprise services and the state treasurer's office to develop requests to the legislature for the acquisition of properties and facilities through financial contracts. The agreements may include charges for services rendered. The Washington state patrol may enter into a financing contract for up to \$4,680,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase and install mobile office platforms in state patrol and pursuit vehicles.

NEW SECTION. Sec. 605. FOR THE DEPARTMENT OF TRANSPORTATION

(1) The department of transportation shall prepare an updated facilities and property plan to improve the oversight of real estate procurement and property management across all department programs and regions, including the Washington state ferries. The plan must be submitted to the office of financial management and the transportation committees of the legislature by December 31, 2013. The plan must include:

- (a) An inventory of all currently owned and leased buildings, including tunnel and bridge operation or maintenance facilities, and traffic management centers as provided by the state's facilities inventory process prescribed by the office of financial management annually by September 1st;
- (b) A land inventory, as of July 2013, including an indication of whether the land is being held for right-of-way, disposition, or future operational facilities;
- (c) A prioritized list of all facilities that are planned to be constructed, renovated, or remodeled in the next ten years, including each facilities' purpose and use, and the funding source indicating whether the funding that is assumed for the facility improvements is project or operational funding;

(d) A list of options for consolidating staff, equipment, and operational activities to reduce costs with an emphasis on consolidating facilities from leased facilities into state-owned facilities. New locations for a permanent state program or activity, unless a life-cycle cost analysis supports leasing in lieu of ownership or funds are not available for construction, should be state-owned facilities;

(e) A department-wide coordinated process and plan for regularly evaluating facility needs, which includes all facilities in the inventory under (a) of this subsection; and

(f) A list of department-owned property that can be declared surplus property.

(2) Except as provided otherwise in this act, the department of transportation may not enter into new leases, equal value exchanges,

or property transactions, including land acquisitions, except for right-of-way purchases for projects on the legislative project lists, without first consulting with the office of financial management.

NEW SECTION. Sec. 606. FOR THE DEPARTMENT OF TRANSPORTATION

As part of its 2014 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(1) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2011-2013 fiscal biennium into the 2013-2015 fiscal biennium; and

(2) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2013 enacted omnibus transportation appropriations act.

NEW SECTION. Sec. 607. FOR THE DEPARTMENT OF TRANSPORTATION

The department of transportation, in conjunction with the office of minority and women's business enterprises, shall review the city of Seattle's minority and women's business enterprise inclusion plans that the city has implemented. The review should include a comparison between the existing state process and the city of Seattle inclusion process for bidding construction projects. As part of the review, any identified advantages or disadvantages along with any realized benefits that the city of Seattle has experienced should be included in a report that is due to the transportation committees of the legislature by December 1, 2013.

NEW SECTION. Sec. 608. VOLUNTARY RETIREMENT AND SEPARATION INCENTIVES

As a management tool to reduce costs and make more effective use of resources, while improving employee productivity and morale, agencies may implement a voluntary retirement and/or separation program that is cost neutral or results in cost savings, including costs to the state pension systems, over a two-year period following the commencement of the program, provided that the program is approved by the director of financial management. Agencies participating in this authorization may offer voluntary retirement and/or separation incentives and options according to procedures and guidelines established by the office of financial management, in consultation with the office of the state human resources director and the department of retirement systems. The options may include, but are not limited to, financial incentives for voluntary separation or retirement. An employee does not have any contractual right to a financial incentive offered pursuant to this section. Offers must be reviewed and monitored jointly by the office of the state human resources director and the department of retirement systems. Agencies must submit a report by June 30, 2015, to the legislature and the office of financial management on the outcome of their approved incentive program. The report should include information on the details of the program, including the incentive payment amount for each participant, the total cost to the state, and the projected or actual net dollar savings over the two-year period.

The department of retirement systems may collect from employers the actuarial cost of any incentive provided under this program, or any other incentive to retire provided by employers to members of the state's pension systems, for deposit in the appropriate pension account.

NEW SECTION. Sec. 609. COMPENSATION--REVISE PENSION CONTRIBUTION RATES

The appropriations for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. Sec. 610. FOR THE DEPARTMENT OF TRANSPORTATION

The department of transportation may provide up to \$3,000,000 in toll credits to Kitsap Transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. Sec. 611. To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made prior to the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 612. WEB SITE REPORTING REQUIREMENTS FOR THE DEPARTMENT OF TRANSPORTATION

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2013-2015 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

MISCELLANEOUS 2013-2015 FISCAL BIENNIUM

Sec. 701. RCW 43.19.642 and 2012 c 86 s 802 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2006, file biannual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel ((purchased)) purchases made by the Washington state ferries for the

operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 702. RCW 46.12.630 and 2012 c 86 s 803 are each amended to read as follows:

In addition to any other authority which it may have, the department of licensing may furnish lists of registered and legal owners of motor vehicles only for the purposes specified in this section to:

(1)(a) The manufacturers of motor vehicles, or their authorized agents, to be used:

~~((a))~~ (i) To enable those manufacturers to carry out the provisions of the national traffic and motor vehicle safety act of 1966 (15 U.S.C. Sec. 1382-1418), including amendments or additions thereto, respecting safety-related defects in motor vehicles; or

~~((b))~~ (ii) During the 2011-2013 fiscal biennium, in research activities, and in producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact individuals; or

(b) During fiscal year 2014, an entity that is an authorized agent of a motor vehicle manufacturer, for purposes of using lists of registered and legal owner information to conduct research activities and produce statistical reports, as long as the entity does not allow personal information received under this section to be published, redisclosed, or used to contact individuals. The department must charge an amount sufficient to cover the full cost of providing the data requested under this subsection (1)(b). Full cost of providing the data includes the information technology, administrative, and contract oversight costs;

(2) Any governmental agency of the United States or Canada, or political subdivisions thereof, to be used by it or by its authorized commercial agents or contractors only in connection with the enforcement of motor vehicle or traffic laws by, or programs related to traffic safety of, that government agency. Only such parts of the list as are required for completion of the work required of the agent or contractor shall be provided to such agent or contractor;

(3) A commercial parking company requiring the names and addresses of registered owners to notify them of outstanding parking violations. Subject to the disclosure agreement provisions of RCW 46.12.635 and the requirements of Executive Order 97-01, the department may provide only the parts of the list that are required for completion of the work required of the company;

(4) An authorized agent or contractor of the department, to be used only in connection with providing motor vehicle excise tax, licensing, title, and registration information to motor vehicle dealers;

(5) Any business regularly making loans to other persons to finance the purchase of motor vehicles, to be used to assist the person requesting the list to determine ownership of specific vehicles for the purpose of determining whether or not to provide such financing; or

(6) A company or its agents operating a toll facility under chapter 47.46 RCW or other applicable authority requiring the names, addresses, and vehicle information of motor vehicle registered owners to identify toll violators.

Where both a mailing address and residence address are recorded on the vehicle record and are different, only the mailing address will be disclosed. Both addresses will be disclosed in response to requests for disclosure from courts, law enforcement agencies, or government entities with enforcement, investigative, or taxing authority and only for use in the normal course of conducting their business.

If a list of registered and legal owners of motor vehicles is used for any purpose other than that authorized in this section, the manufacturer, governmental agency, commercial parking company, authorized agent, contractor, financial institution, toll facility operator, or their authorized agents or contractors responsible for the unauthorized disclosure or use will be denied further access to such information by the department of licensing.

Sec. 703. RCW 46.18.060 and 2012 c 65 s 6 are each amended to read as follows:

(1) The department must review and either approve or reject special license plate applications submitted by sponsoring organizations.

(2) Duties of the department include, but are not limited to, the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the joint transportation committee;

(b) Report annually to the joint transportation committee on the special license plate applications that were considered by the department;

(c) Issue approval and rejection notification letters to sponsoring organizations, the executive committee of the joint transportation committee, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application; and

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The department may submit a recommendation to discontinue a special plate series to the executive committee of the joint transportation committee.

(3) Except as provided in RCW 46.18.245, in order to assess the effects and impact of the proliferation of special license plates, the legislature declares a temporary moratorium on the issuance of any additional plates until July 1, ~~((2013))~~ 2015. During this period of time, the department is prohibited from accepting, reviewing, processing, or approving any applications. Additionally, a special license plate may not be enacted by the legislature during the moratorium, unless the proposed license plate has been approved by the former special license plate review board before February 15, 2005.

(4) The limitations under subsection (3) of this section do not apply to the following special license plates:

(a) 4-H license plates created under RCW 46.18.200;

(b) Music Matters license plates created under RCW 46.18.200;

(c) State flower license plates created under RCW 46.18.200;

(d) Volunteer firefighter license plates created under RCW 46.18.200.

Sec. 704. RCW 46.68.113 and 2011 c 353 s 7 are each amended to read as follows:

(1) During the 2013-2015 fiscal biennium, cities and towns shall provide to the transportation commission, or its successor entity, preservation rating information on at least seventy percent of the total city and town arterial network. Thereafter, the preservation rating information requirement shall increase in five percent increments in subsequent biennia, but in no case shall it exceed eighty percent. The rating system used by cities and towns must be based upon the Washington state pavement rating method or an equivalent standard approved by the department of transportation. Beginning January 1, 2007, the preservation rating information shall be submitted to the department.

(2) Cities and towns are exempt from the requirement to report preservation rating information to the department or the transportation commission through the 2013-2015 fiscal biennium.

Sec. 705. RCW 46.68.170 and 2011 c 367 s 715 are each amended to read as follows:

There is hereby created in the motor vehicle fund the RV account. All moneys hereafter deposited in said account shall be used by the department of transportation for the construction, maintenance, and operation of recreational vehicle sanitary disposal systems at safety rest areas in accordance with the department's highway system plan as prescribed in chapter 47.06 RCW. During the ~~((2009-2011 and))~~ 2011- 2013 and 2013-2015 fiscal biennia, the legislature may transfer from the RV account to the motor vehicle fund such amounts as

reflect the excess fund balance of the RV account to accomplish the purposes identified in this section.

Sec. 706. RCW 46.68.325 and 2011 c 367 s 721 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2011-2013 and 2013-2015 fiscal (~~biennium~~) biennia, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

NEW SECTION. Sec. 707. A new section is added to chapter 47.06A RCW to read as follows:

During the 2013-2015 fiscal biennium, members of the freight advisory committee group created as a standing committee of the board may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

Sec. 708. RCW 47.29.170 and 2011 c 367 s 701 are each amended to read as follows:

Before accepting any unsolicited project proposals, the commission must adopt rules to facilitate the acceptance, review, evaluation, and selection of unsolicited project proposals. These rules must include the following:

(1) Provisions that specify unsolicited proposals must meet predetermined criteria;

(2) Provisions governing procedures for the cessation of negotiations and consideration;

(3) Provisions outlining that unsolicited proposals are subject to a two-step process that begins with concept proposals and would only advance to the second step, which are fully detailed proposals, if the commission so directed;

(4) Provisions that require concept proposals to include at least the following information: Proposers' qualifications and experience; description of the proposed project and impact; proposed project financing; and known public benefits and opposition; and

(5) Provisions that specify the process to be followed if the commission is interested in the concept proposal, which must include provisions:

(a) Requiring that information regarding the potential project would be published for a period of not less than thirty days, during which time entities could express interest in submitting a proposal;

(b) Specifying that if letters of interest were received during the thirty days, then an additional sixty days for submission of the fully detailed proposal would be allowed; and

(c) Procedures for what will happen if there are insufficient proposals submitted or if there are no letters of interest submitted in the appropriate time frame.

The commission may adopt other rules as necessary to avoid conflicts with existing laws, statutes, or contractual obligations of the state.

The commission may not accept or consider any unsolicited proposals before July 1, (~~2013~~) 2015.

Sec. 709. RCW 47.56.403 and 2011 c 367 s 709 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other

assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

(a) Freeway efficiency and safety;

(b) Effectiveness for transit;

(c) Person and vehicle movements by mode;

(d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, (~~2013~~) 2015.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

Sec. 710. RCW 47.56.876 and 2011 c 367 s 720 are each amended to read as follows:

((4)) A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project (8BI1003).

((2) This section is contingent on the enactment by June 30, 2010, of either chapter 249, Laws of 2010 or chapter . . . (Substitute House Bill No. 2897), Laws of 2010, but if the enacted bill does not designate the department as the toll penalty adjudicating agency, this section is null and void.)

Sec. 711. RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are each reenacted and amended to read as follows:

(1) The use of automated traffic safety cameras for issuance of notices of infraction is subject to the following requirements:

(a) The appropriate local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located: (i) Before enacting an ordinance allowing for the initial use of automated traffic safety cameras; and (ii) before adding additional cameras or relocating any existing camera to a new location within the jurisdiction. Automated traffic safety cameras may be used to detect one or more of the following: Stoplight, railroad crossing, or school speed zone violations. At a minimum, the local ordinance must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to enact an authorizing ordinance. Beginning one year after June 7, 2012, cities and counties using automated traffic safety cameras must post an annual report of the number of traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the city or county deems appropriate on the city's or county's web site.

(b) Use of automated traffic safety cameras is restricted to the following locations only: (i) Intersections of two arterials with traffic control signals that have yellow change interval durations in accordance with RCW 47.36.022, which interval durations may not be reduced after placement of the camera; (ii) railroad crossings; and (iii) school speed zones.

(c) During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, automated traffic safety cameras may be used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011 and section 201(4) of this act if the local legislative authority first enacts an ordinance authorizing the use of cameras to detect speed violations.

(d) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties shall consider installing

cameras in a manner that minimizes the impact of camera flash on drivers.

(e) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (3)(a) of this section. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(f) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (3) of this section. If appropriate under the circumstances, a renter identified under subsection (3)(a) of this section is responsible for an infraction.

(g) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(h) All locations where an automated traffic safety camera is used must be clearly marked at least thirty days prior to activation of the camera by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(i) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(2) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera shall not exceed the amount of a fine issued for other parking infractions within the jurisdiction. However, the amount of the fine issued for a traffic control signal violation detected through the use of an automated traffic safety camera shall not exceed the monetary penalty for a violation of RCW 46.61.050 as provided under RCW 46.63.110, including all applicable statutory assessments.

(3) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction being issued under this section, provide a written notice to the rental car

business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

Timely mailing of this statement to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(4) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(5) For the purposes of this section, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit in a school speed zone as detected by a speed measuring device. During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, an automated traffic safety camera includes a camera used to detect speed violations for the purposes of section 201(2), chapter 367, Laws of 2011 and section 201(4) of this act.

(6) During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, this section does not apply to automated traffic safety cameras for the purposes of section 216(5), chapter 367, Laws of 2011 and section 216(6) of this act.

Sec. 712. RCW 46.20.745 and 2012 c 183 s 10 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the 2013-2015 fiscal biennium, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 713. RCW 46.68.370 and 2011 c 367 s 716 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia, the legislature may transfer from the license plate technology account to the highway safety account [fund] such amounts as reflect the excess fund balance of the license plate technology account.

Sec. 714. RCW 47.12.244 and 2011 c 367 s 717 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of ten million dollars from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

During the ~~((2009-2011 and))~~ 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right-of-way revolving fund to the motor vehicle account amounts as reflect the excess fund balance of the advance right-of-way revolving fund.

Sec. 715. RCW 47.12.340 and 2010 c 247 s 703 are each amended to read as follows:

The advanced environmental mitigation revolving account is created in the custody of the treasurer, into which the department shall deposit directly and may expend without appropriation:

(1) An initial appropriation included in the department of transportation's 1997-99 budget, and deposits from other identified sources;

(2) All moneys received by the department from internal and external sources for the purposes of conducting advanced environmental mitigation; and

(3) Interest gained from the management of the advanced environmental mitigation revolving account.

(4) During the ~~((2009-2011 fiscal biennium))~~ 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advanced environmental mitigation revolving account to the motor vehicle account such amounts as reflect the excess fund balance of the advanced environmental mitigation revolving account.

Sec. 716. RCW 70.105D.070 and 2012 2nd sp.s. c 7 s 920 and 2012 2nd sp.s. c 2 s 6005 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2) The following moneys shall be deposited into the state toxics control account: (a) Those revenues which are raised by the tax

imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-three one-hundredths of one percent; (b) the costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (c) penalties collected or recovered under this chapter; and (d) any other money appropriated or transferred to the account by the legislature. Moneys in the account may be used only to carry out the purposes of this chapter, including but not limited to the following activities:

- (i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;
 - (ii) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;
 - (iii) The hazardous waste cleanup program required under this chapter;
 - (iv) State matching funds required under the federal cleanup law;
 - (v) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;
 - (vi) State government programs for the safe reduction, recycling, or disposal of hazardous wastes from households, small businesses, and agriculture;
 - (vii) Hazardous materials emergency response training;
 - (viii) Water and environmental health protection and monitoring programs;
 - (ix) Programs authorized under chapter 70.146 RCW;
 - (x) A public participation program, including regional citizen advisory committees;
 - (xi) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with cleanup standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both (A) a substantially more expeditious or enhanced cleanup than would otherwise occur, and (B) the prevention or mitigation of unfair economic hardship;
 - (xii) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150;
 - (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline update technical assistance;
 - (xiv) During the 2009-2011 fiscal biennium, multijurisdictional permitting teams;
 - (xv) During the 2011-2013 fiscal biennium, actions for reducing public exposure to toxic air pollution, and actions taken through the family forest fish passage program to correct barriers to fish passage on privately owned small forest lands; ~~(and)~~
 - (xvi) During the 2011-2013 fiscal biennium, the department of ecology's water quality, shorelands and environmental assessment, hazardous waste, waste to resources, nuclear waste, and air quality programs; and
 - (xvii) During the 2013-2015 fiscal biennium, storm water permit compliance activities at the department of transportation.
- (3) The following moneys shall be deposited into the local toxics control account: Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-seven one-hundredths of one percent.
- (a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority:
 - (i) Remedial actions;
 - (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
 - (iii) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

- (iv) Funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and

- (v) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment.

- (b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process. During the 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.

- (c) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:

- (i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

- (A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

- (B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or

- (C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;

- (ii) The use of outside contracts to conduct necessary studies;

- (iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.

- (d) To facilitate and expedite cleanups using funds from the local toxics control account, during the 2009-2011 fiscal biennium the director may establish grant-funded accounts to hold and disperse local toxics control account funds and funds from local governments to be used for remedial actions.

- (4) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

- (5) Except during the 2011-2013 fiscal biennium, one percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

- (6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound,

funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(7) The department shall adopt rules for grant or loan issuance and performance.

(8) During the 2011-2013 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as reflect excess fund balance in the account.

(9) During the 2011-2013 fiscal biennium, the local toxics control account may also be used for local government shoreline update grants and actions for reducing public exposure to toxic air pollution; funding to local governments for flood levee improvements; and grants to local governments for brownfield redevelopment.

Sec. 717. RCW 46.63.180 and 2011 c 375 s 2 are each amended to read as follows:

(1) School districts may install and operate automated school bus safety cameras on school buses to be used for the detection of violations of RCW 46.61.370(1) if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take school buses out of service if the buses are not equipped with automated school bus safety cameras or functional automated safety cameras. Further, school districts shall be held harmless from and not liable for any criminal or civil liability arising under the provisions of this section.

(a) Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

(b) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (2)(a)(i) of this section. The law enforcement officer issuing the notice of infraction shall include a certificate or facsimile of the notice, based upon inspection of photographs, microphotographs, or electronic images produced by an automated school bus safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated school bus safety camera may respond to the notice by mail.

(c) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (2) of this section. If appropriate under the circumstances, a renter identified under subsection (2)(a)(i) of this section is responsible for an infraction.

(d) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.

(e) If a school district installs and operates an automated school bus safety camera under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in

support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. Further, any repair, replacement, or administrative work costs related to installing or repairing automated school bus safety cameras must be solely paid for by the manufacturer or vendor of the cameras. Before entering into a contract with the manufacturer or vendor of the equipment used under this subsection (1)(e), the school district must follow the competitive bid process as outlined in RCW 28A.335.190(1).

(f) Any revenue collected from infractions detected through the use of automated school bus safety cameras, less the administration and operating costs of the cameras, must be remitted to school districts for school zone safety projects as determined by the school district using the automated school bus safety cameras. The administration and operating costs of the cameras includes infraction enforcement and processing costs that are incurred by local law enforcement or local courts. During the 2013-2015 fiscal biennium, the infraction revenue may also be used for school bus safety projects by those school districts eligible to apply for funding from the school zone safety account appropriation in section 201 of this act.

(2)(a) If the registered owner of the vehicle is a rental car business, the law enforcement agency shall, before a notice of infraction is issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within eighteen days of receiving the written notice, provide to the issuing agency by return mail:

(i) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred;

(ii) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection (2)(a)(ii) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(iii) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty.

(b) Timely mailing of a statement under this subsection to the issuing law enforcement agency relieves a rental car business of any liability under this chapter for the notice of infraction.

(3) For purposes of this section, "automated school bus safety camera" means a device that is affixed to a school bus that is synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a vehicle at the time the vehicle is detected for an infraction identified in RCW 46.61.370(1).

Sec. 718. RCW 46.68.060 and 2011 c 367 s 718 and 2011 c 298 s 26 are each reenacted and amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the ~~((2009-2011 and))~~ 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund.

2011-2013 FISCAL BIENNIUM TRANSPORTATION AGENCIES—OPERATING

~~RCW 46.63.180 and 2011 c 375 s 2 are each amended to read as follows:~~
~~(1) School districts may install and operate automated school bus safety cameras on school buses to be used for the detection of violations of RCW 46.61.370(1) if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take school buses out of service if the buses are not equipped with automated school bus safety cameras or functional automated safety cameras. Further, school districts shall be held harmless from and not liable for any criminal or civil liability arising under the provisions of this section.~~
~~(a) Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.~~
~~(b) A notice of infraction must be mailed to the registered owner of the vehicle within fourteen days of the violation, or to the renter of a vehicle within fourteen days of establishing the renter's name and address under subsection (2)(a)(i) of this section. The law enforcement officer issuing the notice of infraction shall include a certificate or facsimile of the notice, based upon inspection of photographs, microphotographs, or electronic images produced by an automated school bus safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated school bus safety camera may respond to the notice by mail.~~
~~(c) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(e) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (2) of this section. If appropriate under the circumstances, a renter identified under subsection (2)(a)(i) of this section is responsible for an infraction.~~
~~(d) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section.~~
~~(e) If a school district installs and operates an automated school bus safety camera under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in~~

\$1,413,000
 TOTAL APPROPRIATION ((~~\$4,431,000~~))
 \$4,406,000

The appropriations in this section are subject to the following conditions and limitations: The county road administration board shall submit a report to the transportation committees of the legislature by December 1, 2011, on the implementation of the recommendations that resulted from the evaluation of efficiencies in the delivery of transportation funding and services to local governments that was required under section 204(8), chapter 247, Laws of 2010. The report must include a description of how recommendations were implemented, what efficiencies were achieved, and an explanation of any recommendations that were not implemented.

Sec. 803. 2012 c 86 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD
 Transportation Improvement Account--State
 Appropriation ((~~\$3,625,000~~))
 \$3,611,000

The appropriation in this section is subject to the following conditions and limitations: The transportation improvement board shall submit a report to the transportation committees of the legislature by December 1, 2011, on the implementation of the recommendations that resulted from the evaluation of efficiencies in the delivery of transportation funding and services to local governments that was required under section 204(8), chapter 247, Laws of 2010. The report must include a description of how recommendations were implemented, what efficiencies were achieved, and an explanation of any recommendations that were not implemented.

Sec. 804. 2012 c 86 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION
 Motor Vehicle Account--State Appropriation ((~~\$3,028,000~~))
 \$2,930,000
 Multimodal Transportation Account--State Appropriation
 \$112,000
 TOTAL APPROPRIATION ((~~\$3,140,000~~))
 \$3,042,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315, during the 2011-2013 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of fares for the Washington state ferry system only in amounts not greater than those sufficient to generate the amount of revenue required by the biennial transportation budget. When adjusting ferry fares, the commission must consider input from affected ferry users by public hearing and by review with the affected ferry advisory committees, in addition to the data gathered from the current ferry user survey.

(2) Consistent with RCW 43.135.055 and 47.46.100, during the 2011-2013 fiscal biennium, the legislature authorizes the transportation commission to periodically review and, if necessary, adjust the schedule of toll charges applicable to the Tacoma Narrows bridge only in amounts not greater than those sufficient to support (a) any required costs for operating and maintaining the toll bridge, including the cost of insurance, (b) any amount required by law to meet the redemption of bonds and applicable interest payments, and (c) repayment of the motor vehicle fund.

(3) Consistent with its authority in RCW 47.56.840, the transportation commission shall consider the need for a citizen advisory group that provides oversight on new tolled facilities.

(4) \$775,000 of the motor vehicle account--state appropriation is provided solely to determine the feasibility of transitioning from the gas tax to a road user assessment system of paying for transportation.

(a) The transportation commission, with direction from the steering committee created in (b) of this subsection, must: Review relevant reports and data related to models of road user assessments and methods of transitioning to a road user assessment system; analyze the research to identify issues for policy decisions in Washington; make recommendations for the design of systemwide trials; develop a plan to assess public perspectives and educate the public on the current transportation funding system and options for a new system; and perform other tasks as deemed necessary by the steering committee.

(b) The transportation commission must convene a steering committee to provide direction to and guide the transportation commission's work. Membership of the steering committee must include, but is not limited to, members representing the following interests: The trucking industry; business; cities and counties; public transportation; environmental; user fee technology; auto and light truck manufacturers; and the motoring public. In addition, a member from each of the two largest caucuses of the senate, appointed by the president of the senate, and a member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives, must serve on the steering committee.

(c) The transportation commission must update the governor and the legislature on this work by January 1, 2013. In addition, this update must include a plan and budget request for work to be completed during the 2013-2015 fiscal biennium.

(5) \$160,000 of the motor vehicle account--state appropriation is provided solely for the transportation commission to establish a statewide transportation survey panel and conduct two surveys on transportation funding and policy issues during the 2011-2013 fiscal biennium. At a minimum, the results of the first survey must be submitted to the legislature by January 2013.

Sec. 805. 2012 c 86 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD
 Motor Vehicle Account--State Appropriation ((~~\$781,000~~))
 \$805,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$100,000 of the motor vehicle account--state appropriation is provided solely for an additional staff person for the freight mobility strategic investment board.

(2) The freight mobility strategic investment board shall submit a report to the transportation committees of the legislature by December 1, 2011, on the implementation of the recommendations that resulted from the evaluation of efficiencies in the delivery of transportation funding and services to local governments that was required under section 204(8), chapter 247, Laws of 2010. The report must include a description of how recommendations were implemented, what efficiencies were achieved, and an explanation of any recommendations that were not implemented.

(3) \$25,000 of the motor vehicle account--state appropriation is provided solely to supplement existing staff and resources for activities related to the development of a freight plan identified under the federal moving forward for progress in the 21st century (MAP-21) act of 2012.

Sec. 806. 2012 c 86 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Multimodal Transportation Account--State Appropriation
 \$132,000
 ((Ignition Interlock Device Revolving Account--
 State Appropriation \$212,000))
 State Patrol Highway Account--State
 Appropriation ((~~\$350,605,000~~)
 \$348,619,000
 State Patrol Highway Account--Federal
 Appropriation \$10,903,000
 State Patrol Highway Account--Private/Local
 Appropriation ((~~\$3,494,000~~)
 \$3,674,000
 Highway Safety Account--State Appropriation ((~~\$432,000~~)
 \$5,984,000
 TOTAL APPROPRIATION ((~~\$365,778,000~~)
 \$369,312,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol. Cessna pilots funded from the state patrol highway account who are certified to fly the King Airs may pilot those aircraft for general fund purposes with the general fund reimbursing the state patrol highway account an hourly rate to cover the costs incurred during the flights since the aviation section is no longer part of the Washington state patrol cost allocation system as of July 1, 2009.

(2) The Washington state patrol shall continue to collaborate with the Washington traffic safety commission on the target zero trooper pilot program referenced in section ((204)) 801(1) of this act.

(3) \$370,000 of the state patrol highway account--state appropriation is provided solely for costs associated with the pilot program described under section 216(5) ((of this act)), chapter 86, Laws of 2012. The Washington state patrol may incur costs related only to the assignment of cadets and necessary computer equipment and to the reimbursement of the Washington state department of transportation for contract costs. The appropriation in this subsection must be funded from the portion of the automated traffic safety camera fines deposited into the state patrol highway account; however, if the fines deposited into the state patrol highway account from automated traffic safety camera infractions do not reach three hundred seventy thousand dollars, the department of transportation shall remit funds necessary to the Washington state patrol to ensure the completion of the pilot program. The Washington state patrol may not incur overtime as a result of this pilot program. The Washington state patrol shall not assign troopers to operate or deploy the pilot program equipment used in the roadway construction zones.

(4) ((~~\$12,160,000~~)) \$12,244,000 of the total appropriation is provided solely for automobile fuel in the 2011-2013 fiscal biennium. The Washington state patrol shall analyze their fuel consumption and submit a report to the legislative transportation committees by December 31, 2011, on fuel conservation methods that could be used to minimize costs and ensure that the Washington state patrol is managing fuel consumption effectively.

(5) ((~~\$7,672,000~~)) \$8,312,000 of the total appropriation is provided solely for the purchase of pursuit vehicles.

(6) ((~~\$6,686,000~~)) \$6,806,000 of the total appropriation is provided solely for vehicle repair and maintenance costs of vehicles used for highway purposes.

(7) ((~~\$1,724,000~~)) \$1,856,000 of the total appropriation is provided solely for the purchase of mission vehicles used for highway purposes in the commercial vehicle and traffic investigation sections of the Washington state patrol.

(8) \$1,200,000 of the total appropriation is provided solely for outfitting officers. The Washington state patrol shall prepare a cost-benefit analysis of the standard trooper uniform as compared to a battle dress uniform and uniforms used by other states and jurisdictions. The Washington state patrol shall report the results of the analysis to the transportation committees of the legislature by December 1, 2011.

(9) The Washington state patrol shall not account for or record locally provided DUI cost reimbursement payments as expenditure credits to the state patrol highway account. The patrol shall report the amount of expected locally provided DUI cost reimbursements to the office of financial management and transportation committees of the legislature by September 30th of each year.

(10) During the 2011-2013 fiscal biennium, the Washington state patrol shall continue to perform traffic accident investigations on Thurston county roads, and shall work with Thurston county to transition the traffic accident investigations on Thurston county roads to Thurston county by July 1, 2013.

(11) \$2,187,000 of the state patrol highway account--state appropriation is provided solely for mobile office platforms.

(12) \$2,731,000 of the state patrol highway account--state appropriation is provided solely for the continuation of the target zero trooper program.

(13) \$432,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses. Additionally, the total highway safety account--state appropriation in this section assumes the revenue generated by the fees that the Washington state patrol is authorized to charge manufacturers, technicians, and other providers under Second Substitute House Bill No. 2443. Within the amounts provided in this subsection is funding for three additional troopers to provide oversight of the ignition interlock industry.

(14) \$212,000 of the ((~~ignition interlock device revolving~~)) highway safety account--state appropriation is provided solely for two additional troopers to provide oversight of the ignition interlock industry. If chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by June 30, 2012, the amount provided in this subsection lapses.

(15) \$132,000 of the multimodal transportation account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue alert system). If chapter . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

Sec. 807. 2012 c 86 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING
 Marine Fuel Tax Refund Account--State Appropriation
 \$32,000
 Motorcycle Safety Education Account--State
 Appropriation ((~~\$4,367,000~~)
 \$4,364,000
 Wildlife Account--State Appropriation ((~~\$826,000~~)
 \$824,000
 Highway Safety Account--State Appropriation
 ((~~\$148,666,000~~)
 \$146,578,000
 Highway Safety Account--Federal Appropriation \$4,299,000

Highway Safety Account--Private/Local Appropriation	
\$200,000	
Motor Vehicle Account--State Appropriation	((\$76,511,000))
\$74,457,000	
Motor Vehicle Account--Private/Local Appropriation	\$1,714,000
Motor Vehicle Account--Federal Appropriation	\$380,000
Department of Licensing Services Account--State	
Appropriation	\$6,095,000
Ignition Interlock Device Revolving Account--State	
Appropriation	\$1,971,000
TOTAL APPROPRIATION	((\$245,061,000))
\$240,914,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$231,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter ... (Substitute Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(2) \$193,000 of the department of licensing services account--state appropriation is provided solely for a phased implementation of chapter ... (Substitute House Bill No. 1046), Laws of 2011 (vehicle and vessel quick titles). Funding is contingent upon revenues associated with the vehicle and vessel quick title program paying all direct and indirect expenditures associated with the department's implementation of this subsection. If chapter ... (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(3) \$4,299,000 of the highway safety account--federal appropriation is for federal funds that may be received during the 2011-2013 fiscal biennium. Upon receipt of the funds, the department shall provide a report on the use of the funds to the transportation committees of the legislature and the office of financial management.

(4) By December 31, 2011, the department shall submit to the office of financial management and the transportation committees of the legislature draft legislation that rewrites the tow truck statutes (chapter 46.55 RCW) in plain language and is revenue and policy neutral.

(5) \$128,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's license exams). If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(6) \$68,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of 2011 (addressing DUI accountability). If chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(7) \$63,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Substitute House Bill No. 1237), Laws of 2011 (selective service system). If chapter ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(8) \$340,000 of the motor vehicle account--private/local appropriation is provided solely for the implementation of chapter ... (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion reduction charge). If chapter ... (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(9) \$1,738,000 of the department of licensing services account--state appropriation is provided solely for purchasing equipment for field licensing service offices and subagent offices.

(10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(11) \$963,000 of the highway safety account--state appropriation is provided solely for implementation of chapter 374, Laws of 2011 (limousine carriers) and chapter 298, Laws of 2011 (master license service program).

(12) \$99,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2299), Laws of 2012 (special license plates). If chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(13) \$174,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses. Additionally, the total appropriation in this section assumes the revenue generated by the fee established in Substitute Senate Bill No. 6075. Within the amounts provided in this subsection, the department must improve on the information that the department makes publicly available to victims of domestic violence and sexual assault on how to better protect their personal information, especially their residential addresses. Specifically, the department must provide a link to the secretary of state's address confidentiality program web site. The department also must provide information regarding a person's ability to provide a mailing address in addition to the person's residential address when registering a vehicle with the department.

(14) \$289,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition matching system). If chapter . . . (Engrossed Substitute Senate Bill No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(15) \$397,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic infractions). If chapter . . . (Engrossed Substitute Senate Bill No. 6284), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses. Additionally, the total highway safety account--state appropriation in this section assumes the revenue generated by the policy changes in chapter . . . (Engrossed Substitute Senate Bill No. 6284), Laws of 2012.

(16) \$222,000 of the motor vehicle account--state appropriation and \$36,000 of the highway safety account--state appropriation are provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012 (transportation revenue). If chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(17) \$274,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 6582), Laws of 2012 (local transportation revenue options). If chapter . . . (Engrossed Substitute Senate Bill No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(18) Within the amounts provided in this section, the department must develop a transition plan for moving to a paperless renewal notice for drivers' licenses and vehicle registrations. The plan must consider people that do not have access to the internet and must include an opportunity for people to opt-in to a paper renewal notice.

Prior to the implementation of a paperless renewal system, the department must consult with the joint transportation committee.

(19) Within existing resources, the department shall develop a plan to transition to a ten-year license plate replacement cycle. At a minimum, the plan must include the following provisions: (a) A ten-year replacement cycle for license plates only on vehicles that are subject to annual vehicle registration renewal; (b) a requirement that new license plates and registration, including all fees and taxes due upon annual registration, are required when a vehicle changes ownership, except when a vehicle is sold to a vehicle dealer for resale, in which case they are due only when the dealer sells the vehicle; (c) an original issue license plate fee that is equal to the current license plate replacement fee; and (d) an estimate of the plan's costs to implement and revenues generated. The department shall submit the plan with draft legislation implementing the plan to the transportation committees of the legislature by December 31, 2012.

(20) Consistent with RCW 43.135.055 and 43.24.086, during the 2011-2013 fiscal biennium, the legislature authorizes the department to adjust the business and vehicle fees for the for hire licensing program in amounts sufficient to recover the costs of administering the for hire licensing program.

(21) The legislature intends to establish a veteran designation for drivers' licenses and identifiers issued under chapter 46.20 RCW, as proposed under House Bill No. 2378, during the 2013 legislative session. The designation would serve to establish a person's service in the armed forces and be granted to a person who provides a United States department of defense discharge document, DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions." The department shall report to the transportation committees of the legislature by December 1, 2012, with a plan to implement the designation. The plan must include the most cost-effective options for implementation, a proposed fee amount to cover the costs of the designation, and any other recommendations on the implementation of the designation.

(22) \$59,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2312), Laws of 2012 (military service award emblems). If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(23) \$656,000 of the ignition interlock device revolving account--state appropriation is provided solely for the implementation of chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(24) \$134,000 of the highway safety account--state appropriation and \$134,000 of the motor vehicle account--state appropriation are provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 2373), Laws of 2012 (state recreational resources). If chapter . . . (Engrossed Second Substitute House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the amount provided in this subsection lapses.

(25) \$3,082,000 of the highway safety account--state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee

amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

Sec. 808. 2012 c 86 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND MAINTENANCE--PROGRAM B

High Occupancy Toll Lanes Operations Account--State

Appropriation ~~((1,276,000))~~

\$1,569,000

Motor Vehicle Account--State Appropriation ~~((538,000))~~

\$537,000

Tacoma Narrows Toll Bridge Account--State

Appropriation ~~((23,365,000))~~

\$23,361,000

State Route Number 520 Corridor Account--State

Appropriation ~~((27,295,000))~~

\$27,120,000

State Route Number 520 Civil Penalties

Account--State Appropriation ~~((3,622,000))~~

\$2,564,000

TOTAL APPROPRIATION ~~((56,096,000))~~

\$55,151,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(2) \$3,622,000 of the state route number 520 civil penalties account--state appropriation and \$1,458,000 of the Tacoma Narrows toll bridge account--state appropriation are provided solely for expenditures related to the toll adjudication process. All costs associated with the toll adjudication process are anticipated to be covered by revenue collected from the toll adjudication process. The department shall report quarterly on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees beginning September 30, 2011. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) It is the intent of the legislature that transitioning to a statewide tolling operations center and preparing for all-electronic tolling on certain toll facilities will have no adverse revenue or expenditure impact on the Tacoma Narrows toll bridge account. Any increased costs related to this transition shall not be allocated to the Tacoma Narrows toll bridge account. All costs associated with the toll adjudication process are anticipated to be covered by revenue collected from the toll adjudication process.

(4) The department shall ensure that, at no cost to the Tacoma Narrows toll bridge account, new electronic tolling tag readers are installed on the Tacoma Narrows bridge as soon as practicable that are able to read existing and new electronic tolling tags.

(5) ~~((17,786,000))~~ \$15,238,000 of the state route number 520 corridor account--state appropriation is provided solely for nonvendor costs associated with tolling the state route number 520 bridge. Funds from the state route number 520 corridor account--state appropriation shall not be used to pay for items prohibited by Executive Order No. 1057, including subscriptions to technical publications, employee educational expenses, professional membership dues and fees,

employee recognition and safety awards, meeting meals and light refreshments, commute trip reduction incentives, and employee travel.

Sec. 809. 2012 c 86 s 210 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
INFORMATION TECHNOLOGY--PROGRAM C
Motor Vehicle Account--State Appropriation ((~~\$67,398,000~~))
\$65,667,000
Transportation Partnership Account--State
Appropriation \$1,460,000
Multimodal Transportation Account--State
Appropriation \$363,000
Transportation 2003 Account (Nickel Account)--State
Appropriation \$1,460,000
TOTAL APPROPRIATION ((~~\$70,681,000~~))
\$68,950,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall consult with the office of financial management and the department of enterprise services to: (a) Ensure that the department's current and future system development is consistent with the overall direction of other key state systems; and (b) when possible, use or develop common statewide information systems to encourage coordination and integration of information used by the department and other state agencies and to avoid duplication.

(2) \$1,460,000 of the transportation partnership account--state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for maintaining the department's project management reporting system.

(3) \$210,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(4) \$502,000 of the motor vehicle account--state appropriation is provided solely to provide support for the transportation executive information system.

Sec. 810. 2012 c 86 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY
MAINTENANCE, OPERATIONS AND CONSTRUCTION--
PROGRAM D--OPERATING
Motor Vehicle Account--State Appropriation ((~~\$25,466,000~~))
\$25,440,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The department shall submit a predesign proposal for a new traffic management center to the office of financial management consistent with the process followed by nontransportation capital construction projects. The department shall not award a contract for construction of a new traffic management center until the predesign proposal has been submitted and the office of financial management has completed a budget evaluation study that indicates a new building is the recommended option for accommodating additional traffic management operations.

(2) \$850,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

Sec. 811. 2012 c 86 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
AVIATION--PROGRAM F
Aeronautics Account--State Appropriation ((~~\$6,002,000~~))
\$5,999,000

Aeronautics Account--Federal Appropriation \$2,150,000
TOTAL APPROPRIATION ((~~\$8,152,000~~))
\$8,149,000

The appropriations in this section are subject to the following conditions and limitations:

((~~4~~)) \$200,000 of the aeronautics account--state appropriation is a reappropriation provided solely to complete runway preservation projects.

Sec. 812. 2012 c 86 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM
DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H
Motor Vehicle Account--State Appropriation ((~~\$45,796,000~~))
\$45,725,000
Motor Vehicle Account--Federal Appropriation \$500,000
Multimodal Transportation Account--State
Appropriation \$250,000
TOTAL APPROPRIATION ((~~\$46,546,000~~))
\$46,475,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,754,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(2) It is the intent of the legislature that the real estate services division of the department will recover the cost of its efforts from future sale proceeds.

(3) The legislature recognizes that the Dryden pit site (WSDOT Inventory Control (IC) No. 2-04-00103) is unused state-owned real property under the jurisdiction of the department of transportation, and that the public would benefit significantly from the complete enjoyment of the natural scenic beauty and recreational opportunities available at the site. Therefore, pursuant to RCW 47.12.080, the legislature declares that transferring the property to the department of fish and wildlife for recreational use and fish and wildlife restoration efforts is consistent with the public interest in order to preserve the area for the use of the public and the betterment of the natural environment. The department of transportation shall work with the department of fish and wildlife, and shall transfer and convey the Dryden pit site to the department of fish and wildlife as is for an adjusted fair market value reflecting site conditions, the proceeds of which must be deposited in the motor vehicle fund. The department of transportation is not responsible for any costs associated with the cleanup or transfer of this property. By July 1, 2011, and annually thereafter until the entire Dryden pit property has been transferred, the department shall submit a status report regarding the transaction to the chairs of the legislative transportation committees.

(4) The legislature recognizes that the trail known as the Apple Capital Loop, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on existing state route number 28. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537 and 2-09-04569 to Douglas county and the city of East Wenatchee is consistent with the public interest. The legislature directs the department to transfer the property to Douglas county and the city of East Wenatchee. The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes. Douglas county and the city of East Wenatchee must agree to accept responsibility for trail segments within their respective jurisdictions and sign an agreement with the state that the transfer of these parcels to their respective jurisdictions extinguishes any state obligations to improve, maintain, or be in any way responsible for

these assets. The department shall report to the transportation committees of the legislature by June 30, 2013, and annually thereafter, on the status of the transfer until complete.

Sec. 813. 2012 c 86 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation	((\$827,000))
\$826,000	
Multimodal Transportation Account--State Appropriation	
\$110,000	
TOTAL APPROPRIATION	((\$937,000))
\$936,000	

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$225,000 of the motor vehicle account--state appropriation is provided solely to carry out work related to assessing the operational feasibility of a road user assessment, including technology, agency administration, multistate and federal standards, and other necessary elements. This work must be carried out under the guidance of the steering committee and in coordination with the transportation commission's policy assessment and public outreach planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws of 2012.

(b) If subsequent appropriations are provided, the department may conduct a limited scope pilot project to test the feasibility of a road user assessment system to be applied to electric vehicles. The pilot project must be carried out under the guidance of the steering committee described under section 205(4) (~~of this act~~) chapter 86, Laws of 2012 and in coordination with the transportation commission.

(2) The department shall conduct a study on the potential to generate revenue from off-premise outdoor advertising signs that are erected or maintained adjacent and visible to the interstate system highways, primary system highways, or scenic system highways. The study must provide an evaluation of the market for outdoor advertising signs, including an evaluation of the number of potential advertisers and the amount charged by other jurisdictions for sign permits, and must provide a recommendation for a revised fee structure that recognizes the market value for off-premise signs and considers charging differential fees based on the size, type, and location of the sign.

(3) The public-private partnerships office must explore retail partnerships at state-owned park-and-ride facilities, as authorized in RCW 47.04.295, and if feasible, solicit proposals to implement a retail partnership pilot project at one park-and-ride facility by June 30, 2013.

Sec. 814. 2012 c 86 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY
MAINTENANCE--PROGRAM M

Motor Vehicle Account--State Appropriation	((\$373,709,000))
\$376,259,000	
Motor Vehicle Account--Federal Appropriation	\$7,000,000
Highway Safety Account--State Appropriation	\$3,500,000
TOTAL APPROPRIATION	((\$380,709,000))
\$386,759,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall request an unanticipated receipt for any federal moneys received for emergency snow and ice removal (~~and shall place an equal amount of the motor vehicle account--state~~

~~appropriation into unallotted status. This exchange shall not affect the amount of funding available for snow and ice removal).~~

(2) (~~(\$7,000,000)~~) \$7,850,000 of the motor vehicle account--state appropriation is provided solely for third-party damages to the highway system where the responsible party is known and reimbursement is anticipated. The department shall request additional appropriation authority for any funds received for reimbursements of third-party damages that are in excess of this appropriation.

(3) \$7,000,000 of the motor vehicle account--federal appropriation is for unanticipated federal funds that may be received during the 2011-2013 fiscal biennium. Upon receipt of the funds, the department shall provide a report on the use of the funds to the transportation committees of the legislature and the office of financial management.

(4) The department may work with the department of corrections to utilize corrections crews for the purposes of litter pickup on state highways.

(5) \$4,530,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(6) The department shall continue to report maintenance accountability process (MAP) targets and achievements on an annual basis. The department shall use available funding to target and deliver a minimum MAP grade of C for the activity of roadway striping.

(7) \$6,884,000 of the motor vehicle account--state appropriation is provided solely for the high priority maintenance backlog. Addressing the maintenance backlog must result in increased levels of service. If chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the appropriation provided in this subsection lapses.

(8) The department shall track the costs associated with active traffic management systems on a corridor basis and report to the transportation committees of the legislature on the costs and benefits of the systems by December 1, 2012.

Sec. 815. 2012 c 86 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC
OPERATIONS--PROGRAM Q-- OPERATING

Motor Vehicle Account--State Appropriation	((\$48,818,000))
\$48,741,000	
Motor Vehicle Account--Federal Appropriation	\$2,050,000
Motor Vehicle Account--Private/Local Appropriation	\$250,000
TOTAL APPROPRIATION	((\$51,118,000))
\$51,041,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account--state appropriation is provided solely for low-cost enhancements. Of this amount, \$10,000 of the motor vehicle account--state appropriation is provided solely for the department to install additional farm machinery signs to promote safety in agricultural areas along state highways. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) \$145,000 of the motor vehicle account--state appropriation is provided solely for the department to continue a pilot tow truck incentive program and to expand the program to other areas of the state. The department may provide incentive payments to towing companies that meet clearance goals on accidents that involve heavy trucks.

(3) During the 2011-2013 fiscal biennium, the department shall implement a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. By June 30, 2013, the department shall report to the transportation committees of the legislature on whether private transportation provider use of high occupancy vehicle lanes under the pilot program reduces the speeds of high occupancy vehicle lanes. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure. If chapter ... (Substitute Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this subsection is null and void.

(4) \$9,000,000 of the motor vehicle account--state appropriation is provided solely for the department's incident response program.

(5) The department, in consultation with the Washington state patrol, must continue a pilot program for the patrol to issue infractions based on information from automated traffic safety cameras in roadway construction zones on state highways. The department must report to the joint transportation committee by January 1, 2012, and January 1, 2013, on the status of this pilot program. For the purpose of this pilot program, during the 2011-2013 fiscal biennium, a roadway construction zone includes areas where public employees or private contractors may be present or where a driving condition exists that would make it unsafe to drive at higher speeds, such as, when the department is redirecting or realigning lanes on any public roadway pursuant to ongoing construction. The department shall use the following guidelines to administer the program:

(a) Automated traffic safety cameras may only take pictures of the vehicle and vehicle license plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(b) The department shall plainly mark the locations where the automated traffic safety cameras are used by placing signs on locations that clearly indicate to a driver that he or she is entering a roadway construction zone where traffic laws are enforced by an automated traffic safety camera;

(c) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(d) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving notification of the violation, mails to the patrol, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or control of some person other than the registered owner, or any other extenuating circumstances;

(e) For purposes of the 2011-2013 fiscal biennium pilot program, infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras must be processed in the same manner as parking infractions for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the fine issued under this subsection (5) for an infraction

generated through the use of an automated traffic safety camera is one hundred thirty-seven dollars. The court shall remit thirty-two dollars of the fine to the state treasurer for deposit into the state patrol highway account; and

(f) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction must be dismissed against the business if it mails to the patrol, within fourteen days of receiving the notice, a declaration under penalty of perjury of the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under penalty of perjury to this effect. The declaration must be mailed to the patrol within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must be included with each automated traffic infraction notice issued, along with instructions for its completion and use.

(6) The department shall track the costs associated with active traffic management systems on a corridor basis and report to the transportation committees of the legislature on the cost and benefits of the systems by December 1, 2011.

Sec. 816. 2012 c 86 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
TRANSPORTATION MANAGEMENT AND SUPPORT--
PROGRAM S

Motor Vehicle Account--State Appropriation	((\$27,389,000))
\$27,335,000	
Motor Vehicle Account--Federal Appropriation	\$30,000
Multimodal Transportation Account--State Appropriation	\$973,000
TOTAL APPROPRIATION	((\$28,392,000))
\$28,338,000	

The appropriations in this section are subject to the following conditions and limitations: The department shall utilize existing resources and customer service staff to develop and implement new policies and procedures to ensure compliance with new federal passenger vessel Americans with disabilities act requirements.

Sec. 817. 2012 c 86 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
TRANSPORTATION PLANNING, DATA, AND RESEARCH--
PROGRAM T

Motor Vehicle Account--State Appropriation	((\$22,304,000))
\$22,245,000	
Motor Vehicle Account--Federal Appropriation	\$21,885,000
Multimodal Transportation Account--State Appropriation	\$662,000
Multimodal Transportation Account--Federal Appropriation	\$3,559,000
Multimodal Transportation Account--Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	((\$48,510,000))
\$48,451,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$70,000 of the motor vehicle account--state appropriation is a reappropriation provided solely for a corridor study of state route number 516 from the eastern border of Maple Valley to state route number 167 to determine whether improvements are needed and the costs of any needed improvements.

(2) \$200,000 of the motor vehicle account--state appropriation is provided solely for extending the freight database pilot project that began in 2009. Global positioning system (GPS) data is intended to help guide freight investment decisions and track highway project effectiveness as it relates to freight traffic.

(3) Within available resources, the department must collaborate with the affected metropolitan planning organizations, regional transportation planning organizations, transit agencies, and private transportation providers to develop a plan to reduce vehicle demand, increase public transportation options, and reduce vehicle miles traveled on corridors affected by growth at Joint Base Lewis-McChord.

(4) As part of their ongoing regional transportation planning, the regional transportation planning organizations across the state shall work together to provide a comprehensive framework for sources and uses of next-stage investments in transportation needed to improve structural conditions and ongoing operations and lay the groundwork for the transportation systems to support the long-term economic vitality of the state. This planning must include all forms of transportation to reflect the state's interests, including: Highways, streets, and roads; ferries; public transportation; systems for freight; and walking and biking systems. The department shall support this planning by providing information on potential state transportation uses and an analysis of potential sources of revenue to implement investments. In carrying out this planning, regional transportation planning organizations must be broadly inclusive of business, civic, labor, governmental, and environmental interests in regional communities across the state.

(5) \$190,000 of the motor vehicle account--state appropriation is provided solely for the regional transportation planning organizations across the state to implement the comprehensive transportation planning and data framework. The framework must provide regional transportation planning organizations with the ability to identify the spatial and temporal status of current and future high priority projects, and the next stage investment necessary to implement those projects. The framework must be accessible to the public and provide transparency and accountability to the regional transportation planning process.

(6) Within existing resources, the department shall work with the department of archaeology and historic preservation to develop a statewide policy regarding the curation of artifacts and the use of museums and information centers as potential mitigation under the national environmental policy act. This policy must address the following issues: How to minimize costs associated with information centers and museums; when to use existing facilities to preserve and display artifacts; how to minimize the time that stand-alone facilities are needed; and how to transfer artifacts and other items to facilities that are not owned or rented by the department. A report regarding this policy must be submitted to the joint transportation committee by September 1, 2012.

Sec. 818. 2012 c 86 s 219 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES-- PROGRAM U	
Motor Vehicle Account--State Appropriation	((\$74,734,000))
	\$71,530,000
Motor Vehicle Account--Federal Appropriation	\$400,000
Multimodal Transportation Account--State Appropriation	\$1,798,000
TOTAL APPROPRIATION	((\$76,932,000))
	\$73,728,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self-insurance

fund to the transportation committees of the legislature on December 31st and June 30th of each year.

(2) Payments in this section represent charges from other state agencies to the department of transportation.

(a) TO THE SECRETARY OF STATE--ARCHIVES AND RECORDS MANAGEMENT \$512,000

(b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR SERVICES \$488,000

(c) TO THE OFFICE OF THE ATTORNEY GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

(d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR

RELATIONS SERVICES \$266,000

(e) TO THE OFFICE OF FINANCIAL MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER \$473,000

(f) TO THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES \$840,000

(g) TO CONSOLIDATED TECHNICAL SERVICES \$182,000

(h) TO THE DEPARTMENT OF ENTERPRISE SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM \$3,495,000

(i) TO THE DEPARTMENT OF ENTERPRISE SERVICES--PRODUCTION SUPPORT \$974,000

(j) TO THE DEPARTMENT OF ENTERPRISE SERVICES--REAL ESTATE SERVICES \$108,000

(k) TO THE DEPARTMENT OF ENTERPRISE SERVICES--PUBLICATIONS AND HISTORICAL SERVICES \$691,000

(l) TO THE DEPARTMENT OF ENTERPRISE SERVICES--CAMPUS RENT \$3,293,000

(m) TO THE DEPARTMENT OF ENTERPRISE SERVICES--CAPITAL PROJECT SURCHARGE \$879,000

(n) TO THE DEPARTMENT OF ENTERPRISE SERVICES--PERSONAL SERVICE CONTRACTS \$100,000

(o) TO THE DEPARTMENT OF ENTERPRISE SERVICES--SECURE FILE TRANSFER SERVICES \$39,000

(p) TO THE DEPARTMENT OF ENTERPRISE SERVICES--ACCESS SERVICES \$179,000

(q) TO THE DEPARTMENT OF ENTERPRISE SERVICES--RISK MANAGEMENT SERVICES \$1,290,000

(r) TO THE DEPARTMENT OF ENTERPRISE SERVICES--INFORMATION TECHNOLOGY SERVICES \$1,557,000

Sec. 819. 2012 c 86 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V

Motor Vehicle Account--Federal Appropriation \$160,000

State Vehicle Parking Account--State Appropriation \$452,000

Regional Mobility Grant Program Account--State Appropriation ((~~\$48,942,000~~))

\$38,331,000

Multimodal Transportation Account--State Appropriation ((~~\$42,939,000~~))

\$42,930,000

Multimodal Transportation Account--Federal Appropriation \$2,582,000

Multimodal Transportation Account--Private/Local Appropriation \$1,027,000

Rural Mobility Grant Program Account--State Appropriation \$17,000,000

TOTAL APPROPRIATION ((~~\$113,102,000~~))

\$102,482,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$25,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation.

(a) \$5,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$19,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2009 as reported in the "Summary of Public Transportation - 2009" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) Funds are provided for the rural mobility grant program as follows:

(a) \$8,500,000 of the rural mobility grant program account--state appropriation is provided solely for grants for those transit systems serving small cities and rural areas as identified in the "Summary of Public Transportation - 2009" published by the department of transportation. Noncompetitive grants must be distributed to the transit systems serving small cities and rural areas in a manner similar to past disparity equalization programs. If the funding provided in this subsection (2)(a) exceeds the amount required for recipient counties to reach eighty percent of the average per capita sales tax, funds in excess of that amount may be used for the competitive grant process established in (b) of this subsection.

(b) \$8,500,000 of the rural mobility grant program account--state appropriation is provided solely to providers of rural mobility service in areas not served or underserved by transit agencies through a competitive grant process.

(3)(a) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$520,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving soldiers and civilian employees at Joint Base Lewis-McChord.

(4) (~~(\$8,942,000)~~) \$6,453,000 of the regional mobility grant program account--state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2012-1~~) 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed ((~~March 8, 2012~~) April 23, 2013). The department shall continue to review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in

this subsection. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule and that all funds in the regional mobility grant program be used as soon as practicable to advance eligible projects.

(5)(a) (~~(\$40,000,000)~~) \$31,878,000 of the regional mobility grant program account--state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2012-1~~) 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed ((~~March 8, 2012~~) April 23, 2013). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2011, and December 15, 2012, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2011-2013 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) \$2,309,000 of the multimodal transportation account--state appropriation is provided solely for the tri-county connection service for Island, Skagit, and Whatcom transit agencies.

(7) \$200,000 of the multimodal transportation account--state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(8) Funds provided for the commute trip reduction program may also be used for the growth and transportation efficiency center program.

(9) An affected urban growth area that has not previously implemented a commute trip reduction program is exempt from the requirements in RCW 70.94.527 if a solution to address the state highway deficiency that exceeds the person hours of delay threshold has been funded and is in progress during the 2011-2013 fiscal biennium.

(10) \$300,000 of the multimodal transportation account--state appropriation is provided solely for the continuation of state support for the Whatcom smart trips commute trip reduction program.

(11) \$818,000 of the multimodal transportation account--state appropriation is provided solely for state support of the Everett connector bus service.

(12) The department shall contact all transit agencies with a nonvoting member recommended by a labor organization and request information regarding the participation of board members, both voting and nonvoting, for all transit agency meetings in 2012 and the three previous calendar years. The department shall provide a report

to the transportation committees of the legislature regarding the findings of this survey, which must include the transit agencies, if any, that refuse to respond either in whole or in part, by January 15, 2013.

(13) \$250,000 of the multimodal transportation account--state appropriation is provided solely for the Clark county public transportation benefit area to comply with the requirements of RCW 81.104.110 regarding the formation of an expert review panel to provide an independent technical review of any plan that relies on any voter- approved local funding options.

(14) \$100,000 of the multimodal transportation account--state appropriation is provided solely for community transit to conduct a federally mandated alternatives analysis study to allow a second swift line to be funded through the federal transit administration's new starts or small starts process.

(15) \$160,000 of the motor vehicle account--federal appropriation is provided solely for King county metro to study demand potential for a state route number 18 and Interstate 90 park-and-ride location, to size the facilities appropriately, to perform site analysis, and to develop preliminary design concepts.

Sec. 820. 2012 c 86 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X

Puget Sound Ferry Operations Account--State

Appropriation ((~~\$468,135,000~~))
\$465,085,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2011-2013 supplemental and 2013-2015 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(3) Until a reservation system is operational on the San Juan islands inner-island route, the department shall provide the same priority loading benefits on the San Juan islands inner-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(4) The department shall request from the United States coast guard variable minimum staffing levels on all of its vessels by December 31, 2011.

(5) The department shall continue to provide service to Sidney, British Columbia and shall explore the option of purchasing a foreign built vehicle and passenger ferry vessel either with safety of life at sea (SOLAS) certification or the ability to be retrofitted for SOLAS certification to operate solely on the Anacortes to Sidney, British Columbia route currently served by vessels of the Washington state ferries fleet. The vessel should have the capability of carrying at least one hundred standard vehicles and approximately four hundred to five hundred passengers. Further, the department shall explore the possibilities of contracting a commercial company to operate the vessel exclusively on this route so long as the contractor's employees assigned to the vessel are represented by the same employee organizations as the Washington state ferries. The department shall report back to the transportation committees of the legislature regarding: The availability of a vessel; the cost of the vessel, including transport to the Puget Sound region; and the need for any

statutory changes for the operation of the Sydney, British Columbia service by a private company.

(6) For the 2011-2013 fiscal biennium, the department of transportation may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(7) (~~(\$136,648,000)~~) \$127,748,000 of the Puget Sound ferry operations account--state appropriation is provided solely for auto ferry vessel operating fuel in the 2011-2013 fiscal biennium. The amount provided in this appropriation represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(8) \$150,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the department to increase recreation and tourist ridership by entering into agreements for marketing and outreach strategies with local economic development agencies. The department shall identify the number of tourist and recreation riders on the applicable ferry routes both before and after implementation of marketing and outreach strategies developed through the agreements. The department shall report results of the marketing and outreach strategies to the transportation committees of the legislature by October 15, 2012.

(9) The Washington state ferries shall participate in the facilities plan included in section 604 (~~(of this act)~~), chapter 367, Laws of 2011 and shall include an investigation and identification of less costly relocation options for the Seattle headquarters office. The department shall include relocation options for the Washington state ferries Seattle headquarters office in the facilities plan. Until September 1, 2012, the department may not enter into a lease renewal for the Seattle headquarters office.

(10) The department, office of financial management, and transportation committees of the legislature shall make recommendations regarding an appropriate budget structure for the Washington state ferries. The recommendation may include a potential restructuring of the Washington state ferries budget. The recommendation must facilitate transparency in reporting and budgeting as well as provide the opportunity to link revenue sources with expenditures. Findings and recommendations must be reported to the office of financial management and the joint transportation committee by September 1, 2011.

(11) Two Kwa-di-tabil class ferry vessels must be placed on the Port Townsend/Coupeville (Keystone) route to provide service at the same levels provided when the steel electric vessels were in service. After the vessels as funded under section 308 (5) (~~(of this act)~~), chapter 86, Laws of 2012 are in service, the two most appropriate of these vessels for the Port Townsend/Coupeville (Keystone) route must be placed on the route. \$100,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the additional staffing required to maintain a reservation system at this route when the second vessel is in service.

(12) \$706,000 of the Puget Sound ferry operations account--state appropriation is provided solely for terminal operations to implement new federal passenger vessel Americans with disabilities act requirements.

(13) \$152,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

Sec. 821. 2012 c 86 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING

Multimodal Transportation Account--State

Appropriation ((~~\$33,642,000~~))
\$33,639,000

Multimodal Transportation Account--Federal

Appropriation \$400,000
TOTAL APPROPRIATION ((~~\$34,042,000~~))

\$34,039,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$27,816,000 of the multimodal transportation account--state appropriation is provided solely for the Amtrak service contract and Talgo maintenance contract associated with providing and maintaining state-supported passenger rail service. The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review fares or fare schedules. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits for increased revenue due to higher ridership, and fare or fare schedule adjustments, must be used to offset corresponding amounts of the multimodal transportation account--state appropriation, which must be placed in reserve. Upon completion of the rail platform project in the city of Stanwood, the department shall continue to provide daily Amtrak Cascades service to the city.

(2) Amtrak Cascade runs may not be eliminated.

(3) The department shall plan for a third roundtrip Cascades train between Seattle and Vancouver, B.C.

(4) The department shall conduct a pilot program by partnering with the travel industry on the Amtrak Cascades service between Vancouver, British Columbia, and Seattle to test opportunities for increasing ridership, maximizing farebox recovery, and stimulating private investment. The pilot program must run from July 1, 2011, to June 30, 2012. The department shall report on the results of the pilot program to the office of financial management and the legislature by September 30, 2012.

(5) \$300,000 of the multimodal transportation account--state appropriation is provided solely for the department to conduct a study to examine the interconnectivity benefits of, and potential for, a future Amtrak Cascades stop in the vicinity of the city of Auburn. As part of its consideration, the department shall conduct a thorough market analysis of the potential for adding or changing stops on the Amtrak Cascades route.

Sec. 822. 2012 c 86 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z-- OPERATING

Motor Vehicle Account--State Appropriation	((\$8,518,000))
	\$8,505,000
Motor Vehicle Account--Federal Appropriation	\$2,567,000
TOTAL APPROPRIATION	((\$11,085,000))
	\$11,072,000

The appropriations in this section are subject to the following conditions and limitations: The department shall submit a report to the transportation committees of the legislature by December 1, 2011, on the implementation of the recommendations that resulted from the evaluation of efficiencies in the delivery of transportation funding and services to local governments that was required under section 204(8), chapter 247, Laws of 2010. The report must include a description of how recommendations were implemented, what efficiencies were achieved, and an explanation of any recommendations that were not implemented.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 901. 2012 c 86 s 302 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Account--State Appropriation	\$874,000
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Rural Arterial Trust Account--State Appropriation	((\$62,510,000))
	\$61,470,000
Highway Safety Account--State Appropriation	\$3,500,000
County Arterial Preservation Account--State Appropriation	\$29,360,000
TOTAL APPROPRIATION	((\$92,744,000))
	\$95,204,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$874,000 of the motor vehicle account--state appropriation may be used for county ferry projects as developed pursuant to RCW 47.56.725(4).

(2) ((~~\$62,510,000~~)) **\$61,470,000** of the rural arterial trust account--state appropriation is provided solely for county road preservation grant projects as approved by the county road administration board. These funds may be used to assist counties recovering from federally declared emergencies by providing capitalization advances and local match for federal emergency funding, and may only be made using existing fund balances. It is the intent of the legislature that the rural arterial trust account be managed based on cash flow. The county road administration board shall specifically identify any of the selected projects and shall include information concerning the selected projects in its next annual report to the legislature.

Sec. 902. 2012 c 86 s 303 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account--State Appropriation	\$5,270,000
Transportation Improvement Account--State Appropriation	((\$237,545,000))
	\$213,152,000
Highway Safety Account--State Appropriation	\$3,500,000
TOTAL APPROPRIATION	((\$242,815,000))
	\$221,922,000

((The appropriations in this section are subject to the following conditions and limitations: The transportation improvement account--state appropriation includes up to \$22,143,000 in proceeds from the sale of bonds authorized in RCW 47.26.500.))

Sec. 903. 2012 c 86 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I

Transportation Partnership Account--State Appropriation	((\$1,636,316,000))
	\$1,149,062,000
Motor Vehicle Account--State Appropriation	((\$103,889,000))
	\$63,790,000
Motor Vehicle Account--Federal Appropriation	((\$790,703,000))
	\$806,907,000
Motor Vehicle Account--Private/Local Appropriation	((\$124,917,000))
	\$84,830,000
Transportation 2003 Account (Nickel Account)--State Appropriation	((\$416,125,000))
	\$346,873,000
State Route Number 520 Corridor Account--State Appropriation	((\$1,752,138,000))
	\$995,741,000
((Special Category C Account--State Appropriation	\$124,000
Tacoma Narrows Toll Bridge Account--State Appropriation	\$5,791,000))

State Route Number 520 Corridor Account--Federal
 Appropriation \$300,000,000
 Multimodal Transportation Account--State Appropriation
 \$303,000
 TOTAL APPROPRIATION ((~~\$4,830,003,000~~)
 \$3,747,506,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((~~2012-2~~) 2013-1 as developed ((~~March 8, 2012~~) April 23, 2013, Program - Highway Improvement Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603, chapter . . . , Laws of 2013 (section 603 of this act).

(2) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(3) The department shall apply for surface transportation program enhancement funds to be expended in lieu of or in addition to state funds for eligible costs of projects in programs I and P including, but not limited to, the state route number 518, state route number 520, Columbia river crossing, and Alaskan Way viaduct projects.

(4) The department shall apply for the competitive portion of federal transit administration funds for eligible transit-related costs of the state route number 520 bridge replacement and HOV project and the Columbia river crossing project. The federal funds described in this subsection must not include those federal transit administration funds distributed by formula. The department shall provide a report regarding this effort to the legislature by October 1, 2011.

(5) The department shall work with the department of archaeology and historic preservation to ensure that the cultural resources investigation is properly conducted on all mega-highway projects and large ferry terminal projects. These projects must be conducted with active archaeological management. Additionally, the department shall establish a scientific peer review of independent archaeologists that are knowledgeable about the region and its cultural resources.

(6) For highway construction projects where the department considers agricultural lands of long-term commercial significance, as defined in RCW 36.70A.030, in reviewing and selecting sites to meet environmental mitigation requirements under the national environmental policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental policy act (chapter 43.21C RCW), the department shall, to the greatest extent possible, consider using public land first. If public lands are not available that meet the required environmental mitigation needs, the department may use other sites while making every effort to avoid any net loss of agricultural lands that have a designation of long-term commercial significance.

(7) ((~~\$561,000~~) \$665,000 of the transportation partnership account--state appropriation and ((~~\$1,176,000~~) \$954,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for project OBI4ENV, Environmental Mitigation Reserve - Nickel/TPA project, as indicated in the LEAP transportation document referenced in subsection (1) of this section. Funds may be used only for environmental mitigation work that is required by permits that were issued for projects funded by the transportation partnership account or transportation 2003 account (nickel account).

(8) The transportation 2003 account (nickel account)--state appropriation includes up to ((~~\$339,608,000~~) \$308,996,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(9) The transportation partnership account--state appropriation includes up to ((~~\$972,392,000~~) \$734,097,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(10) The motor vehicle account--state appropriation includes up to ((~~\$55,870,000~~) \$5,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(11) The state route number 520 corridor account--state appropriation includes up to ((~~\$1,779,000,000~~) \$990,801,000 and the state route number 520 corridor account--federal appropriation includes up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.879. Of the amounts appropriated in this subsection, \$300,000,000 of the state route number 520 corridor account--federal appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(12) ((~~\$767,000~~) \$692,000 of the motor vehicle account--state appropriation and ((~~\$3,736,000~~) \$3,002,000 of the motor vehicle account--federal appropriation are provided solely for the US 2 High Priority Safety project (100224I). Expenditure of these funds is for safety projects on state route number 2 between Monroe and Gold Bar, which may include median rumble strips, traffic cameras, and electronic message signs.

(13) ((~~\$820,000~~) \$819,900 of the motor vehicle account--federal appropriation, ((~~\$16,308,000~~) \$6,226,000 of the motor vehicle account--private/local appropriation, and ((~~\$48,000~~) \$344,000 of the motor vehicle account--state appropriation are provided solely for the US 2/Bickford Avenue - Intersection Safety Improvements project (100210E).

(14) \$1,025,000 of the motor vehicle account--state appropriation is provided solely for environmental work on the Belfair Bypass project (300344C).

(15) ((~~\$372,000~~) \$360,000 of the motor vehicle account--federal appropriation and ((~~\$9,000~~) \$49,000 of the motor vehicle account--state appropriation are provided solely for the I-5/Vicinity of Joint Base Lewis-McChord - Install Ramp Meters project (300596M).

(16) ((~~\$202,863,000~~) \$102,588,000 of the transportation partnership account--state appropriation (and ~~\$51,138,000~~), \$43,847,000 of the transportation 2003 account (nickel account)--state appropriation, \$12,000 of the motor vehicle account--federal appropriation, and \$68,000 of the motor vehicle account--private/local appropriation are provided solely for the I-5/Tacoma HOV Improvements (Nickel/TPA) project (300504A). The use of funds in this subsection to renovate any buildings is subject to the requirements of section 604 ((~~of this act~~), chapter 367, Laws of 2011. The department shall report to the legislature and the office of financial management on any costs associated with building renovations funded in this subsection.

(17)(a) \$7,423,000 of the transportation partnership account--state appropriation and ((~~\$54,461,000~~) \$50,332,000 of the motor vehicle account--federal appropriation are provided solely for the I-5/Columbia River Crossing project (400506A). ((~~Of the amounts appropriated in this subsection, \$15,000,000 of the motor vehicle account--federal appropriation must be put into unallotted status and is subject to the review of the office of financial management. This funding may only be allotted once the state of Oregon's total contribution of shared expenses on the project are within five million dollars of the state of Washington's shared expenses.~~)

(b) It is the intent of the legislature that Washington and Oregon have equal funding commitments and equal total expenditures to date on the shared components of the Columbia river crossing project.

The department shall provide a quarterly report on this project beginning March 31, 2012. This report must include:

- (i) An update on preliminary engineering and right-of-way acquisition for the previous quarter;
- (ii) Planned objectives for right-of-way and preliminary engineering for the ensuing quarter;
- (iii) An updated comparison of the total appropriation authority for the project by state;
- (iv) An updated comparison of the total expenditures to date on the project by state; and
- (v) The committed funding provided by the state of Oregon to right-of-way acquisition.

(c) \$200,000 of the transportation partnership account--state appropriation in this subsection is provided solely for the department to work with the department of archaeology and historic preservation to ensure that the cultural resources investigation is properly conducted on the Columbia river crossing project. This project must be conducted with active archaeological management and result in one report that spans the single cultural area in Oregon and Washington. Additionally, the department shall establish a scientific peer review of independent archaeologists that are knowledgeable about the region and its cultural resources.

(d) Consistent with the draft environmental impact statement and the Columbia river crossing project's independent review panel report, the Columbia river crossing project's financial plan must include recognition of state transportation funding contributions from both Washington and Oregon, federal transportation funding, and a funding contribution from toll bond proceeds. Following the refinement of the finance plan as recommended by the independent review panel, the department may seek authorization from the legislature to collect tolls on the existing Columbia river crossing or on a replacement crossing over Interstate 5.

(e) The Washington state department of transportation budget includes resources to continue work on solutions that advance the Columbia river crossing project to completion of the required environmental impact statement. The department must report to the Columbia river crossing legislative oversight subcommittee of the joint transportation committee, established in section 204(7) (~~of this act~~), chapter 86, Laws of 2012, on the progress made on the Columbia river crossing project at each meeting of the oversight subcommittee. Reporting must include updated information on cost estimates, rights-of-way purchases and procurement schedules, and financing plans for the Columbia river crossing project, including projected traffic volumes, fuel and gas price assumptions, toll rates, costs of toll collections, as well as potential need for general transportation funding. By January 1, 2013, the department shall provide to the oversight subcommittee of the joint transportation committee a phased master plan for the Columbia river crossing project.

(18) Within the amounts provided for the Columbia river crossing project (400506A), the department shall conduct a traffic and revenue analysis for the Columbia river crossing project that will lay the foundation for investment grade traffic and revenue analysis. While conducting the analysis, the department must coordinate with the Oregon department of transportation, the Washington state transportation commission, (~~and the Washington state legislative oversight committee~~) the Washington state treasurer's office, and the Oregon state treasurer's office.

(a) The department's analysis must include the assessment and review of the following variables within the project:

- (i) Exemptions from tolls for vehicles with two or more occupants;
 - (ii) A variable toll where the tolls vary by time of day and day of the week; and
 - (iii) A frequency-based toll rate for the facility.
- (b) The analysis must also assess the following:

(i) The impact that light rail service in the corridor will have on estimated toll revenues;

(ii) The level of diversion from the Interstate 5 corridor and the impact on estimated toll revenues; and

(iii) The estimated toll revenues from vehicle trips originating within the region and outside the region by vehicle type.

(c) The department must submit a report of findings to the transportation committees of the legislature by July 1, 2013.

(19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--state appropriation are provided solely for the SR 9/SR 204 Intersection Improvement project (L2000040).

(20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--state appropriation are provided solely for the US 12/Nine Mile Hill to Woodward Canyon Vic - Build New Highway project (501210T).

(21) (~~(\$5,791,000)~~) of the Tacoma Narrows toll bridge account--state appropriation is provided solely for deferred sales tax expenses on the construction of the new Tacoma Narrows bridge. However, if chapter . . . (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR 16 projects) is enacted by June 30, 2012, the amount provided in this subsection lapses.

(22) ~~(\$391,000)~~ \$226,000 of the motor vehicle account--federal appropriation and (~~(\$16,000)~~) \$19,000 of the motor vehicle account--state appropriation are provided solely for the SR 16/Rosedale Street NW Vicinity - Frontage Road project (301639C). The frontage road must be built for driving speeds of no more than thirty-five miles per hour.

(~~(\$23,621,000)~~) (22) \$663,000 of the motor vehicle account--federal appropriation (~~(#)~~) and \$12,000 of the motor vehicle account--state appropriation are provided solely for the SR 20/Race Road to Jacob's Road safety project (L2200042).

(~~(\$24,332,162,000)~~) (23) \$15,746,000 of the transportation partnership account--state appropriation (~~(#)~~) and \$122,000 of the motor vehicle account--private/local appropriation are provided solely for the SR 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

(~~(\$25,1,227,000)~~) (24) \$705,000 of the motor vehicle account--federal appropriation and (~~(\$38,000)~~) \$165,000 of the motor vehicle account--state appropriation are provided solely for design and right-of-way work on the I-82/Red Mountain Vicinity project (508208M). The department shall continue to work with the local partners in developing transportation solutions necessary for the economic growth in the Red Mountain American viticulture area of Benton county.

(~~(\$26,1,500,000)~~) (25) \$3,000,000 of the motor vehicle account--federal appropriation (~~(#)~~) and \$120,000 of the motor vehicle account--state appropriation are provided solely for the I-90 Comprehensive Tolling Study and Environmental Review project (100067T). The department shall undertake a comprehensive environmental review of tolling Interstate 90 between Interstate 5 and Interstate 405 for the purposes of both managing traffic and providing funding for construction of the unfunded state route number 520 from Interstate 5 to Medina project. The environmental review must include significant outreach to potentially affected communities. The department may consider traffic management options that extend as far east as Issaquah.

(~~(\$27))~~ (26) \$12,149,000 of the motor vehicle account--federal appropriation (~~(and)~~), \$362,000 of the motor vehicle account--state appropriation, and \$50,000 of the motor vehicle account--private/local appropriation are provided solely for the I-90/Sullivan Road to Barker Road - Additional Lanes project (609049N).

(~~(\$28))~~ (27) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be used for design work on the next two-mile

segment of the corridor. Any additional savings on this project must remain on the corridor. Project funds may not be used to build or improve buildings until the plan described in section 604 (~~(of this act)~~), chapter 367, Laws of 2011 is complete.

~~((29) \$657,000)~~ (28) \$637,000 of the motor vehicle account--federal appropriation ~~((*)~~) and \$15,000 of the motor vehicle account--state appropriation are provided solely for the US 97A/North of Wenatchee - Wildlife Fence project (209790B).

~~((30))~~ (29) The department shall reconvene an expert review panel of no more than three members as described under RCW 47.01.400 for the purpose of updating the work that was previously completed by the panel on the Alaskan Way viaduct replacement project and to ensure that an appropriate and viable financial plan is created and regularly reviewed. The expert review panel must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor. The expert review panel must report findings and recommendations to the transportation committees of the legislature, the governor's Alaskan Way viaduct project oversight committee, and the transportation commission by October 2011, and annually thereafter until the project is operationally complete.

~~((31))~~ (30) It is important that the public and policymakers have accurate and timely access to information related to the Alaskan Way viaduct replacement project as it proceeds to, and during, the construction of all aspects of the project including, but not limited to, information regarding costs, schedules, contracts, project status, and neighborhood impacts. Therefore, it is the intent of the legislature that the state, city, and county departments of transportation establish a single source of accountability for integration, coordination, tracking, and information of all requisite components of the replacement project, which must include, at a minimum:

(a) A master schedule of all subprojects included in the full replacement project or program; and

(b) A single point of contact for the public, media, stakeholders, and other interested parties.

~~((32))~~ (31) Within the amounts provided in this section, ~~((20,000))~~ \$42,000 of the motor vehicle account--state appropriation and ~~((980,000))~~ \$958,000 of the motor vehicle account--federal appropriation are provided solely for the department to continue work on a comprehensive tolling study of the state route number 167 corridor (project 316718S). As funding allows, the department shall also continue work on a comprehensive tolling study of the state route number 509 corridor.

~~((33))~~ (32)(a) ((137,022,000)) \$70,663,000 of the transportation partnership account--state appropriation and ~~((50,623,000))~~ \$38,613,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project and must be constructed with a footprint that would accommodate potential future express toll lanes.

(b) As part of the project, the department shall conduct a traffic and revenue analysis and complete a financial plan to provide additional information on the revenues, expenditures, and financing options available for active traffic management and congestion relief in the Interstate 405 and state route number 167 corridors. A report must be provided to the transportation committees of the legislature and the office of financial management by January 2012. However, this subsection ~~((33))~~ (32)(b) is null and void if chapter . . . (Engrossed House Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by June 30, 2011.

(c) ~~(Of the amount appropriated in (a) of this subsection,~~ \$15,000,000 of the transportation partnership account--state appropriation is provided solely for the preliminary design and purchase of rights-of-way on the state route number 167 direct connector. It is the intent of the legislature to fund an additional

\$25,000,000 of the transportation partnership account--state appropriation for the preliminary design and purchase of rights-of-way on the state route number 167 direct connector during the 2013-2015 biennium.

~~(d))~~ Within the amounts provided for this project, funding is provided solely for tolling equipment, such as gantries, barriers, or cameras, on Interstate 405, consistent with chapter 369, Laws of 2011. The department shall place amounts for tolling equipment into unallotted status until the traffic and revenue analysis required in RCW 47.56.886 is submitted to the governor and the legislature. Once the report has been submitted, the office of financial management may approve the allotment of funds for tolling equipment only after consultation with the joint transportation committee.

~~((34))~~ (33) Funding for a signal at state route number 507 and Yew Street is included in the appropriation for intersection and spot improvements (OBI2002).

(34) \$3,392,000 of the transportation partnership account--state appropriation is provided solely for the preliminary design and purchase of rights-of-way on the state route number 167 direct connector (140504C).

(35) ~~((224,502,000))~~ \$52,078,000 of the transportation partnership account--state appropriation ~~((and \$898,286,000))~~, \$902,101,000 of the state route number 520 corridor account--state appropriation, \$17,155,000 of the motor vehicle account--federal appropriation, and \$1,303,000 of the motor vehicle account--private/local appropriation are provided solely for the state route number 520 bridge replacement and HOV program (8BI1003). When developing the financial plan for the program, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility, and not by the motor vehicle account.

(36) \$500,000 of the motor vehicle account--state appropriation is provided solely for a multimodal corridor plan on state route number 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

(37) \$300,000 of the motor vehicle account--federal appropriation ~~((*)~~) and \$13,000 of the motor vehicle account--state appropriation are provided solely for the SR 523 Corridor study (L1000059).

(38) The department shall consider using the city of Mukilteo's off-site mitigation program in the event any projects on state route number 525 or 526 require environmental mitigation.

(39) Any savings on projects on the state route number 532 corridor must be used within the corridor to begin work on flood prevention and raising portions of the highway above flood and storm influences.

(40) The total appropriation provided in this section assumes enactment of chapter . . . (Second Substitute Senate Bill No. 5250), Laws of 2012 (design-build procedures) and reflects efficiencies and cost savings generated by this innovative design and contracting tool.

(41) Construction of a new traffic management center may not commence until the budget evaluation study in section 102(1) ~~(of this act)~~, chapter 86, Laws of 2012 is complete and the office of financial management has determined that a new traffic management center is the preferred option and has approved this project.

(42) The department shall itemize all future requests for the construction of new buildings on a project list. Each building construction project must be listed in the project list along with all other highway construction projects and submitted by the department as part of its budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(43) ~~((250,000))~~ \$240,000 of the motor vehicle account--federal appropriation ~~((*)~~) and \$10,000 of the motor vehicle account--state appropriation are provided solely for planning a proposed off-ramp

eastbound from state route number 518 to Des Moines Memorial Drive in Burien (L1100045).

(44) ~~(\$1,100,000)~~ \$425,000 of the motor vehicle account--federal appropriation ~~(is)~~ and \$18,000 of the motor vehicle account--state appropriation are provided solely for preliminary engineering on the I- 5/Marvin Road Interchange study (L2200087).

(45) ~~(\$400,000)~~ \$389,000 of the motor vehicle account--federal appropriation ~~(is)~~ and \$22,000 of the motor vehicle account--state appropriation are provided solely for the SR 150/No-See-Um Road Intersection - Realignment project (L2200092).

(46) \$750,000 of the motor vehicle account--federal appropriation ~~(is)~~ and \$31,000 of the motor vehicle account--state appropriation are provided solely for ~~((preliminary engineering on))~~ the SR 305/Suquamish Way Intersection Improvements project (L2200093).

(47) ~~(\$700,000)~~ \$658,000 of the motor vehicle account--federal appropriation ~~(is)~~ and \$16,000 of the motor vehicle account--state appropriation are provided solely for the US 395/Lind Road Intersection project (L2200086).

(48) \$7,398,000 of the motor vehicle account--state appropriation is provided solely to advance the design, preliminary engineering, and rights-of-way acquisition for the priority projects identified in LEAP Transportation Document 2013-3 as developed April 23, 2013. Funds must be used to advance the emergent, initial development of these projects for the purpose of expediting delivery of the associated major investments when funding for such investments becomes available. Funding may be reallocated between projects to maximize the accomplishment of design and preliminary engineering work and rights- of-way acquisition, provided that all projects are addressed. It is the intent of the legislature that, while seeking to maximize the outcomes in this section, the department shall provide for continuity of both the state and consulting engineer workforce, while strategically utilizing private sector involvement to ensure consistency with the department's business plan for staffing in the highway construction program in the current and next fiscal biennium.

Sec. 904. 2012 c 86 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-- PRESERVATION--PROGRAM P	
Transportation Partnership Account--State	
Appropriation	(\$44,463,000)
	\$23,488,000
Motor Vehicle Account--State Appropriation	(\$81,741,000)
	\$78,112,000
Motor Vehicle Account--Federal Appropriation	(\$540,306,000)
	\$469,626,000
Motor Vehicle Account--Private/Local	
Appropriation	(\$21,585,000)
	\$18,892,000
Tacoma Narrows Toll Bridge Account--State	
Appropriation	\$259,000
((Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$23,000))
Highway Safety Account--State Appropriation	\$3,500,000
TOTAL APPROPRIATION	(\$691,877,000)
	\$593,877,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ~~((2012-2))~~ 2013-1 as developed ~~((March 8, 2012))~~ April 23, 2013, Program - Highway Preservation Program (P). However, limited transfers of specific line-

item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603, chapter . . . Laws of 2013 (section 603 of this act).

(2) The department of transportation shall continue to implement the lowest life-cycle cost planning approach to pavement management throughout the state to encourage the most effective and efficient use of pavement preservation funds. Emphasis should be placed on increasing the number of roads addressed on time and reducing the number of roads past due.

(3) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The department shall apply for surface transportation program enhancement funds to be expended in lieu of or in addition to state funds for eligible costs of projects in programs I and P.

(5) ((The motor vehicle account--state appropriation includes up to \$17,652,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(6)) The department must work with cities and counties to develop a comparison of direct and indirect labor costs, overhead rates, and other costs for high-cost bridge inspections charged by the state, counties, and other entities. The comparison is due to the transportation committees of the legislature on September 1, 2011.

~~(((7) \$789,000))~~ (6) \$739,000 of the motor vehicle account--federal appropriation and ~~(((6,000))~~ \$56,000 of the motor vehicle account-- state appropriation are provided solely for the environmental impact statement and preliminary planning for the replacement of the state route number 9 Snohomish river bridge (project L2000018).

~~(((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--federal appropriation, ~~(((1,992,000))~~ \$1,794,000 of the motor vehicle account--private/local appropriation, and ~~(((390,000))~~ \$340,000 of the motor vehicle account--state appropriation are provided solely for the SR 21/Keller Ferry - Replace Boat project (602110J).

~~(((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal appropriation ~~(is)~~ and \$13,000 of the motor vehicle account--state appropriation are provided solely for the I-90/Ritzville to Tokio - Paving of Outside Lanes project (609041G).

~~(((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--federal appropriation and ~~(((232,000))~~ \$124,000 of the motor vehicle account--state appropriation are provided solely for the SR 167/Puyallup River Bridge Replacement project (316725A). This project must be completed as a design-build project. The department must work with local jurisdictions and the community during the environmental review process to develop appropriate esthetic design elements, at no additional cost to the department, and traffic management plans pertaining to this project. The department must report to the transportation committees of the legislature on estimated cost and/or time savings realized as a result of using the design-build process.

~~(((11) \$507,000))~~ (10) \$649,000 of the motor vehicle account--federal appropriation and ~~(((13,000))~~ \$15,000 of the motor vehicle account--state appropriation are provided solely for the SR 906/Travelers Rest - Building Renovation project (090600A).

~~(((12) The department shall submit a renewal and rehabilitation plan for the new state route number 16 Tacoma Narrows bridge as a decision package as part of its 2013-2015 biennial budget submittal.))~~

Sec. 905. 2012 c 86 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q-- CAPITAL	
Motor Vehicle Account--State Appropriation	(\$8,779,000)
	\$8,801,000
Motor Vehicle Account--Federal Appropriation	(\$7,283,000)
	\$7,184,000

TOTAL APPROPRIATION (~~(\$16,062,000)~~)
\$15,985,000

The appropriations in this section are subject to the following conditions and limitations: (~~(\$1,000,000)~~) \$371,000 of the motor vehicle account--state appropriation for project 000005Q is provided solely for state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.

Sec. 906. 2012 c 86 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--
WASHINGTON STATE FERRIES CONSTRUCTION--
PROGRAM W

Puget Sound Capital Construction Account--State

Appropriation (~~(\$61,965,000)~~)
\$62,332,000

Puget Sound Capital Construction Account--Federal

Appropriation (~~(\$61,736,000)~~)
\$56,634,000

Puget Sound Capital Construction Account--Private/Local

Appropriation (~~(\$200,000)~~)
\$356,000

Transportation 2003 Account (Nickel Account)--State

Appropriation (~~(\$119,928,000)~~)
\$113,720,000

Transportation Partnership Account--State

Appropriation (~~(\$12,838,000)~~)
\$12,892,000

Multimodal Transportation Account--State

Appropriation \$27,527,000

TOTAL APPROPRIATION (~~(\$284,194,000)~~)
\$273,461,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~) April 23, 2013, Program - Washington State Ferries Capital Program (W).

(2) The department shall work with the department of archaeology and historic preservation to ensure that the cultural resources investigation is properly conducted on all large ferry terminal projects. These projects must be conducted with active archaeological management.

(3) The multimodal transportation account--state appropriation includes up to \$27,527,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

(4) The Puget Sound capital construction account--state appropriation includes up to \$45,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(5) (~~(\$17,970,000)~~) \$17,370,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for the acquisition of new Kwa-di-tabil class ferry vessels (project 944470A) subject to the conditions of RCW 47.56.780.

(6) \$25,404,000 of the multimodal transportation account--state appropriation, \$1,000,000 of the Puget Sound capital construction account--federal appropriation, \$11,500,000 of the transportation partnership account--state appropriation, and (~~(\$85,924,000)~~) \$54,616,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the acquisition of one 144-car vessel (project L2200038). The department shall use as much already procured equipment as practicable on the 144-car vessel. The vendor must present to the joint transportation committee and the

office of financial management, by August 15, 2011, a list of options that will result in significant cost savings changes in terms of construction or the long-term maintenance and operations of the vessel. The vendor must allow for exercising the options without a penalty. If neither chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June 30, 2011, \$75,000,000 of the transportation 2003 account (nickel account)--state appropriation in this subsection lapses.

(7) \$5,749,000 of the total appropriation is provided solely for continued permitting work on the Mukilteo ferry terminal (project 952515P). The department shall seek additional federal funding for this project. Prior to beginning terminal improvements, the department shall report to the legislature on the final environmental impact statement by December 31, 2012. The report must include an overview of the costs and benefits of each of the alternatives considered, as well as an identification of costs and a funding plan for the preferred alternative.

(8) The department shall review all terminal project cost estimates to identify projects where similar design requirements could result in reduced preliminary engineering or miscellaneous items costs. The department shall report to the legislature by September 1, 2011. The report must use programmatic design and include estimated cost savings by reducing repetitive design costs or miscellaneous costs, or both, applied to projects.

(9) (~~(\$3,000,000)~~) \$6,000,000 of the Puget Sound capital construction account--state appropriation is provided solely for emergency capital repair costs (project 999910K). Funds may be spent only after approval from the office of financial management.

(10) \$4,851,000 of the Puget Sound capital construction account--state appropriation is provided solely for the reservation and communications system projects (L200041 & L200042).

(11) \$1,000,000 of the Puget Sound capital construction account--state appropriation is provided solely for security and operational planning as a first step in introducing liquid natural gas (LNG) to the Washington ferry fleet, including the issuance of a request for proposals (RFP). \$750,000 is provided solely for the department to work with appropriate agencies of the state and federal government to amend the state's current alternative security plan to account for the use of LNG as a propulsion fuel in the ferry fleet, and to begin public outreach efforts. \$250,000 is provided solely to issue an RFP for a design-build contract to fully convert the existing diesel powered Issaquah class fleet to be solely powered by LNG. The successful bidder must be awarded the \$250,000 appropriation and must be able to offer detailed design services, attain coast guard approval regarding vessel safety and any other requirements pertaining to design, acquire engines with LNG as a sole fuel source, provide public outreach and education regarding the conversion of ferry vessels to LNG, perform all conversion work, and supply dependable and suitable quantities of LNG. The RFP must include incentives for proposals that include alternative financing arrangements, such as a delayed payment plan based on fuel savings. To the extent allowable under current law, the bidder awarded the design-build contract for converting the Issaquah fleet to LNG under this subsection must be given bidding preferences in any future LNG-related ferry proposals or projects. The RFP referenced in this subsection must be issued by the department by August 1, 2012. The department must provide a report to the joint transportation committee on the development of the RFP in July 2012 and an update report again in September 2012.

(12) (~~(\$500,000)~~) \$1,200,000 of the Puget Sound capital construction account--state appropriation is provided solely for the ADA visual paging project (L2200083). If any new federal grants are received by the department that may supplant the state funds in this appropriation, the state funds in this appropriation must be placed in unallotted status.

(13) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future modifications at the terminal.

(14) The appropriation in this section includes up to \$47,759,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

Sec. 907. 2012 c 86 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL

Essential Rail Assistance Account--State		
Appropriation	\$1,565,000	
Transportation Infrastructure Account--State		
Appropriation	(\$5,693,000)	
	\$5,018,000	
Multimodal Transportation Account--State		
Appropriation	(\$58,220,000)	
	\$31,124,000	
Multimodal Transportation Account--Federal		
Appropriation	(\$236,597,000)	
	\$110,725,000	
Multimodal Transportation Account--Private/Local		
Appropriation	(\$1,010,000)	
	\$1,096,000	
TOTAL APPROPRIATION	(\$303,085,000)	
	\$149,528,000	

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project (~~and amount~~) in LEAP Transportation Document (~~(2012-4)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~) April 23, 2013, Program-Rail Capital Program (Y).

(b) Within the amounts provided in this section, (~~(\$4,757,000)~~) \$4,507,000 of the transportation infrastructure account--state appropriation is for low-interest loans through the freight rail investment bank program for specific projects listed as recipients of these loans in the LEAP transportation document identified in (a) of this subsection. The department shall issue freight rail investment bank program loans with a repayment period of no more than ten years, and only so much interest as is necessary to recoup the department's costs to administer the loans.

(c) Within the amounts provided in this section, (~~(\$2,047,000)~~) \$1,754,000 of the multimodal transportation account--state appropriation (~~(, \$10,000 of the multimodal transportation account--private/local appropriation,)~~) and \$1,000,000 of the essential rail assistance account--state appropriation are for statewide emergent freight rail assistance projects identified in the LEAP transportation document identified in (a) of this subsection.

(2)(a) The department shall issue a call for projects for the freight rail investment bank (FRIB) loan program and the emergent freight rail assistance program (FRAP) grants, and shall evaluate the applications according to the cost-benefit methodology developed during the 2008 interim using the legislative priorities specified in (c) of this subsection. Unsuccessful FRAP grant applicants should be encouraged to apply to the FRIB loan program, if eligible. By November 1, 2012, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(b) When the department identifies a prospective rail project that may have strategic significance for the state, or at the request of a proponent of a prospective rail project or a member of the legislature, the department shall evaluate the prospective project according to the

cost-benefit methodology developed during the 2008 interim using the legislative priorities specified in (c) of this subsection. The department shall report its cost-benefit evaluation of the prospective rail project, as well as the department's best estimate of an appropriate construction schedule and total project costs, to the office of financial management and the transportation committees of the legislature.

(c) The legislative priorities to be used in the cost-benefit methodology are, in order of relative importance:

(i) Economic, safety, or environmental advantages of freight movement by rail compared to alternative modes;

(ii) Self-sustaining economic development that creates family-wage jobs;

(iii) Preservation of transportation corridors that would otherwise be lost;

(iv) Increased access to efficient and cost-effective transport to market for Washington's agricultural and industrial products;

(v) Better integration and cooperation within the regional, national, and international systems of freight distribution; and

(vi) Mitigation of impacts of increased rail traffic on communities.

(3) The department is directed to expend unallocated federal rail crossing funds in lieu of or in addition to state funds for eligible costs of projects in program Y.

(4) The department shall provide quarterly reports to the office of financial management and the transportation committees of the legislature regarding applications that the department submits for federal funds and the status of such applications.

(5) The multimodal transportation account--state appropriation includes up to \$12,103,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

(6) The Burlington Northern Santa Fe Skagit river bridge is an integral part of the rail system. Constructed in 1916, the bridge does not meet current design standards and is at risk during flood events that occur on the Skagit river. The department shall work with Burlington Northern Santa Fe and local jurisdictions to secure federal funding for the Skagit river bridge and to develop an appropriate replacement plan and schedule.

(7) (~~(\$218,341,000)~~) \$103,992,000 of the multimodal transportation account--federal appropriation and (~~(\$3,639,000)~~) \$1,815,000 of the multimodal transportation account--state appropriation are provided solely for expenditures related to passenger high-speed rail grants. At one and one-half percent of the total project funds, the multimodal transportation account--state funds are provided solely for expenditures that are not federally reimbursable. Funding in this subsection is the initial portion of multiyear high-speed rail program grants awarded to Washington state for high-speed intercity passenger rail investments. Funding will allow for two additional round trips between Seattle and Portland and other rail improvements.

(8) \$750,000 of the multimodal transportation account--state appropriation is provided solely for the Port of Royal Slope rehabilitation project (L1000053). Funding is contingent upon the project completing the rail cost-benefit methodology process developed during the 2008 interim using the legislative priorities outlined in subsection (2)(c) of this section.

(9) As allowable under federal rail authority rules and existing competitive bidding practices, when purchasing new train sets, the department shall give preference to bidders that propose train sets with characteristics and maintenance requirements most similar to those currently owned by the department.

(10) Funds generated by the grain train program are solely for operating, sustaining, and enhancing the grain train program including, but not limited to, operations, capital investments, inspection, developing business plans for future growth, and fleet management. Any funds deemed by the department, in consultation with relevant port districts, to be in excess of current operating needs

or capital reserves of the grain train program may be transferred from the miscellaneous program account to the essential rail assistance account for the purpose of sustaining the grain train program through maintaining the Palouse river and Coulee City railroad line, on which the grain train program operates.

(11) \$500,000 of the essential rail assistance account--state appropriation is provided solely for the purpose of rehabilitation and maintenance of the Palouse river and Coulee City railroad line. Expenditures from this appropriation may not exceed the combined total of:

(a) The revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(b) Revenues transferred from the miscellaneous program account for the purpose of sustaining the grain train program through maintaining the Palouse river and Coulee City railroad line.

(12) \$200,000 of the multimodal transportation account--state appropriation is provided solely for the Clark county chelatchie prairie rail road (project L2200085).

Sec. 908. 2012 c 86 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z-- CAPITAL

(Highway Infrastructure Account--State Appropriation	
\$207,000	
Highway Infrastructure Account--Federal	
Appropriation	\$1,602,000))
Motor Vehicle Account--State Appropriation	((\$4,179,000))
\$2,511,000	
Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
\$19,759,000	
Highway Safety Account--State Appropriation	\$752,000
Freight Mobility Investment Account--State	
Appropriation	((\$11,278,000))
\$5,044,000	
Transportation Partnership Account--State	
Appropriation	((\$7,181,000))
\$3,967,000	
Freight Mobility Multimodal Account--State	
Appropriation	((\$15,668,000))
\$11,868,000	
Freight Mobility Multimodal Account--Local	
Appropriation	((\$2,834,000))
\$960,000	
Multimodal Transportation Account--State	
Appropriation	((\$22,575,000))
\$15,413,000	
Passenger Ferry Account--State Appropriation	\$1,115,000
TOTAL APPROPRIATION	((\$104,574,000))
\$61,389,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,115,000 of the passenger ferry account--state appropriation is provided solely for near and long-term costs of capital improvements and operating expenses that are consistent with the business plan approved by the governor for passenger ferry service.

(2) The department shall apply for surface transportation program enhancement funds to be expended in lieu of or in addition to state funds for eligible costs of projects in local programs, program Z--capital.

(3) Federal funds may be transferred from program Z to programs I and P and state funds must be transferred from programs I and P to program Z to replace those federal funds in a dollar-for-dollar match. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations must initially be allotted as

appropriated in this act. The department may not transfer funds as authorized under this subsection without approval of the office of financial management. The department shall submit a report on those projects receiving fund transfers to the office of financial management and the transportation committees of the legislature by December 1, 2011, and December 1, 2012.

(4) The city of Winthrop may utilize a design-build process for the Winthrop bike path project.

(5) ((~~\$14,813,000~~)) \$10,654,000 of the multimodal transportation account--state appropriation, ((~~\$12,804,000~~)) \$9,554,000 of the motor vehicle account--federal appropriation, ((~~and \$6,241,000~~)) \$3,417,000 of the transportation partnership account--state appropriation, and \$202,000 of the highway safety account--state appropriation are provided solely for the pedestrian and bicycle safety program projects and safe routes to schools program projects identified in: LEAP Transportation Document 2011-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed April 19, 2011; LEAP Transportation Document 2009-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed March 30, 2009; LEAP Transportation Document 2007-A, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed April 20, 2007; and LEAP Transportation Document 2006-B, pedestrian and bicycle safety program projects and safe routes to schools program projects, as developed March 8, 2006. Projects must be allocated funding based on order of priority. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and identify where unused grant funds remain because actual project costs were lower than estimated in the grant award.

(6) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~)) April 23, 2013, Program - Local Programs (Z).

(7) For the 2011-2013 project appropriations, unless otherwise provided in this act, the director of the office of financial management may authorize a transfer of appropriation authority between projects managed by the freight mobility strategic investment board and may also advance projects in future biennia, as identified in LEAP Transportation Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~)) April 23, 2013, into the current biennium in order for the board to manage project spending and efficiently deliver all projects in the respective program.

(8) With each department budget submittal, the department shall provide an update on the status of the repayment of the twenty million dollars of unobligated federal funds authority advanced by the department in September 2010 to the city of Tacoma for the Murray Morgan/11th Street bridge project.

(9) If funding is specifically designated in this act for main street projects, the department shall prepare a list of projects that is consistent with chapter 257, Laws of 2011, for approval in the 2013-2015 fiscal biennium.

(10) ((~~\$267,000~~)) \$50,000 of the motor vehicle account--state appropriation and ((~~\$2,859,000~~)) \$50,000 of the motor vehicle account-- federal appropriation are provided solely for completion of the US 101 northeast peninsula safety rest area and associated roadway improvements east of Port Angeles at the Deer Park scenic view point (3LP187A). The department must surplus any right-of-way previously purchased for this project near Sequim. Approval to

proceed with construction is contingent on surplus of previously purchased right-of-way.

(11) Up to ~~(\$3,702,000)~~ \$2,680,000 of the motor vehicle account-- federal appropriation and ~~(\$75,000)~~ \$55,000 of the motor vehicle account--state appropriation are provided solely to reimburse the cities of Kirkland and Redmond for pavement and bridge deck rehabilitation on state route number 908 (1LP611A). These funds may not be expended unless the cities sign an agreement stating that the cities agree to take ownership of state route number 908 in its entirety and agree that the payment of these funds represents the entire state commitment to the cities for state route number 908 expenditures.

(12) \$225,000 of the multimodal transportation account--state appropriation is provided solely for the Shell Valley emergency road and bicycle/pedestrian path (L1000036).

(13) \$188,000 of the motor vehicle account--state appropriation is provided solely for flood reduction solutions on state route number 522 caused by the lower McAleer and Lyon creek basins (L1000041).

(14) ~~(\$896,000)~~ \$293,000 of the multimodal transportation account--state appropriation is provided solely for realignment of Parker Road and construction of secondary access off of state route number 20 (L2200040).

(15) ~~(An additional \$2,500,000 of the motor vehicle account--federal appropriation is provided solely for the Strander Blvd/SW 27th St Connection project (1LP902F), which amount is reflected in the LEAP transportation document identified in subsection (6) of this section. These funds may only be committed if needed, may not be used to supplant any other committed project partnership funding, and must be the last funds expended.~~

(16) ~~\$500,000)~~ \$30,000 of the motor vehicle account--federal appropriation is provided solely for safety improvements at the intersection of South Wapato and McDonald Road (L1000052).

~~(\$17,200,000)~~ (16) \$850,000 of the multimodal transportation account--state appropriation is provided solely for the state route number 432 rail realignment and highway improvements project (L1000056).

~~(\$18)~~ (17) \$100,000 of the motor vehicle account--federal appropriation is provided solely for state route number 164 and Auburn Way South pedestrian improvements (L1000057).

~~(\$19)~~ (18) \$115,000 of the motor vehicle account--federal appropriation is provided solely for median street lighting on state route number 410 (L1000058).

~~(\$20)~~ (19) \$60,000 of the multimodal transportation account--state appropriation is provided solely for a cross docking study for the port of Douglas county (L1000060).

~~(\$21)~~ (20) \$100,000 of the motor vehicle account--federal appropriation is provided solely for city of Auburn - 8th and R Street NE intersection improvements (L2200043).

~~(\$22)~~ (21) \$65,000 of the multimodal transportation account--state appropriation is provided solely for the Puget Sound regional council to further the implementation of multimodal concurrency practice through a transit service overlay zone implemented at the local level (L1000061). This approach will improve the linkage of land use and transportation investment decisions, improve the efficiency of transit service by encouraging transit-supportive development, provide incentives for developers, and support integrated regional growth, economic development, and transportation plans. In carrying out this work, the council shall involve representatives from cities and counties, developers, transit agencies, and other interested stakeholders, and shall consult with other regional transportation planning organizations across the state. The council shall report the results of their work and recommendations to the joint transportation committee by December 2011, with a final report to the transportation committees of the legislature by January 31, 2012.

~~(\$23) \$1,750,000)~~ (22) \$650,000 of the motor vehicle account--federal appropriation is provided solely for the SR 522 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

~~(\$24)~~ (23) The department shall implement a call for projects eligible for the bicycle and pedestrian grant program similar to the call for projects conducted in 2010, although the department may adjust the criteria to include mobility and connectivity. The department shall include a list of prioritized bicycle and pedestrian grant projects for approval in the 2013-2015 biennial transportation budget.

~~(\$25)~~ (24) \$100,000 of the multimodal transportation account--state appropriation is provided solely for the design of a stand-alone ADA accessible bicycle/pedestrian bridge across the Sultan river in the city of Sultan (L1100044).

~~(\$26) \$445,000)~~ (25) \$30,000 of the motor vehicle account--federal appropriation is provided solely for pedestrian lighting on the main span of the Chehalis river bridge in Aberdeen (L1100046).

~~(\$27) \$500,000)~~ (26) \$80,000 of the motor vehicle account--federal appropriation is provided solely for resurfacing Alder Avenue in the city of Sultan (L1100047).

~~(\$28) \$800,000)~~ (27) \$550,000 of the motor vehicle account--federal appropriation is provided solely for rights-of-way acquisition on state route number 516 from Jenkins creek to 185th (L2000017).

~~(\$29) \$1,100,000 of the motor vehicle account--federal appropriation is provided solely for traffic analysis, right-of-way, and design work on the 31st Avenue Southwest overpass on Puyallup's South Hill (L1100048).~~

~~(\$30) \$2,000,000)~~ (28) \$250,000 of the motor vehicle account--federal appropriation is provided solely for environmental documentation and preliminary engineering for the Scott Avenue Reconnection Project in the city of Woodland (L1100049).

~~(\$31) \$350,000 of the motor vehicle account--federal appropriation is provided solely for preliminary engineering and rights-of-way on the Slater Road Bridge project (L2200089).~~

~~(\$32) \$380,000)~~ (29) \$40,000 of the motor vehicle account--federal appropriation is provided solely for rehabilitation work for 156th/160th Avenue in the city of Covington (L2200088).

~~(\$33)~~ (30) \$380,000 of the motor vehicle account--federal appropriation is provided solely for improvements to Penney Avenue in the town of Naches (L2200090).

~~(\$34)~~ (31) \$450,000 of the motor vehicle account--federal appropriation is provided solely for preliminary engineering on NW Friberg Street and Goodwin Road in the city of Camas (L2200091).

IMPLEMENTING PROVISIONS

Sec. 1001. 2011 c 367 s 601 (uncodified) is amended to read as follows:

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

(1) The ~~(following agencies)~~ agency listed in subsection (2) of this section may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements, or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) ~~((State agencies))~~ The Washington state patrol may enter into agreements with the department of ~~((general administration))~~ enterprise services and the state treasurer's office to develop requests to the legislature for the acquisition of properties and facilities through financial contracts. The agreements may include charges for services rendered. The Washington state patrol may:

(a) ~~((Department of transportation: Enter into a financing contract for up to \$10,824,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the acquisition and implementation of a time, leave, and labor distribution system that is integrated with the state's accounting and human resource management systems.~~

(b) Department of licensing: Enter into a financing contract for up to \$7,414,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the purchase of a prorated and fuel tax system.

(c) Washington state patrol: (i)) Enter into a financing contract for up to \$8,241,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase and install mobile office platforms in state patrol and pursuit vehicles.

~~((#))~~ (b) Enter into a financing contract for up to ~~(\$40,100,000))~~ \$39,100,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase equipment and engineering services to convert to a narrowband digital system.

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2012 c 86 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Highway Bond Retirement Account--State

Appropriation ~~(((\$879,501,000))~~
\$862,130,000

Ferry Bond Retirement Account--State

Appropriation ~~(((\$31,801,000))~~
\$31,807,000

State Route Number 520 Corridor Account--State

Appropriation ~~(((\$3,818,000))~~
\$4,766,000

Transportation Improvement Board Bond Retirement

Account--State Appropriation ~~(((\$16,482,000))~~
\$17,174,000

Nondebt-Limit Reimbursable Account Appropriation ~~(((\$22,476,000))~~

\$21,877,000

Transportation Partnership Account--State

Appropriation ~~(((\$3,654,000))~~
\$2,570,000

Motor Vehicle Account--State Appropriation ~~(((\$382,000))~~

\$270,000

Transportation 2003 Account (Nickel Account)--State

Appropriation ~~(((\$1,305,000))~~
\$1,411,000

~~((Transportation Improvement Account--State~~

Appropriation \$29,000))

Multimodal Transportation Account--State

Appropriation ~~(((\$158,000))~~
\$181,000

Toll Facility Bond Retirement Account--State

Appropriation ~~(((\$48,807,000))~~
\$41,279,000

Toll Facility Bond Retirement Account--Federal

Appropriation ~~(((\$7,500,000))~~

\$18,283,000

TOTAL APPROPRIATION ~~(((\$1,015,913,000))~~

\$1,001,748,000

Sec. 1102. 2012 c 86 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

State Route Number 520 Corridor Account--State

Appropriation ~~(((\$960,000))~~
\$1,826,000

Transportation Partnership Account--State

Appropriation ~~(((\$587,000))~~
\$352,000

Motor Vehicle Account--State Appropriation ~~(((\$58,000))~~

\$28,000

Transportation 2003 Account (Nickel Account)--State

Appropriation ~~(((\$255,000))~~
\$152,000

~~((Transportation Improvement Account--State Appropriation~~

\$5,000))

Multimodal Transportation Account--State

Appropriation ~~(((\$23,000))~~
\$14,000

TOTAL APPROPRIATION ~~(((\$1,888,000))~~

\$2,372,000

Sec. 1103. 2012 c 86 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account--State Appropriation for motor

vehicle fuel tax distributions to cities and counties ~~(((\$470,701,000))~~

\$465,681,000

Sec. 1104. 2012 c 86 s 405 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--TRANSFERS

Motor Vehicle Account--State Appropriation: For

motor vehicle fuel tax refunds and statutory transfers ~~(((\$1,227,005,000))~~

\$1,213,253,000

Sec. 1105. 2012 c 86 s 406 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING--TRANSFERS

Motor Vehicle Account--State Appropriation: For

motor vehicle fuel tax refunds and transfers ~~(((\$151,870,000))~~

\$147,557,000

Sec. 1106. 2012 c 86 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS

(1) Motor Vehicle Account--State Appropriation:

For transfer to the Puget Sound Ferry Operations

Account--State \$45,500,000

(2) Recreational Vehicle Account--State

Appropriation: For transfer to the Motor Vehicle

Account--State \$1,150,000

(3) License Plate Technology Account--State

Appropriation: For transfer to the Highway Safety

Account--State \$3,000,000

(4) Multimodal Transportation Account--State

Appropriation: For transfer to the Puget Sound

Ferry Operations Account--State \$42,000,000

(5) Highway Safety Account--State Appropriation:

For transfer to the Motor Vehicle Account--State \$23,000,000
 (6) Advanced Right-of-Way Revolving Fund: For transfer to the Motor Vehicle Account--State \$5,000,000
 (7) Rural Mobility Grant Program Account--State
 Appropriation: For transfer to the Multimodal Transportation Account--State \$3,000,000
 (8) Motor Vehicle Account--State
 Appropriation: For transfer to the State Patrol Highway Account--State \$16,000,000
 (9) State Route Number 520 Corridor Account--State Appropriation: For transfer to the Motor Vehicle Account--State \$58,000
 (10) Motor Vehicle Account--State
 Appropriation: For transfer to the Special Category C Account--State \$2,500,000
 (11) Regional Mobility Grant Program Account--State Appropriation: For transfer to the Multimodal Transportation Account--State \$1,000,000
 (12) State Patrol Highway Account--State
 Appropriation: For transfer to the Vehicle Licensing Fraud Account--State \$100,000
 (13) Capital Vessel Replacement Account--State
 Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)--State(~~\$6,367,000~~) \$6,221,000

(14) The transfers identified in this section are subject to the following conditions and limitations:

(a) The transfer in subsection (9) of this section represents the repayment of an amount equal to subprogram B5 expenditures that occurred in the motor vehicle account in the 2009-2011 fiscal biennium.

(b) The amount transferred in subsection (2) of this section shall not exceed the expenditures incurred from the motor vehicle account - state for the recreational vehicle sanitary disposal systems program.

CONDITIONALLY ADDITIVE APPROPRIATIONS

Sec. 1201. 2012 c 86 s 701 (uncodified) is amended to read as follows:

It is the intent of the legislature that the appropriations in (~~sections 702 through 713 of this act be~~) chapter 86, Laws of 2012 that were supported by the legislative changes in chapter 80, Laws of 2012 and chapter 74, Laws of 2012 were an initial commitment to the programs and activities funded and that the commitment continue through the 2013-2015 fiscal biennium. To that end, it is the intent of the legislature that the spending plan for the 2013-2015 fiscal biennium reflect the programmatic areas and amounts described in LEAP Transportation Document 2012-4, as developed March 8, 2012, except for the amounts for "WSDOT Preliminary Design/Rights-of-Way," which are superseded for the 2013-2015 fiscal biennium by the amounts provided in section 306(15) of this act for the projects identified in LEAP Transportation Document 2013-3 as developed April 23, 2013.

MISCELLANEOUS 2011-2013 FISCAL BIENNIUM

NEW SECTION. Sec. 1301. The appropriations to the department of transportation in chapter 86, Laws of 2012 and this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2013, unless specifically prohibited, the department may transfer state appropriations for the 2011-2013 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the

transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature prior to approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by program and appropriation, both before and after any allotment modifications or transfers.

NEW SECTION. Sec. 1302. The following acts or parts of acts are each repealed:

- (1) 2012 c 86 s 702 (uncodified);
- (2) 2012 c 86 s 703 (uncodified);
- (3) 2012 c 86 s 704 (uncodified);
- (4) 2012 c 86 s 705 (uncodified);
- (5) 2012 c 86 s 706 (uncodified);
- (6) 2012 c 86 s 707 (uncodified);
- (7) 2012 c 86 s 709 (uncodified);
- (8) 2012 c 86 s 710 (uncodified);
- (9) 2012 c 86 s 711 (uncodified);
- (10) 2012 c 86 s 712 (uncodified);
- (11) 2012 c 86 s 713 (uncodified);
- (12) 2012 c 86 s 714 (uncodified);
- (13) 2012 c 86 s 715 (uncodified); and
- (14) 2012 c 86 s 716 (uncodified).

MISCELLANEOUS

NEW SECTION. Sec. 1401. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 1402. Except for sections 702 and 709 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 1403. Section 702 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013.

NEW SECTION. Sec. 1404. Section 709 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2013, unless chapter . . . (Substitute House Bill No. 1745), Laws of 2013 is enacted on or before June 30, 2013, in which case section 709 of this act does not take effect. Correct the title.

Representative Zeiger moved the adoption of amendment (493) to the striking amendment (483).

On page 3, line 28 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$200,000

On page 4, line 23 of the striking amendment, after "(2)" strike all material through "must" and insert the following:

"\$200,000 of the motor vehicle account--state appropriation is provided solely for the joint legislative audit and review committee to"

Representatives Zeiger and Clibborn spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (493) to the striking amendment was adopted.

Representative Fey moved the adoption of amendment (494) to the striking amendment (483).

On page 3, line 28 of the amendment, increase the Motor Vehicle Account--State Appropriation by \$50,000

On page 4, after line 28 of the amendment, insert the following:

"(3)(a) The joint legislative audit and review committee shall conduct a study of registration and inspection fee programs regulating gas stations and other businesses that emit gasoline vapors administered by the department of ecology and air pollution control authorities (collectively referred to as "regulatory agencies") as provided in chapter 70.94 RCW. The goal of the study is to provide recommendations to the legislature that, if implemented, would further effective implementation of chapter 70.94 RCW by the regulatory agencies and would result in more consistent and transparent registration fees and regulations across all regulatory agencies included in the study.

(b) The study must include, but not be limited to:

(i) Comparing and contrasting registration and inspection fees and methodologies used in calculating fees among all regulatory agencies as provided in RCW 70.94.151;

(ii) Comparing and contrasting inspection processes and criteria among all regulatory agencies, including frequency of registration and inspection of facilities; and

(iii) Comparing and contrasting inspection processes and criteria utilized by the state's regulatory agencies with criteria established by the United States environmental protection agency regulating gas stations and other businesses that emit gasoline vapors. This should include, but not be limited to, federal stage II vapor recovery requirements and federal ozone standards and nonattainment.

(c) In conducting the study, the joint legislative audit and review committee shall develop a stakeholder list, including representatives from each regulatory agency, from the Washington oil marketers association, and from other industry associations or groups. The committee shall meet with stakeholders as it deems necessary, but shall convene at least one meeting of all stakeholders within two months of commencing the study. The committee shall submit its findings and recommendations to the legislature by December 31, 2014."

Representatives Fey and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (494) to the striking amendment was adopted.

Representative Clibborn moved the adoption of amendment (495) to the striking amendment (483).

On page 19, line 15 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$290,000

On page 19, line 20 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 19, line 24 of the striking amendment, after "of the" strike "state toxics control" and insert "motor vehicle"

On page 19, line 34 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$850,000

On page 19, line 35 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 20, line 2 of the striking amendment, after "of the" strike "state toxics control" and insert "motor vehicle"

On page 20, line 18 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$4,423,000

On page 20, line 20 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 20, line 26 of the striking amendment, after "of the" strike "state toxics control" and insert "motor vehicle"

On page 23, line 10 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$9,755,000

On page 23, line 12 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 23, line 25 of the striking amendment, after "of the" strike "state toxics control" and insert "motor vehicle"

On page 23, line 28 of the striking amendment, after "of the" strike "state toxics control" and insert "motor vehicle"

On page 32, line 23 of the striking amendment, increase the Puget Sound Ferry Operations Account--State Appropriation by \$100,000

On page 32, line 26 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 33, line 20 of the striking amendment, after "of the" strike "state toxics control" and insert "Puget Sound ferry operations"

On page 37, line 16 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$650,000

On page 37, line 17 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 38, beginning on line 4 of the striking amendment, strike all of subsection (2).

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 38, line 25 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$3,953,000

On page 38, line 35 of the striking amendment, strike the entire State Toxics Control Account--State Appropriation

On page 45, beginning on line 36 of the striking amendment, strike all of subsection (24)

On page 59, after line 31 of the striking amendment, insert the following:

"(18) Multimodal Transportation Account--State Appropriation: For transfer to the Motor Vehicle Account--State . . . \$10,000,000"

On page 94, beginning on line 17 of the striking amendment, strike all of section 716

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Buys spoke against the adoption of the amendment to the striking amendment.

Amendment (495) to the striking amendment was adopted.

Representative Clibborn moved the adoption of amendment (496) to the striking amendment (483).

On page 101, after line 17 of the striking amendment, insert the following:

"**Sec. 719.** RCW 82.70.020 and 2005 c 297 s 3 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before July 1, (~~2013~~) 2014, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed sixty dollars per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before July 1, (~~2013~~) 2014, are allowed a credit against taxes payable under chapters 82.04 and 82.16

RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed sixty dollars per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by fifty percent, but may not exceed sixty dollars per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

Sec. 720. RCW 82.70.040 and 2005 c 297 s 5 are each amended to read as follows:

(1)(a)(i) The department shall keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department shall not allow any credits that would cause the total amount allowed to exceed two million seven hundred fifty thousand dollars in any fiscal year. This limitation includes any deferred credits carried forward under subsection (2)(b)(i) of this section from prior years.

(ii) During the 2013-2015 fiscal biennium, the department shall not allow any credits that would cause the total amount allowed to exceed one million five hundred thousand dollars in any fiscal year. This limitation includes any deferred credits carried forward under subsection (2)(b)(i) of this section from prior years.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department shall ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b)(i) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. No credits deferred under this subsection (2)(b)(i) may be used after June 30, 2008. A person deferring tax credits under this subsection (2)(b)(i) must submit an application as provided in RCW 82.70.025 in the year in which the deferred tax credits will be used. This application is subject to the provisions of subsection (1) of this section for the year in which the tax credits will be applied. If a deferred credit is reduced under subsection (1)(b) of this section, the amount of deferred credit disallowed because of the reduction may be carried forward as long as the period of deferral does not exceed three years after the year in which the credit was earned.

(ii) For credits approved by the department after June 30, 2005, the approved credit may be carried forward to subsequent years until used. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person shall be approved for tax credits under RCW 82.70.020 in excess of two hundred thousand dollars in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2013))~~ 2014.

(5) Credits may not be carried forward other than as authorized in subsection (2)(b) of this section.

(6) No person is eligible for tax credits under RCW 82.70.020 if the additional revenues for the multimodal transportation account created by Engrossed Substitute House Bill No. 2231 are terminated.

Sec. 721. RCW 82.70.900 and 2003 c 364 s 8 are each amended to read as follows:

This chapter expires July 1, ~~((2013))~~ 2014, except for RCW 82.70.050, which expires January 1, ~~((2014))~~ 2015."

Representatives Clibborn and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (496) to the striking amendment was adopted.

Representative Clibborn spoke in favor of the adoption of the striking amendment as amended.

Representative Orcutt spoke against the adoption of the striking amendment as amended.

Amendment (483) was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Clibborn and Lias spoke in favor of the passage of the bill.

Representatives Orcutt, DeBolt and Hargrove spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5024, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5024, as amended by the House, and the bill passed the House by the following vote: Yeas, 72; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Lias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Fagan, Hargrove, Harris, Holy, Hope, Kretz, Kristiansen, MacEwen, Magendanz, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Taylor and Vick.

Excused: Representative Crouse.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5024, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 28, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5193

SUBSTITUTE SENATE BILL NO. 5211
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5267
 SUBSTITUTE SENATE BILL NO. 5456
 ENGROSSED SENATE BILL NO. 5484
 SENATE BILL NO. 5510
 SECOND SUBSTITUTE SENATE BILL NO. 5595
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5744
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5193
 SUBSTITUTE SENATE BILL NO. 5211
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5267
 SUBSTITUTE SENATE BILL NO. 5456
 ENGROSSED SENATE BILL NO. 5484
 SENATE BILL NO. 5510
 SECOND SUBSTITUTE SENATE BILL NO. 5595
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5744
 SUBSTITUTE HOUSE BILL NO. 1183
 HOUSE BILL NO. 1471
 ENGROSSED HOUSE BILL NO. 2056
 HOUSE CONCURRENT RESOLUTION NO. 4405
 HOUSE CONCURRENT RESOLUTION NO. 4406
 SECOND SUBSTITUTE SENATE BILL NO. 5213
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 5405
 ENGROSSED SENATE BILL NO. 5666
 SENATE BILL NO. 5797

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

MR. SPEAKER: April 28, 2013

The President has signed:
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5024
 SUBSTITUTE SENATE BILL NO. 5072
 ENGROSSED SENATE BILL NO. 5236
 ENGROSSED SENATE BILL NO. 5607
 SUBSTITUTE SENATE BILL NO. 5705
 SECOND SUBSTITUTE SENATE BILL NO. 5732
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

MR. SPEAKER: April 28, 2013

The Senate has passed HOUSE BILL NO. 2058 and the same
 is herewith transmitted.
 Hunter G. Goodman, Secretary

MR. SPEAKER: April 28, 2013

The President has signed:
 HOUSE BILL NO. 1818
 SUBSTITUTE HOUSE BILL NO. 1982

HOUSE BILL NO. 2058
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

The President has signed:
 SUBSTITUTE HOUSE BILL NO. 1183
 HOUSE BILL NO. 1471
 ENGROSSED HOUSE BILL NO. 2056
 HOUSE CONCURRENT RESOLUTION NO. 4405
 HOUSE CONCURRENT RESOLUTION NO. 4406
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

The Senate has passed:
 HOUSE BILL NO. 1818
 SUBSTITUTE HOUSE BILL NO. 1982
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

The President has signed:
 HOUSE BILL NO. 1818
 SUBSTITUTE HOUSE BILL NO. 1982
 HOUSE BILL NO. 2058
 and the same are herewith transmitted.
 Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

The Senate has passed SENATE BILL NO. 5910 and the same
 is herewith transmitted.
 Hunter G. Goodman, Secretary

THIRD READING

**SECOND SUBSTITUTE HOUSE BILL NO. 1195, by
 House Committee on Appropriations Subcommittee on
 General Government (originally sponsored by Representatives
 Wylie, Buys, Hunt, Van De Wege, Appleton, Orwall, Ryu and
 Jinkins).**

**Repealing provisions relating to filling unexpired terms.
 Revised for 2nd Substitute: Concerning primaries.**

The bill was read the third time.

Representatives Wylie and Buys spoke in favor of the passage of the bill.

MOTION

On motion of Representative Harris, Representatives DeBolt and Johnson were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1195.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1195, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Chandler.

Excused: Representatives Crouse, DeBolt and Johnson.

SECOND SUBSTITUTE HOUSE BILL NO. 1195, having received the necessary constitutional majority, was declared passed.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4655, by Representatives Sullivan and Kretz

WHEREAS, It is necessary to provide for the continuation of the work of the House of Representatives after its adjournment and during the interim periods between legislative sessions;

NOW, THEREFORE, BE IT RESOLVED, That the Executive Rules Committee is hereby created by this resolution and shall consist of three members of the majority caucus and two members of the minority caucus, to be named by the Speaker of the House of Representatives and Minority Leader respectively; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee may assign subject matters, bills, memorials, and resolutions to authorized committees of the House of Representatives for study during the interim, and the Speaker of the House of Representatives may create special and select committees as may be necessary to carry out the functions, including interim studies, of the House of Representatives in an orderly manner and shall appoint members to such committees with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That, during the interim, the schedules of and locations for all meetings of any committee or subcommittee shall be approved by the Executive Rules Committee, and those committees or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That, during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall complete the work of the 2013 Regular Session of the Sixty-Third Legislature during interim periods,

and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may approve vouchers of the members of the House of Representatives, covering expenses incurred during the interim for official business of the Legislature in accordance with policies set by the Executive Rules Committee, at the per diem rate provided by law and established by the Executive Rules Committee, for each day or major portion of a day, plus mileage at the rate provided by law and established by the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall, during the interim, and as authorized by the Speaker of the House of Representatives, retain or hire any necessary employees and order necessary supplies, equipment, and printing to enable the House of Representatives to carry out its work promptly and efficiently, and accept committee reports, committee bills, prefiled bills, memorials, and resolutions as directed by the Rules of the House of Representatives and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall have authority to carry out the directions of the Executive Rules Committee regarding the authorization and execution of any personal services contracts or subcontracts that necessitate the expenditure of House of Representatives appropriations; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall execute the necessary vouchers upon which warrants are drawn for all legislative expenses and expenditures of the House of Representatives; and

BE IT FURTHER RESOLVED, That members and employees of the Legislature be reimbursed for expenses incurred in attending authorized conferences and meetings at the rate provided by law and established by the Executive Rules Committee, plus mileage to and from the conferences and meetings at the rate provided by law and established by the Executive Rules Committee, which reimbursement shall be paid on vouchers from any appropriation made to the House of Representatives for legislative expenses; and

BE IT FURTHER RESOLVED, That, during the interim, the use of the House of Representatives Chamber, any of its committee rooms, or any of the furniture or furnishings in them is permitted upon such terms and conditions as the Chief Clerk of the House of Representatives shall deem appropriate; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives may express the sympathy of the House of Representatives by sending flowers and correspondence when the necessity arises; and

BE IT FURTHER RESOLVED, That this Resolution applies throughout the interim between sessions of the Sixty-Third Legislature, as well as any committee assembly.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Resolution No. 4655.

HOUSE RESOLUTION NO. 4655 was adopted.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE BILL NO. 1818
 SUBSTITUTE HOUSE BILL NO. 1982
 HOUSE BILL NO. 2058

SENATE CONCURRENT RESOLUTION NO. 8404 was adopted.

RESOLUTION

**SENATE CONCURRENT RESOLUTION NO. 8405, by
 Senators Tom and Murray**

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8405.

SENATE CONCURRENT RESOLUTION NO. 8405 was adopted.

MESSAGES FROM THE SENATE

April 28, 2013

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8404
 SENATE CONCURRENT RESOLUTION NO. 8405

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MR. SPEAKER:

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8404, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1000
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1007
 ENGROSSED HOUSE BILL NO. 1013
 SECOND SUBSTITUTE HOUSE BILL NO. 1017
 SUBSTITUTE HOUSE BILL NO. 1027
 HOUSE BILL NO. 1028
 SUBSTITUTE HOUSE BILL NO. 1047
 HOUSE BILL NO. 1059
 SUBSTITUTE HOUSE BILL NO. 1098
 SUBSTITUTE HOUSE BILL NO. 1103
 SUBSTITUTE HOUSE BILL NO. 1140
 HOUSE BILL NO. 1157
 HOUSE BILL NO. 1159
 HOUSE BILL NO. 1186
 SECOND SUBSTITUTE HOUSE BILL NO. 1217
 HOUSE BILL NO. 1225
 HOUSE BILL NO. 1243
 SUBSTITUTE HOUSE BILL NO. 1244
 SUBSTITUTE HOUSE BILL NO. 1260
 ENGROSSED HOUSE BILL NO. 1267
 HOUSE BILL NO. 1268
 ENGROSSED HOUSE BILL NO. 1276
 ENGROSSED HOUSE BILL NO. 1279
 SUBSTITUTE HOUSE BILL NO. 1283
 HOUSE BILL NO. 1286
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1290
 SUBSTITUTE HOUSE BILL NO. 1292
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1301
 SUBSTITUTE HOUSE BILL NO. 1314
 SUBSTITUTE HOUSE BILL NO. 1324
 HOUSE BILL NO. 1345

The Speaker called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

April 28, 2013

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2058 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 8404
 SENATE CONCURRENT RESOLUTION NO. 8405

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

SCR 8404 by Senators Tom and Murray

Returning bills to their house of origin.

SCR 8405 by Senators Tom and Murray

Adjourning SINE DIE.

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8404 and SENATE CONCURRENT RESOLUTION NO. 8405 were read the first time, and under suspension of the rules were placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

RESOLUTION

**SENATE CONCURRENT RESOLUTION NO. 8404, by
 Senators Tom and Murray**

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8404.

HOUSE BILL NO. 1359
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1364
 HOUSE BILL NO. 1369
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1374
 SUBSTITUTE HOUSE BILL NO. 1379
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1399
 SUBSTITUTE HOUSE BILL NO. 1413
 SUBSTITUTE HOUSE BILL NO. 1423
 HOUSE BILL NO. 1486
 SUBSTITUTE HOUSE BILL NO. 1501
 SUBSTITUTE HOUSE BILL NO. 1529
 SUBSTITUTE HOUSE BILL NO. 1542
 ENGROSSED HOUSE BILL NO. 1554
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1563
 SUBSTITUTE HOUSE BILL NO. 1580
 SUBSTITUTE HOUSE BILL NO. 1582
 SUBSTITUTE HOUSE BILL NO. 1594
 HOUSE BILL NO. 1608
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1648
 SUBSTITUTE HOUSE BILL NO. 1654
 SECOND SUBSTITUTE HOUSE BILL NO. 1671
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1675
 SECOND SUBSTITUTE HOUSE BILL NO. 1680
 HOUSE BILL NO. 1724
 HOUSE BILL NO. 1797
 SUBSTITUTE HOUSE BILL NO. 1814
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1819
 HOUSE BILL NO. 1861

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8404, the following House Bills were returned to the House of Representatives:

HOUSE BILL NO. 1008
 HOUSE BILL NO. 1043
 ENGROSSED HOUSE BILL NO. 1044
 SUBSTITUTE HOUSE BILL NO. 1048
 HOUSE BILL NO. 1101
 SUBSTITUTE HOUSE BILL NO. 1170
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1252
 SUBSTITUTE HOUSE BILL NO. 1285
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1302
 SUBSTITUTE HOUSE BILL NO. 1309
 SUBSTITUTE HOUSE BILL NO. 1331
 HOUSE BILL NO. 1348
 HOUSE BILL NO. 1362
 SECOND SUBSTITUTE HOUSE BILL NO. 1424
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1437
 HOUSE BILL NO. 1441
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1467
 ENGROSSED HOUSE BILL NO. 1473
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1522
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1526
 SUBSTITUTE HOUSE BILL NO. 1536
 SUBSTITUTE HOUSE BILL NO. 1558
 SUBSTITUTE HOUSE BILL NO. 1574
 HOUSE BILL NO. 1593
 SUBSTITUTE HOUSE BILL NO. 1601
 SECOND SUBSTITUTE HOUSE BILL NO. 1627
 HOUSE BILL NO. 1631
 HOUSE BILL NO. 1634
 HOUSE BILL NO. 1660
 SUBSTITUTE HOUSE BILL NO. 1674
 HOUSE BILL NO. 1710
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1753
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1769
 SECOND SUBSTITUTE HOUSE BILL NO. 1777
 HOUSE BILL NO. 1795

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1817
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1828
 SUBSTITUTE HOUSE BILL NO. 1843
 SUBSTITUTE HOUSE BILL NO. 1858
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1864
 SUBSTITUTE HOUSE BILL NO. 1866
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872
 SUBSTITUTE HOUSE BILL NO. 1884
 ENGROSSED HOUSE BILL NO. 1891
 ENGROSSED HOUSE BILL NO. 1900
 SECOND SUBSTITUTE HOUSE BILL NO. 1909
 ENGROSSED HOUSE BILL NO. 1920
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1922
 ENGROSSED HOUSE BILL NO. 1923
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1934
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
 SUBSTITUTE HOUSE BILL NO. 1957
 SUBSTITUTE HOUSE BILL NO. 1960
 SUBSTITUTE HOUSE BILL NO. 1961
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978
 SUBSTITUTE HOUSE BILL NO. 1986
 HOUSE BILL NO. 1988
 SUBSTITUTE HOUSE BILL NO. 2002
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016
 SUBSTITUTE HOUSE BILL NO. 2018
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2038
 HOUSE BILL NO. 2042
 HOUSE BILL NO. 2044
 HOUSE BILL NO. 2045
 HOUSE JOINT MEMORIAL NO. 4001
 HOUSE CONCURRENT RESOLUTION NO. 4403

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

April 28, 2013

MR. SPEAKER:

Under the provisions of SENATE CONCURRENT RESOLUTION NO. 8404, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1004
 SUBSTITUTE HOUSE BILL NO. 1010
 HOUSE BILL NO. 1014
 SUBSTITUTE HOUSE BILL NO. 1016
 SUBSTITUTE HOUSE BILL NO. 1032
 SUBSTITUTE HOUSE BILL NO. 1038
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1083
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090
 SUBSTITUTE HOUSE BILL NO. 1107
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1117
 HOUSE BILL NO. 1119
 ENGROSSED HOUSE BILL NO. 1132
 HOUSE BILL NO. 1145
 SUBSTITUTE HOUSE BILL NO. 1155
 SECOND SUBSTITUTE HOUSE BILL NO. 1158
 SUBSTITUTE HOUSE BILL NO. 1172
 HOUSE BILL NO. 1173
 HOUSE BILL NO. 1179
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1199
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1204
 HOUSE BILL NO. 1227
 HOUSE BILL NO. 1230
 HOUSE BILL NO. 1251
 HOUSE BILL NO. 1266
 HOUSE BILL NO. 1269
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1274
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294
 SUBSTITUTE HOUSE BILL NO. 1298
 SUBSTITUTE HOUSE BILL NO. 1323
 HOUSE BILL NO. 1326
 SUBSTITUTE HOUSE BILL NO. 1328

SUBSTITUTE HOUSE BILL NO. 1332
 HOUSE BILL NO. 1339
 HOUSE BILL NO. 1361
 SUBSTITUTE HOUSE BILL NO. 1382
 ENGROSSED HOUSE BILL NO. 1395
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1401
 HOUSE BILL NO. 1402
 SUBSTITUTE HOUSE BILL NO. 1409
 SUBSTITUTE HOUSE BILL NO. 1418
 HOUSE BILL NO. 1419
 HOUSE BILL NO. 1436
 SUBSTITUTE HOUSE BILL NO. 1459
 ENGROSSED HOUSE BILL NO. 1470
 ENGROSSED HOUSE BILL NO. 1483
 SUBSTITUTE HOUSE BILL NO. 1487
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1496
 SUBSTITUTE HOUSE BILL NO. 1527
 HOUSE BILL NO. 1531
 ENGROSSED HOUSE BILL NO. 1538
 ENGROSSED HOUSE BILL NO. 1539
 HOUSE BILL NO. 1544
 HOUSE BILL NO. 1570
 HOUSE BILL NO. 1587
 HOUSE BILL NO. 1592
 SUBSTITUTE HOUSE BILL NO. 1614
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1620
 SUBSTITUTE HOUSE BILL NO. 1635
 SUBSTITUTE HOUSE BILL NO. 1638
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1651
 SECOND SUBSTITUTE HOUSE BILL NO. 1663
 SUBSTITUTE HOUSE BILL NO. 1669
 HOUSE BILL NO. 1684
 HOUSE BILL NO. 1715
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1727
 ENGROSSED HOUSE BILL NO. 1733
 SUBSTITUTE HOUSE BILL NO. 1740
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1773
 SUBSTITUTE HOUSE BILL NO. 1840
 SUBSTITUTE HOUSE BILL NO. 1841
 HOUSE BILL NO. 1859
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1870
 HOUSE BILL NO. 1892
 HOUSE BILL NO. 1896
 SUBSTITUTE HOUSE BILL NO. 1946
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1950
 HOUSE BILL NO. 2017
 HOUSE BILL NO. 2024

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

On motion of Representative Upthegrove, the reading of the Journal of the 105th Day of the 2013 Regular Session of the 63rd Legislature was dispensed with and ordered to stand approved.

On motion of Representative Upthegrove, the 2013 Regular Session of the 63rd Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIRST DAY

House Chamber, Olympia, Monday, May 13, 2013

The House was called to order at 9:00 a.m. by the Speaker (Representative Moeller presiding).

PROCLAMATION BY THE GOVERNOR

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2013 regular session on April 28, 2013, the 105th day of the session; and

WHEREAS, work remains to be done with respect to the 2013-2015 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, work remains to be done with respect to the 2013-2015 biennial transportation budget and bills necessary to implement that budget; and

WHEREAS, work remains to be done with respect to critical policy bills that need to be acted upon by the Legislature; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Majority Coalition Caucus Leader, Senate Democratic Leader, and Senate Republican Leader working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Monday, May 13, 2013, at 9:00 a.m. for purpose of enacting legislation as described above.

Signed and sealed with the official seal of the State of Washington this 28th day of April, A.D. Two Thousand and Thirteen at Olympia, Washington.

Jay Inslee, Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2060 by Representatives Kirby, Pedersen, Sawyer and Goodman

AN ACT Relating to third party claims under the fair conduct act; and amending RCW 48.30.010 and 48.30.015.

Referred to Committee on Business & Financial Services.

HB 2061 by Representatives Harris, Cody and Hope

AN ACT Relating to carriers operating outside of the exchange but only relating to requiring that carriers offering health benefit plans that meet the definition of bronze level in the individual or small group market must also offer silver and gold level plans as specified in section 1302 of P.L. 111-

148 of 2010 and that nongrandfathered individual and small group health plans must conform with the actuarial value tiers specified in section 1302 of P.L. 111-148 of 2010; and amending RCW 48.43.700 and 48.43.705.

Referred to Committee on Health Care & Wellness.

HB 2062 by Representative MacEwen

AN ACT Relating to providing that a quarterly revenue forecast is due on February 20th during both a long and short legislative session year; and reenacting and amending RCW 82.33.020.

Referred to Committee on Finance.

HCR 4407 by Representatives Sullivan and Kretz

Specifying the status of bills, memorials, and resolutions for the 2013 first special session of the Sixty-third legislature.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4407 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the remaining bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4407, by Representatives Sullivan and Kretz

Specifying the status of bills, memorials, and resolutions for the 2013 First Special Session of the Sixty-Third Legislature.

The resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Concurrent Resolution No. 4407.

HOUSE CONCURRENT RESOLUTION NO. 4407 was adopted.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Moeller presiding) announced the following committee appointments:

Representative DeBolt was appointed to the Committee on Community Development, Housing and Tribal affairs, replacing Representative Pike.

Representative DeBolt was appointed to the Committee on Government Operations & Elections and the Committee on Transportation, replacing Representative Kristiansen.

There being no objection, the House adjourned until 9:55 a.m., May 14, 2013, the 2nd Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SECOND DAY

House Chamber, Olympia, Tuesday, May 14, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Moeller presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

May 13, 2013

MR. SPEAKER: The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4407 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed HOUSE CONCURRENT RESOLUTION NO. 4407

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 15, 2013, the 3rd Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

THIRD DAY

House Chamber, Olympia, Wednesday, May 15, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Seaquist presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 16, 2013, the 4th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTH DAY

House Chamber, Olympia, Thursday, May 16, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Hunter presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

May 15, 2013

MR. SPEAKER:

The President has signed HOUSE CONCURRENT RESOLUTION NO. 4407 and the same is herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 17, 2013, the 5th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

FIFTH DAY

House Chamber, Olympia, Friday, May 17, 2013

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 20, 2013, the 8th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

JOURNAL OF THE HOUSE
SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

EIGHTH DAY

House Chamber, Olympia, Monday, May 20, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 22, 2013, the 10th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TENTH DAY

House Chamber, Olympia, Wednesday, May 22, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2063 by Representatives Pike, Klippert, Hargrove and Haler

AN ACT Relating to establishing an education investment tax credit; and adding a new chapter to Title 82 RCW.

Referred to Committee on Education.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 24, 2013, the 12th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWELFTH DAY

House Chamber, Olympia, Friday, May 24, 2013

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SECRETARY OF STATE

May 23, 2013

To the Honorable members of the Washington State House of Representatives:

I respectfully transmit for your consideration the following measures:

House Bill 1471
Engrossed Substitute House Bill 1552
Second Substitute House Bill 1723

which were vetoed by the Governor, along with his objection to the bills, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington this 23rd day of May, 2013.

Kim Wyman
Secretary of State

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 27, 2013, the 15th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

FIFTEENTH DAY

House Chamber, Olympia, Monday, May 27, 2013

The House was called to order at 9:55 a.m. by the Speaker (Speakers' Attorney Cathy Maynard presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 28, 2013, the 16th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTEENTH DAY

House Chamber, Olympia, Tuesday, May 28, 2013

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2064 by Representative Ormsby

AN ACT Relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers; amending RCW 83.100.020, 83.100.047, and 83.100.047; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 29, 2013, the 17th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

SEVENTEENTH DAY

House Chamber, Olympia, Wednesday, May 29, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Green presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Green presiding) called upon Representative Jinkins to preside.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

May 22, 2013

HB 2030 Prime Sponsor, Representative Morrell: Modifying provisions that address impaired driving. Reported by Committee on Public Safety

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Do not pass. Signed by Representative Appleton.

Referred to Committee on Appropriations.

May 29, 2013

HB 2064 Prime Sponsor, Representative Ormsby: Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Carlyle, Chair; Tharinger, Vice Chair; Fitzgibbon; Hansen; Lytton; Pollet; Reykdal and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Assistant Ranking Minority Member; Vick and Wilcox.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2064 which was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971 and the bill was placed on the third reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., May 30, 2013, the 18th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTEENTH DAY

House Chamber, Olympia, Thursday, May 30, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mitchel Larsson and Steven Traff. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The Speaker (Representative Moeller presiding) asked the Chamber to stand and observe a moment of silence in memorial of the passing of Senator Michael Carrell. The prayer was offered by Representative Zach Hudgins, 11th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2064, by Representatives Ormsby, Reykdal and Roberts

Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2064 was substituted for House Bill No. 2064 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2064 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ormsby, Santos and Carlyle spoke in favor of the passage of the bill.

Representatives Nealey, Orcutt, Manweller and Magendanz spoke against the passage of the bill.

MOTIONS

On motion of Representative Van De Wege, Representatives Appleton, Cody and Habib were excused. On motion of Representative Harris, Representatives Crouse, Hope, O'Ban and Shea were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2064.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2064, and the bill passed the House by the following vote: Yeas, 51; Nays, 40; Absent, 0; Excused, 7.

Voting yea: Representatives Bergquist, Blake, Carlyle, Clibborn, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Appleton, Cody, Crouse, Habib, Hope, O'Ban and Shea.

SUBSTITUTE HOUSE BILL NO. 2064, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., May 31, 2013, the 19th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

NINETEENTH DAY

House Chamber, Olympia, Friday, May 31, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2065 by Representatives Kagi, Hunter, Sullivan and Maxwell

AN ACT Relating to an integrated high quality continuum of early learning; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 3, 2013, the 22nd Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY SECOND DAY

House Chamber, Olympia, Monday, June 3, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Hunter presiding).

There being no objection, the House adjourned until 9:55 a.m., June 4, 2013, the 23rd Day of the 1st Special Session.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2066 by Representatives Hunter, Alexander, Pike and Roberts

AN ACT Relating to reducing the costs and inefficiencies in elections by eliminating a requirement to include the full text of ballot measures in the printed version of voters' pamphlets; amending RCW 29A.32.070 and 29A.32.080; and creating a new section.

Referred to Committee on Appropriations.

HB 2067 by Representatives Tharinger, Springer, Zeiger, Green, Reykdal, Hunt, Fitzgibbon, Lytton, Fey, Jinkins, Takko, Moscoso, Tarleton, Wylie, Sells, Liias, Orwall, Moeller and Kochmar

AN ACT Relating to the distribution of revenues under RCW 66.08.190 to the state, border areas, cities, and counties; amending RCW 66.08.190; and providing an effective date.

Referred to Committee on Appropriations.

HB 2068 by Representative Takko

AN ACT Relating to the annexation of unincorporated territory within a code city; amending RCW 35A.14.295; providing an effective date; and declaring an emergency.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Representative Hunter presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2034, and the bill was referred to the Committee on Appropriations.

There being no objection, the House advanced to the eleventh order of business.

TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, June 4, 2013

The House was called to order at 9:55 a.m. by the Speaker.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
SUBSTITUTE HOUSE BILL NO. 1961
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016
HOUSE BILL NO. 2042
HOUSE BILL NO. 2043

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 2051 and the bill was placed on the second reading calendar.

There being no objection, the Committee on Education was relieved of HOUSE BILL NO. 1431 and the bill was placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 5, 2013, the 24th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

[Editor's Note: Representative O'Ban resigned his seat in the Washington State House of Representatives upon his being selected to fill the vacancy for the 28th district in the Washington State Senate.]

TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, June 5, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Pettigrew presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2068 by Representative Takko

AN ACT Relating to the annexation of unincorporated territory within a code city; amending RCW 35A.14.295; providing an effective date; and declaring an emergency.

HELD ON FIRST READING

HB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

HELD ON FIRST READING

HJM 4003 by Representatives Lytton, Hayes, Ryu, Morris and Freeman

Requesting that the Interstate 5 Skagit River Bridge be named the Trooper No. 1076, Sean M. O'Connell Memorial Bridge.

HELD ON FIRST READING

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were held on first reading.

The Speaker (Representative Pettigrew presiding) called upon Representative Pollett to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 8:00 a.m., June 6, 2013, the 25th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWENTY FIFTH DAY

House Chamber, Olympia, Thursday, June 6, 2013

The House was called to order at 8:00 a.m. by the Speaker (Representative Springer presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

June 5, 2013

HB 1057 Prime Sponsor, Representative Hunter: Making 2013-2015 operating appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell, Member; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Schmick and Taylor.

June 5, 2013

HB 2034 Prime Sponsor, Representative Ormsby: Relating to funding K-12 basic education and higher education by narrowing or eliminating tax preferences. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell, Member; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Buys; Dahlquist; Fagan; Haler; Schmick and Taylor.

June 5, 2013

HB 2069 Prime Sponsor, Representative Hunter: Concerning continuation of safety net benefits for persons with a physical or mental disability which makes them eligible for certain social services programs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Carlyle; Cody; Dunshee; Green; Haigh; Hudgins; Hunt; Jinkins; Kagi; Maxwell, Member; Morrell; Pedersen; Pettigrew; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Dahlquist; Fagan; Haler; Schmick and Taylor.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

The Speaker (Representative Springer presiding) called upon Representative Moeller to preside.

The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Susan Frans and Christopher Carlile. The Speaker (Representative Springer presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Paul Harris, 17th District, Washington.

SPEAKER'S PRIVILEGE

The Speaker (Representative Moeller presiding) requested a moment of silence for Trooper Sean O'Connell.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, by House Committee on Appropriations (originally sponsored by Representatives Cody, Hunter, Jinkins and Harris).

Concerning the operating expenses of the Washington health benefit exchange.

The bill was read the third time.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Harris, Representatives Crouse, Hope, Nealey and Rodne were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1947.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1947, and the bill passed the House by the following vote: Yeas, 68; Nays, 25; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Haler, Hargrove, Hawkins, Holy, Johnson, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick, Warnick and Zeiger.

Excused: Representatives Crouse, Hope, Nealey and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1961, by House Committee on Appropriations (originally sponsored by Representatives Pedersen, Rodne, Hudgins, Hunter and Ryu).

Extending the expiration date for judicial stabilization trust account surcharges.

The bill was read the third time.

Representatives Pedersen and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1961.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1961, and the bill passed the House by the following vote: Yeas, 87; Nays, 6; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet, Scott, Shea, Taylor and Warnick.

Excused: Representatives Crouse, Hope, Nealey and Rodne.

SUBSTITUTE HOUSE BILL NO. 1961, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2042, by Representatives Cody, Hunter and Sullivan.

Modifying the nursing facility medicaid payment system by delaying the rebase of certain rate components and extending certain rate add-ons.

The bill was read the third time.

Representatives Cody and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2042, and the bill passed the House by the following vote: Yeas, 84; Nays, 9; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Holy, MacEwen, Orcutt, Overstreet, Parker, Pike, Scott, Shea and Taylor.

Excused: Representatives Crouse, Hope, Nealey and Rodne.

HOUSE BILL NO. 2042, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016, by House Committee on Appropriations (originally sponsored by Representatives Jinkins, Hunter and Alexander)

Concerning a hospital safety net assessment.

The bill was read the second time.

Representative Jinkins moved the adoption of amendment (500).

On page 3, line 22, after "rule." insert "For purposes of this chapter, any hospital shall continue to be treated as a certified public expenditure hospital for assessment and payment purposes through the date specified in RCW 74.60.901."

On page 13, line 36, after "assessment" insert ". Each quarterly assessment shall be one quarter"

On page 14, line 3, after "assessment" insert "of one quarter"

On page 14, line 4, after "assessment" insert "of one quarter"

On page 14, line 6, after "assessment" insert "of one quarter"

On page 14, line 9, after "assessment" insert "of one quarter"

On page 22, line 3, after "medicaid" insert "and state children's health insurance program"

On page 23, line 1, after "medicaid" insert "and state children's health insurance program"

On page 29, line 22, after "2013." insert "Subsequent payments shall be made quarterly."

On page 30, line 3, after "74.60.050," insert the following:

"Further, in the event a managed care organization is legally obligated to repay amounts distributed to hospitals under this section to the state or federal government, a managed care organization may recoup the amount it is obligated to repay under the medicaid program from individual hospitals by not more than the amount of overpayment each hospital received from that managed care organization."

On page 30, beginning on line 27, after "provisions" strike all material through "hospitals" on line 32

On page 35, line 25, after "levels," strike "as specified in this chapter" and insert "which results from the elimination of assessment supported rate restorations and increases"

Representative Jinkins spoke in favor of the adoption of the amendment.

Amendment (500) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Schmick spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 2016, and the bill passed the House by the following vote: Yeas, 71; Nays, 22; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Springer, Stanford, Stonier, Sullivan, Takko,

Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Kochmar, Manweller, Orcutt, Overstreet, Parker, Pike, Scott, Shea, Smith, Taylor, Vick and Zeiger.

Excused: Representatives Crouse, Hope, Nealey and Rodne.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Finance was relieved of ENGROSSED HOUSE BILL NO. 2036 and the bill was placed on the second reading calendar.

The Speaker (Representative Moeller presiding) called upon Representative Orwall to preside.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

EHB 2068 by Representative Takko

AN ACT Relating to the annexation of unincorporated territory; amending RCW 35A.14.295, 35A.14.480, and 35.13.238; providing an effective date; and declaring an emergency.

Referred to Committee on Governmental Operations.

HB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

HJM 4003 by Representatives Lytton, Hayes, Ryu, Morris, Freeman, Kristiansen and McCoy

Requesting that the Interstate 5 Skagit River Bridge be named the Trooper No. 1076, Sean M. O'Connell Memorial Bridge.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2070 which was held on first reading.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, by House Committee on Appropriations (originally sponsored by Representatives Carlyle and Nealey).

Concerning communications services reform.

The bill was read the third time.

Representatives Carlyle and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1971.

MOTIONS

On motion of Representative Van De Wege, Representative Morris was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1971, and the bill passed the House by the following vote: Yeas, 74; Nays, 18; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Condotta, Haler, Hargrove, Harris, Hawkins, Hayes, Johnson, Kristiansen, Overstreet, Parker, Pike, Ross, Scott, Shea, Stonier and Taylor.

Excused: Representatives Crouse, Hope, Morris, Nealey and Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2036, by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

Investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (508).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.08.0273 and 2011 c 7 s 1 are each amended to read as follows:

(1) Subject to the conditions and limitations in this section, an exemption from the tax levied by RCW 82.08.020 (~~does not apply to~~) in the form of a remittance from the department is provided for sales to nonresidents of this state of tangible personal property, digital goods, and digital codes(~~(-when)~~). The exemption only applies if:

(a) The property is for use outside this state;

(b) The purchaser is a bona fide resident of a province or territory of Canada or a state, territory, or possession of the United States, other than the state of Washington; and

(i) Such state, possession, territory, or province does not impose, or have imposed on its behalf, a generally applicable retail sales tax, use tax, value added tax, gross receipts tax on retailing activities, or similar generally applicable tax, of three percent or more; or

(ii) If imposing a tax described in (b)(i) of this subsection, provides an exemption for sales to Washington residents by reason of their residence; and

(c) The purchaser agrees, when requested, to grant the department of revenue access to such records and other forms of verification at (~~his or her~~) the purchaser's place of residence to assure that such purchases are not first used substantially in the state of Washington.

(2) Notwithstanding anything to the contrary in this chapter, if parts or other tangible personal property are installed by the seller during the course of repairing, cleaning, altering, or improving motor vehicles, trailers, or campers and the seller makes a separate charge for the tangible personal property, the tax levied by RCW 82.08.020 does not apply to the separately stated charge to a nonresident purchaser for the tangible personal property but only if the separately stated charge does not exceed either the seller's current publicly stated retail price for the tangible personal property or, if no publicly stated retail price is available, the seller's cost for the tangible personal property. However, the exemption provided by this section does not apply if tangible personal property is installed by the seller during the course of repairing, cleaning, altering, or improving motor vehicles, trailers, or campers and the seller makes a single nonitemized charge for providing the tangible personal property and service. All of the (~~requirements~~) provisions in subsections (1) and (3) through (~~(6)~~) (7) of this section apply to this subsection.

(3)(a) Any person claiming exemption from retail sales tax under the provisions of this section must (~~display proof of his or her current nonresident status as provided in this section~~) pay the state and local sales tax to the seller at the time of purchase and then request a remittance from the department in accordance with this subsection and subsection (4) of this section. A request for remittance must include proof of the person's status as a nonresident at the time of the purchase for which a remittance is requested. The request for a remittance must also include any additional information and documentation as required by the department, which may include a description of the item purchased for which a remittance is requested, the sales price of the item, the amount of state and local sales tax paid on the item, the date of the purchase, the name of the seller and the physical address where the sale took place, and copies of sales receipts showing the qualified purchases.

(b) Acceptable proof of a nonresident person's status includes one piece of identification such as a valid driver's license from the jurisdiction in which the out-of-state residency is claimed or a valid identification card which has a photograph of the holder and is issued by the out-of-state jurisdiction. Identification under this subsection (3)(b) must show the holder's residential address and have as one of its legal purposes the establishment of residency in that out-of-state jurisdiction.

((c) In lieu of furnishing proof of a person's nonresident status under (b) of this subsection (3), a person claiming exemption from retail sales tax under the provisions of this section may provide the

seller with an exemption certificate in compliance with subsection (4)(b) of this section.)

(4)(a) ((Nothing in this section requires the vendor to make tax exempt retail sales to nonresidents. A vendor may choose to make sales to nonresidents, collect the sales tax, and remit the amount of sales tax collected to the state as otherwise provided by law. If the vendor chooses to make a sale to a nonresident without collecting the sales tax, the vendor must examine the purchaser's proof of nonresidence, determine whether the proof is acceptable under subsection (3)(b) of this section, and maintain records for each nontaxable sale which shall show the type of proof accepted, including any identification numbers where appropriate, and the expiration date, if any.

(b) In lieu of using the method provided in (a) of this subsection to document an exempt sale to a nonresident, a seller may accept from the purchaser a properly completed uniform exemption certificate approved by the streamlined sales and use tax agreement governing board or any other exemption certificate as may be authorized by the department and properly completed by the purchaser. A nonresident purchaser who uses an exemption certificate authorized in this subsection (4)(b) must include the purchaser's driver's license number or other state-issued identification number and the state of issuance.

(c) In lieu of using the methods provided in (a) and (b) of this subsection to document an exempt sale to a nonresident, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.

(5)(a) Any person making fraudulent statements, which includes the offer of fraudulent identification or fraudulently procured identification to a vendor, in order to purchase goods without paying retail sales tax is guilty of perjury under chapter 9A.72 RCW.

(b) Any person making tax exempt purchases under this section by displaying proof of identification not his or her own, or counterfeit identification, with intent to violate the provisions of this section, is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one hundred dollars or the tax due on such purchases.

(6)(a) Any vendor who makes sales without collecting the tax and who fails to maintain records of sales to nonresidents as provided in this section is personally liable for the amount of tax due.

(b) Any vendor who makes sales without collecting the retail sales tax under this section and who has actual knowledge that the purchaser's proof of identification establishing out-of-state residency is fraudulent is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one thousand dollars or the tax due on such sales. In addition, both the purchaser and the vendor are liable for any penalties and interest assessable under chapter 82.32 RCW.) (i) Beginning January 1, 2014, through December 31, 2014, a person may request a remittance from the department for state and local sales taxes paid by the person on qualified retail purchases made in Washington between August 1, 2013, and December 31, 2013.

(ii) Beginning January 1, 2015, a person may request a remittance from the department during any calendar year for state and local sales taxes paid by the person on qualified retail purchases made in Washington during the immediately preceding calendar year only. No application may be made with respect to purchases made before the immediately preceding calendar year.

(b) The remittance request, including proof of nonresident status and any other documentation and information required by the department, must be provided in a form and manner as prescribed by the department. Only one remittance request may be made by a person per calendar year.

(c) The total amount of a remittance request must be at least twenty-five dollars. The department must deny any request for a remittance that is less than twenty-five dollars.

(d) The department will examine the applicant's proof of

nonresident status and any other documentation and information as required in the application to determine whether the applicant is entitled to a remittance under this section.

(5)(a) Any person making fraudulent statements to the department, which includes the offer of fraudulent or fraudulently procured identification or fraudulent sales receipts, in order to receive a remittance of retail sales tax is guilty of perjury under chapter 9A.72 RCW.

(b) Any person requesting a remittance of sales tax from the department by providing proof of identification or sales receipts not the person's own, or counterfeit identification or sales receipts, with intent to violate the provisions of this section, is guilty of a misdemeanor and, in addition, is liable for the tax and subject to a penalty equal to the greater of one hundred dollars or the tax due on such purchases.

(6) The exemption provided by this section is for both state and local sales taxes. For purposes of this section, "local sales tax" means a sales tax imposed by a local government under the authority of chapter 82.14 RCW, RCW 81.104.170, or other provision of law, and which is imposed on the same taxable event as the state sales tax imposed in this chapter.

(7) A nonresident who receives a refund of sales tax from the seller for any reason with respect to a purchase made in this state is not entitled to a remittance for the tax paid on the purchase. A person who receives both a remittance under this section and a refund from the seller with respect to the same purchase must immediately repay the remittance to the department. Interest as provided in chapter 82.32 RCW applies to amounts due under this section from the date that the department made the remittance until the amount due under this subsection is paid to the department. A person who receives a remittance with respect to a purchase for which the person had, at the time the person submitted the application for a remittance, already received a refund of sales tax from the seller is also liable for the evasion penalty in RCW 82.32.090(7) and is ineligible to receive any further remittances from the department under this section.

NEW SECTION. Sec. 2. A new section is added to chapter 82.32 RCW to read as follows:

(1) By the last workday of the second and fourth calendar quarters, the state treasurer must transfer the amount specified in subsection (2) of this section from the general fund to the education legacy trust account. The first transfer under this subsection (1) must occur by December 31, 2013.

(2) By December 15th and by June 15th of each year, the department must estimate the increase in state general fund revenues from the changes made under section 1 of this act for the current and prior calendar quarters and notify the state treasurer of the increase.

NEW SECTION. Sec. 3. A new section is added to chapter 43.135 RCW to read as follows:

RCW 43.135.034(4) does not apply to the transfers under section 2 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 39.42 RCW to read as follows:

The purpose of narrowing the tax preference in section 1 of this act is to support education-related expenditures from the education legacy trust account. For this reason, general state revenues transferred to the education legacy trust account under section 2 of this act are excluded from the calculation of general state revenues for purposes of Article VIII, section 1 of the state Constitution and RCW 39.42.130 and 39.42.140.

Sec. 5. RCW 82.14.050 and 2012 1st sp.s. c 9 s 1 are each amended to read as follows:

(1) The counties, cities, and transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100 and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, regional transportation investment districts, and transportation benefit districts under chapter 36.73 RCW must contract, prior to the

effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which must deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter that is collected by the department of revenue must be deposited by the state department of revenue in the local sales and use tax account hereby created in the state treasury. Beginning January 1, 2013, the department of revenue must make deposits in the local sales and use tax account on a monthly basis on the last business day of the month in which distributions required in (a) of this subsection are due. Moneys in the local sales and use tax account may be withdrawn only for:

(a) Distribution to counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts imposing a sales and use tax; and

(b) Making refunds of taxes imposed under the authority of this chapter and RCW 81.104.170 and exempted under RCW 82.08.273, 82.08.962 (~~and~~), or 82.12.962.

(2) All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, insofar as they are applicable to state sales and use taxes, are applicable to taxes imposed pursuant to this chapter.

(3) Counties, cities, transportation authorities, public facilities districts, and regional transportation investment districts may not conduct independent sales or use tax audits of sellers registered under the streamlined sales tax agreement.

(4) Except as provided in RCW 43.08.190 and subsection (5) of this section, all earnings of investments of balances in the local sales and use tax account must be credited to the local sales and use tax account and distributed to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts monthly.

(5) Beginning January 1, 2013, the state treasurer must determine the amount of earnings on investments that would have been credited to the local sales and use tax account if the collections had been deposited in the account over the prior month. When distributions are made under subsection (1)(a) of this section, the state treasurer must transfer this amount from the state general fund to the local sales and use tax account and must distribute such sums to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts.

Sec. 6. RCW 82.14.060 and 2009 c 469 s 108 are each amended to read as follows:

(1)(a) Monthly, the state treasurer must distribute from the local sales and use tax account to the counties, cities, transportation authorities, public facilities districts, and transportation benefit districts the amount of tax collected on behalf of each taxing authority, less:

(i) The deduction provided for in RCW 82.14.050; and

(ii) The amount of any refunds of local sales and use taxes exempted under RCW 82.08.273, 82.08.962 (~~and~~), or 82.12.962, which must be made without appropriation.

(b) The state treasurer shall make the distribution under this section without appropriation.

(2) In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the

state government and its existing public institutions, and takes effect August 1, 2013."

Correct the title.

Representatives Carlyle and Orcutt spoke in favor of the adoption of the amendment.

Amendment (508) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Carlyle spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

MOTIONS

On motion of Representative Holy, Representatives Dahlquist, DeBolt, Harris and Schmick were excused. On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2036.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2036, and the bill passed the House by the following vote: Yeas, 52; Nays, 35; Absent, 0; Excused, 10.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Fagan, Haler, Hargrove, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Dahlquist, DeBolt, Freeman, Harris, Hope, Morris, Nealey, Rodne and Schmick.

ENGROSSED HOUSE BILL NO. 2036, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2068, by Representative Takko

Concerning the annexation of unincorporated territory within a code city. (REVISED FOR PASSED LEGISLATURE: Concerning annexation of unincorporated territory within a city or town.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Takko spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2068.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2068, and the bill passed the House by the following vote: Yeas, 79; Nays, 9; Absent, 0; Excused, 9.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Kretz, Liias, Orcutt, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Crouse, Dahlquist, DeBolt, Harris, Hope, Morris, Nealey, Rodne and Schmick.

HOUSE BILL NO. 2068, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2069, by Representatives Hunter and Sullivan

Concerning continuation of safety net benefits for persons with a physical or mental disability which makes them eligible for certain social services programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2069 was substituted for House Bill No. 2069 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2069 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2069.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2069, and the bill passed the House by the following vote: Yeas, 83; Nays, 5; Absent, 0; Excused, 9.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Crouse, Dahlquist, DeBolt, Harris, Hope, Morris, Nealey, Rodne and Schmick.

SUBSTITUTE HOUSE BILL NO. 2069, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1057, by Representative Hunter

Making 2013-2015 operating appropriations. Revised for 1st Substitute: Making omnibus operating appropriations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1057 was substituted for House Bill No. 1057 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1057 was read the second time.

Representative Hunter moved the adoption of amendment (503).

On page 14, line 25, increase the general fund--state appropriation for fiscal year 2014 by \$353,000

On page 14, line 26, increase the general fund--state appropriation for fiscal year 2015 by \$353,000

On page 15, line 1, correct the total.

On page 16, after line 32, insert the following:

"(11) \$353,000 of the general fund--state appropriation for fiscal year 2014 and \$353,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for a grant to the Washington coalition of crime victim advocates to provide training, certification, and technical assistance for crime victim service center advocates."

On page 17, line 2, decrease the state general fund--state appropriation for fiscal year 2014 by \$353,000

On page 17, line 3, decrease the general fund--state appropriation for fiscal year 2015 by \$353,000

On page 17, line 30, correct the total.

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

Amendment (503) was adopted.

Representative Hunter moved the adoption of amendment (518).

On page 27, line 34, after "subsection" strike "(2)(a)(i)" and insert "(c)(i)(A)"

On page 91, line 3, increase the general fund-state appropriation for fiscal year 2014 by \$146,000

On page 91, line 4, increase the general fund-state appropriation for fiscal year 2015 by \$145,000

On page 91, line 31, correct the total.

On page 122, line 5, decrease the general fund--state appropriation for fiscal year 2014 by \$50,000

On page 182, line 25, decrease the general fund--state appropriation for fiscal year 2015 by \$27,000

On page 181, line 29, after "section" strike "952" and insert "953"

On page 182, line 31, correct the total.

On page 197, line 1, after "programs" strike "and capital facilities"

Representative Hunter spoke in favor of the adoption of the amendment.

Amendment (518) was adopted.

Representative Hansen moved the adoption of amendment (501).

On page 126, beginning on line 17, strike all material through "lapse" on line 19 and insert "competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science."

Representatives Hansen and Magendanz spoke in favor of the adoption of the amendment.

Amendment (501) was adopted.

Representative Hunter moved the adoption of amendment (517).

On page 140, line 1, after "exceed" strike "15" and insert "~~(45)~~ ten"

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

Amendment (517) was adopted.

Representative Hunter moved the adoption of amendment (520).

On page 152, line 18, increase the general fund--state appropriation for fiscal year 2014 by \$109,000

On page 152, line 19, increase the general fund--state appropriation for fiscal year 2015 by \$99,000

On page 152, line 23, correct the total.

On page 159, after line 2, insert the following:

"(22) \$109,000 of the general fund--state appropriation for fiscal year 2014 and \$99,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the office of the superintendent of public instruction to implement a youth dropout prevention program that incorporates partnerships between community- based organizations, schools, food banks and farms or gardens. The office of the superintendent of public instruction shall select one school district that must partner with an organization that is operating an existing similar program and that also has the ability to serve at least 40 students. Of the amount appropriated in this subsection, up to \$10,000 may be used by the office of the superintendent of public instruction for administration of the program."

Representative Hunter spoke in favor of the adoption of the amendment.

Amendment (520) was adopted.

Representative Haigh moved the adoption of amendment (513).

On page 161, after line 20, insert the following:

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT--ALTERNATIVE LEARNING EXPERIENCE

General Fund--State Appropriation (FY 2014) \$13,283,000

General Fund--State Appropriation (FY 2015) \$3,321,000

TOTAL APPROPRIATION \$16,604,000

The appropriations in this section are subject to the following conditions and limitations: The entire appropriation in this section is provided solely to fund the full basic education allocation for full-time equivalent students enrolled in alternative learning experience programs."

Renumber remaining sections consecutively and correct internal references.

Correct the title.

Representatives Haigh, Alexander and Haigh (again) spoke in favor of the adoption of the amendment.

Amendment (513) was adopted.

Representative Hunter moved the adoption of amendment (509).

On page 179, line 35, decrease the general fund--state appropriation for FY 2014 by \$21,800,000

On page 179, line 36, decrease the general fund--state appropriation for FY 2015 by \$29,100,000

On page 180, line 3, increase the education legacy trust account--state appropriation by \$47,900,000

On page 180, line 5, increase the Washington opportunity pathways account--state appropriation by \$3,000,000

On page 180, line 9, strike "\$246,550,000" and insert "\$224,750,000"

On page 180, line 10, strike "\$256,390,000" and insert "\$227,290,000"

On page 180, line 11, after "appropriation," insert "\$47,900,000 of the education legacy trust account--state appropriation,"

On page 180, line 11, after "and" strike "\$147,000,000" and insert "\$150,000,000"

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

Amendment (509) was adopted.

Representative Hunter moved the adoption of amendment (512).

On page 181, line 22, after "(6)" strike "\$38,677,000" and insert "\$18,677,000"

On page 181, line 23, after "appropriation" strike "is" and insert ", and \$20,000,000 of the Washington opportunity pathways account--state are"

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

Amendment (512) was adopted.

Representative Maxwell moved the adoption of amendment (511).

On page 196, line 28, after "designee;" strike "and"

On page 196, line 30, after "board," insert "state board of education,"

On page 196, line 31, after "education" insert "; and (v) One member appointed by the governor"

Representative Maxwell spoke in favor of the adoption of the amendment.

Amendment (511) was adopted.

Representative Hunter moved the adoption of amendment (519).

On page 203, line 12, decrease the transfer amount for fiscal year 2014 by \$500,000

On page 203, line 13, correct the total.

On page 203, after line 21, insert the following:

"Professional Engineers' Account: For transfer to the state general fund, \$957,000 for fiscal year 2014 and \$956,000 for fiscal year 2015

..... \$1,913,000
Electrical License Account: For transfer to the state general fund, \$1,700,000 for fiscal year 2014 and \$1,700,000 for fiscal year 2015 ..
..... \$3,400,000

Business and Professions Account: For transfer to the state general fund, \$1,838,000 for fiscal year 2014 and \$1,800,000 for fiscal year 2015

..... \$3,638,000"
On page 225, after line 11, insert the following:
"Sec. 950. RCW 18.43.150 and 1991 c 277 s 2 are each amended to read as follows:

All fees collected under the provisions of RCW 18.43.050, 18.43.060, 18.43.080, 18.43.100, and 18.43.130 and fines collected under RCW 18.43.110 shall be paid into the professional engineers' account, which account is hereby established in the state treasury to be used to carry out the purposes and provisions of RCW 18.43.050, 18.43.060, 18.43.080, 18.43.100, 18.43.110, 18.43.120, 18.43.130, *18.43.140 and all other duties required for operation and enforcement of this chapter. During the 2013-2015 fiscal biennium, the legislature may transfer from the professional engineers' account to the state general fund such amounts as reflect the excess fund balance of the account.

Sec. 951. RCW 19.28.351 and 2003 1st sp.s. c 25 s 910 are each amended to read as follows:

All sums received from licenses, permit fees, or other sources, herein shall be paid to the state treasurer and placed in a special fund designated as the "electrical license fund," and paid out upon

vouchers duly and regularly issued therefor and approved by the director of labor and industries or the director's designee following determination by the board that the sums are necessary to accomplish the intent of chapter 19.28 RCW. The treasurer shall keep an accurate record of payments into, or receipts of, the fund, and of all disbursements therefrom.

During the (~~2003-2005~~)2013-2015 biennium, the legislature may transfer moneys from the electrical license fund to the state general fund such amounts as reflect the excess fund balance of the fund."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

On page 242, after line 32, insert the following:

"Sec. 966. RCW 43.24.150 and 2013 c 322 s 30 are each amended to read as follows:

(1) The business and professions account is created in the state treasury. All receipts from business or professional licenses, registrations, certifications, renewals, examinations, or civil penalties assessed and collected by the department from the following chapters must be deposited into the account:

- (a) Chapter 18.11 RCW, auctioneers;
- (b) Chapter 18.16 RCW, cosmetologists, barbers, and manicurists;
- (c) Chapter 18.145 RCW, court reporters;
- (d) Chapter 18.165 RCW, private investigators;
- (e) Chapter 18.170 RCW, security guards;
- (f) Chapter 18.185 RCW, bail bond agents;
- (g) Chapter 18.280 RCW, home inspectors;
- (h) Chapter 19.16 RCW, collection agencies;
- (i) Chapter 19.31 RCW, employment agencies;
- (j) Chapter 19.105 RCW, camping resorts;
- (k) Chapter 19.138 RCW, sellers of travel;
- (l) Chapter 42.44 RCW, notaries public;
- (m) Chapter 64.36 RCW, timeshares;
- (n) Chapter 67.08 RCW, boxing, martial arts, and wrestling;
- (o) Chapter 18.300 RCW, body art, body piercing, and tattooing;
- (p) Chapter 79A.60 RCW, whitewater river outfitters;
- (q) Chapter 19.158 RCW, commercial telephone solicitation; and
- (r) Chapter 19.290 RCW, scrap metal businesses.

Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenses incurred in carrying out these business and professions licensing activities of the department. Any residue in the account must be accumulated and may not revert to the general fund at the end of the biennium. During the 2013-2015 fiscal biennium, the legislature may transfer from the business and professions account to the state general fund such amounts as reflect the excess fund balance of the account.

(2) The director must biennially prepare a budget request based on the anticipated costs of administering the business and professions licensing activities listed in subsection (1) of this section, which must include the estimated income from these business and professions fees."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

Amendment (519) was adopted.

With the consent of the house, amendments 502 and 504 were withdrawn.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Santos and Carlyle spoke in favor of the passage of the bill.

Representatives Alexander, Manweller, Magendanz, Angel and Walsh spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1057.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1057, and the bill passed the House by the following vote: Yeas, 53; Nays, 35; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Fagan, Haler, Hargrove, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Dahlquist, DeBolt, Harris, Hope, Morris, Nealey, Rodne and Schmick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1057, having received the necessary constitutional majority, was declared passed.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

SECOND READING

HOUSE BILL NO. 2034, by Representatives Ormsby and Reykdal

Relating to funding K-12 basic education and higher education by narrowing or eliminating tax preferences. Revised for 1st Substitute: Funding K-12 basic education and higher education by narrowing or eliminating tax preferences.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2034 was substituted for House Bill No. 2034 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2034 was read the second time.

Representative Sullivan moved the adoption of amendment (521).

FORMAT CHANGED TO ACCOMMODATE TEXT.

Strike everything after the enacting clause and insert the following:

"Part I

Narrowing or Eliminating Tax Preferences to Fund K-12 Basic Education and Higher Education

Sec. 101. RCW 82.04.260 and 2012 2nd sp.s. c 6 s 602 and 2012 2nd sp.s. c 6 s 204 are each reenacted and amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, 2015, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c) Beginning July 1, 2015, dairy products that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products such as whey and casein; or selling the same to purchasers who transport in the ordinary course of business the goods out of state; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(d) Beginning July 1, 2015, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(e) Until July 1, 2009, alcohol fuel, biodiesel fuel, or biodiesel feedstock, as those terms are defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of alcohol fuel, biodiesel fuel, or biodiesel feedstock manufactured, multiplied by the rate of 0.138 percent; and

(f) Wood biomass fuel as defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5) ((Upon every person engaging within this state in the business of acting as a travel agent or tour operator; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(6))) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

((~~(7)~~)) (6) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

~~((8))~~ (7)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 43.200 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

~~((9))~~ (8) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

~~((10))~~ (9) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

~~((11))~~ (10)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007; and

(ii) 0.2904 percent beginning July 1, 2007.

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection ~~((11))~~ (10) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of 0.2904 percent.

(c) For the purposes of this subsection ~~((11))~~ (10), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection ~~((11))~~ (10) must file a complete annual report with the department under RCW 82.32.534.

(e) This subsection ~~((11))~~ (10) does not apply on and after July 1, 2024.

~~((12))~~ (11)(a) Until July 1, 2024, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(b) Until July 1, 2024, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; or (ii) timber products into other timber products or wood products; as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(c) Until July 1, 2024, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; or (iii) wood products manufactured by that person from timber or timber products; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, or wood products multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(d) Until July 1, 2024, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection ~~((12))~~ (11)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection ~~((12))~~ (11)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (~~((12))~~) (11) must file a complete annual survey with the department under RCW 82.32.585.

~~((12))~~ (12) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

~~((13))~~ (13)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.365 percent through June 30, 2013, and beginning July 1, 2013, multiplied by the rate of 0.35 percent.

(b) A person reporting under the tax rate provided in this subsection (~~((14))~~) (13) must file a complete annual report with the department under RCW 82.32.534.

Sec. 102. RCW 82.04.260 and 2012 2nd sp.s. c 6 s 204 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, 2015, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c) Beginning July 1, 2015, dairy products that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products such as whey and casein; or selling the same to purchasers who transport in the ordinary course of business the goods out of state; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(d) Beginning July 1, 2015, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(e) Until July 1, 2009, alcohol fuel, biodiesel fuel, or biodiesel feedstock, as those terms are defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of alcohol fuel, biodiesel fuel, or biodiesel feedstock manufactured, multiplied by the rate of 0.138 percent; and

(f) Wood biomass fuel as defined in RCW 82.29A.135; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5) (Upon every person engaging within this state in the business of acting as a travel agent or tour operator; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(6)) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

~~((7))~~ (6) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel

services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

~~((8))~~ (7)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 43.200 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

~~((9))~~ (8) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

~~((10))~~ (9) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

~~((11))~~ (10)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007; and

(ii) 0.2904 percent beginning July 1, 2007.

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection ~~((11))~~ (10) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of 0.2904 percent.

(c) For the purposes of this subsection ~~((11))~~ (10), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection ~~((11))~~ (10) must file a complete annual report with the department under RCW 82.32.534.

(e) This subsection ~~((11))~~ (10) does not apply on and after July 1, 2024.

~~((12))~~ (11)(a) Until July 1, 2024, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(b) Until July 1, 2024, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; or (ii) timber products into other timber products or wood products; as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(c) Until July 1, 2024, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; or (iii) wood products manufactured by that person from timber or timber products; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, or wood products multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2024.

(d) Until July 1, 2024, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection ~~((12))~~ (11)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection ~~((12))~~ (11)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection ~~((12))~~ (11) must file a complete annual survey with the department under RCW 82.32.585.

~~((12))~~ (12) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

~~((13))~~ (13)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.2904 percent.

(b) A person reporting under the tax rate provided in this subsection ~~((14))~~ (13) must file a complete annual report with the department under RCW 82.32.534.

Sec. 103. RCW 82.08.0293 and 2011 c 2 s 301 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of food and food ingredients. "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include:

(a) "Alcoholic beverages," which means beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume; and

(b) "Tobacco," which means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco.

(2) The exemption of "food and food ingredients" provided for in subsection (1) of this section does not apply to prepared food, soft drinks, bottled water, or dietary supplements. ~~((For purposes of this subsection, the following definitions apply.))~~ The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain: (i) Antimicrobial agents; (ii) fluoride; (iii) carbonation; (iv) vitamins, minerals, and electrolytes; (v) oxygen; (vi) preservatives; and (vii) only those flavors, extracts, or essences derived from a spice or fruit. "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(b) "Dietary supplement" means any product, other than tobacco, intended to supplement the diet that:

(i) Contains one or more of the following dietary ingredients:

(A) A vitamin;

(B) A mineral;

(C) An herb or other botanical;

(D) An amino acid;

(E) A dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or

(F) A concentrate, metabolite, constituent, extract, or combination of any ingredient described in this subsection;

(ii) Is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and

(iii) Is required to be labeled as a dietary supplement, identifiable by the "supplement facts" box found on the label as required pursuant to 21 C.F.R. Sec. 101.36, as amended or renumbered as of January 1, 2003.

~~((3))~~ (c)(i) "Prepared food" means:

(A) Food sold in a heated state or heated by the seller;

(B) Food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food; or

(C) Two or more food ingredients mixed or combined by the seller for sale as a single item, except:

(I) Food that is only cut, repackaged, or pasteurized by the seller; or

(II) Raw eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal food and drug administration in chapter 3, part 401.11 of The Food Code, published by the food and drug administration, as amended or renumbered as of January 1, 2003, so as to prevent foodborne illness.

(ii) "Prepared food" does not include the following food or food ingredients, if the food or food ingredients are sold without eating utensils provided by the seller:

(A) Food sold by a seller whose proper primary North American industry classification system (NAICS) classification is manufacturing in sector 311, except subsector 3118 (bakeries), as provided in the "North American industry classification system--United States, 2002";

(B) Food sold in an unheated state by weight or volume as a single item; or

(C) Bakery items. The term "bakery items" includes bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, Danish, cakes, tortes, pies, tarts, muffins, bars, cookies, or tortillas.

~~((4))~~ (d) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. Soft drinks do not include beverages that contain: Milk or milk products; soy, rice, or similar milk substitutes; or greater than fifty percent of vegetable or fruit juice by volume.

(3) Notwithstanding anything in this section to the contrary, the exemption of "food and food ingredients" provided in this section applies to food and food ingredients that are furnished, prepared, or served as meals:

(a) Under a state administered nutrition program for the aged as provided for in the older Americans act (P.L. 95-478 Title III) and RCW 74.38.040(6);

(b) That are provided to senior citizens, individuals with disabilities, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW; or

(c) That are provided to residents, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. The sale of a meal that is billed to both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection (3)(c) if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" means a facility:

(i) That meets the definition of a qualified low-income housing project under 26 U.S.C. Sec. 42 of the federal internal revenue code, as existing on August 1, 2009;

(ii) That has been partially funded under 42 U.S.C. Sec. 1485; and

(iii) For which the lessor or operator has at any time been entitled to claim a federal income tax credit under 26 U.S.C. Sec. 42 of the federal internal revenue code.

(4)(a) Subsection (1) of this section notwithstanding, the retail sale of food and food ingredients is subject to sales tax under RCW 82.08.020 if the food and food ingredients are sold through a vending machine. Except as provided in (b) of this subsection, the selling price of food and food ingredients sold through a vending machine for purposes of RCW 82.08.020 is fifty-seven percent of the gross receipts.

(b) For soft drinks, bottled water, and hot prepared food and food ingredients, other than food and food ingredients which are heated after they have been dispensed from the vending machine, the selling price is the total gross receipts of such sales divided by the sum of one plus the sales tax rate expressed as a decimal.

(c) For tax collected under this subsection (4), the requirements that the tax be collected from the buyer and that the amount of tax be stated as a separate item are waived.

Sec. 104. RCW 82.12.0293 and 2011 c 2 s 303 are each amended to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of food and food ingredients for human consumption. "Food and food ingredients" has the same meaning as in RCW 82.08.0293.

(2) The exemption of "food and food ingredients" provided for in subsection (1) of this section does not apply to prepared food, soft drinks, bottled water, or dietary supplements. "Prepared food," "soft drinks," "bottled water," and "dietary supplements" have the same meanings as in RCW 82.08.0293.

(3) Notwithstanding anything in this section to the contrary, the exemption of "food and food ingredients" provided in this section applies to food and food ingredients which are furnished, prepared, or served as meals:

(a) Under a state administered nutrition program for the aged as provided for in the older Americans act (P.L. 95-478 Title III) and RCW 74.38.040(6);

(b) Which are provided to senior citizens, individuals with disabilities, or low-income persons by a not-for-profit organization organized under chapter 24.03 or 24.12 RCW; or

(c) That are provided to residents, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. The sale of a meal that is billed to both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection (3)(c) if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" has the same meaning as in RCW 82.08.0293.

NEW SECTION. Sec. 105. A new section is added to chapter 82.08 RCW to read as follows:

(1) Subject to the conditions in this section, the tax levied by RCW 82.08.020 does not apply to sales of bottled water dispensed or to be dispensed to patients, pursuant to a prescription for use in the cure, mitigation, treatment, or prevention of disease or other medical condition.

(2) For purposes of this section, "prescription" means an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of this state to prescribe.

(3) Except for sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, sellers must collect tax on sales subject to this exemption. Any buyer that has paid at least twenty-five dollars in state and local sales taxes on purchases of bottled water subject to this exemption may apply for a refund of the taxes directly from the department in a form and manner prescribed by the department. The department must deny any refund application if the amount of the refund requested is less than twenty-five dollars. No refund may be made for taxes paid more than four years after the end of the calendar year in which the tax was paid to the seller.

(4) The provisions of RCW 82.32.060 apply to refunds authorized under this section.

(5) With respect to sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, buyers claiming the exemption provided in this section must provide the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

NEW SECTION. Sec. 106. A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of bottled water dispensed or to be dispensed to patients, pursuant to a prescription for use in the cure, mitigation, treatment, or prevention of disease or medical condition.

(2) For the purposes of this section, "prescription" has the same meaning as provided in section 105 of this act.

NEW SECTION. Sec. 107. A new section is added to chapter 82.08 RCW to read as follows:

(1)(a) Subject to the conditions in this section, the tax levied by RCW 82.08.020 does not apply to sales of bottled water to persons whose primary source of drinking water is unsafe.

(b) For purposes of this subsection and section 108 of this act, a person's primary source of drinking water is unsafe if:

(i) The public water system providing the drinking water has issued a public notification that the drinking water may pose a health risk, and the notification is still in effect on the date that the bottled water was purchased;

(ii) Test results on the person's drinking water, which are no more than twelve months old, from a laboratory certified to perform drinking water testing show that the person's drinking water does not meet safe drinking water standards applicable to public water systems; or

(iii) The person otherwise establishes, to the department's satisfaction, that the person's drinking water does not meet safe drinking water standards applicable to public water systems.

(2) Except for sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, sellers must collect tax on sales subject to this exemption. Any buyer that has paid at least twenty-five dollars in state and local sales taxes on purchases of bottled water subject to this exemption may apply for a refund of the taxes directly from the department in a form and manner prescribed by the department. The department must deny any refund application if the amount of the refund requested is less than twenty-five dollars. No refund may be made for taxes paid more than four years after the end of the calendar year in which the tax was paid to the seller.

(3) The provisions of RCW 82.32.060 apply to refunds authorized under this section.

(4)(a) With respect to sales of bottled water delivered to the buyer in a reusable container that is not sold with the water, buyers claiming the exemption provided in this section must provide the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(b) The department may waive the requirement for an exemption certificate in the event of disaster or similar circumstance.

NEW SECTION. Sec. 108. A new section is added to chapter 82.12 RCW to read as follows:

The provisions of this chapter do not apply in respect to the use of bottled water by persons whose primary source of drinking water is unsafe as provided in section 107 of this act.

Sec. 109. RCW 82.04.4452 and 2010 c 114 s 114 are each amended to read as follows:

(1) In computing the tax imposed under this chapter, a credit is allowed for each person whose research and development spending during the year in which the credit is claimed exceeds 0.92 percent of the person's taxable amount during the same calendar year.

(2)(a) The credit is calculated as follows:

~~((a))~~ (i) Determine the greater of the amount of qualified research and development expenditures of a person or eighty percent of amounts received by a person other than a public educational or research institution in compensation for the conduct of qualified research and development;

~~((b))~~ (ii) Subtract 0.92 percent of the person's taxable amount from the amount determined under (a)(i) of this subsection;

~~((c))~~ (iii) Multiply the amount determined under ~~((b))~~ (a)(ii) of this subsection by ~~((the following:~~

(i) For the period June 10, 2004, through December 31, 2006, the person's average tax rate for the calendar year for which the credit is claimed;

(ii) For the calendar year ending December 31, 2007, the greater of the person's average tax rate for that calendar year or 0.75 percent;

(iii) For the calendar year ending December 31, 2008, the greater of the person's average tax rate for that calendar year or 1.0 percent;

(iv) For the calendar year ending December 31, 2009, the greater of the person's average tax rate for that calendar year or 1.25 percent;

(v) For the calendar year ending December 31, 2010, and thereafter,) 1.50 percent.

(b) For purposes of calculating the credit, if a person's reporting period is less than annual, the person may use an estimated average tax rate for the calendar year for which the credit is claimed by using the person's average tax rate for each reporting period. A person who uses an estimated average tax rate must make an adjustment to the total credit claimed for the calendar year using the person's actual average tax rate for the calendar year when the person files its last return for the calendar year for which the credit is claimed.

(3) Any person entitled to the credit provided in subsection (2) of this section as a result of qualified research and development conducted under contract may assign all or any portion of the credit to the person contracting for the performance of the qualified research and development.

(4) The credit, including any credit assigned to a person under subsection (3) of this section, must be claimed against taxes due for the same calendar year in which the qualified research and development expenditures are incurred. The credit, including any credit assigned to a person under subsection (3) of this section, for each calendar year may not exceed the lesser of two million dollars or the amount of tax otherwise due under this chapter for the calendar year.

(5) For any person claiming the credit, including any credit assigned to a person under subsection (3) of this section, whose research and development spending during the calendar year in which the credit is claimed fails to exceed 0.92 percent of the person's taxable amount during the same calendar year or who is otherwise ineligible, the department must not declare the taxes against which the credit was claimed to be immediately due and payable. The department must assess interest, but not penalties, on the taxes against which the credit was claimed. Interest must be assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW, retroactively to the date the credit was claimed, and accrues until the taxes against which the credit was claimed are repaid. Any credit assigned to a person under subsection (3) of this section that is disallowed as a result of this section may be claimed by the person who performed the qualified research and development subject to the limitations set forth in subsection (4) of this section.

(6) A person may not claim a credit under this section if the person reported an annual gross amount, as reported on the state combined excise tax return, of ten million dollars or more in the prior calendar year. Taxpayers disallowed from claiming the credit under this subsection (6) are not required to refund any credit claimed in calendar year 2013 prior to the effective date of this section.

(7) A person claiming the credit provided in this section must file a complete annual survey with the department under RCW 82.32.585.

~~((7) For the purpose of this section:))~~ The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(8)(a) "Average tax rate" means a person's total tax liability under this chapter for the calendar year for which the credit is claimed divided by the taxpayer's total taxable amount under this chapter for the calendar year for which the credit is claimed.

(b) "Qualified research and development expenditures" means operating expenses, including wages, compensation of a proprietor or a partner in a partnership as determined under rules adopted by the department, benefits, supplies, and computer expenses, directly incurred in qualified research and development by a person claiming the credit provided in this section. The term does not include amounts paid to a person other than a public educational or research institution to conduct qualified research and development. Nor does the term include capital costs and overhead, such as expenses for land, structures, or depreciable property.

(c) "Qualified research and development" ~~((shall have))~~ has the same meaning as provided in RCW 82.63.010.

(d) "Research and development spending" means qualified research and development expenditures plus eighty percent of amounts paid to a person other than a public educational or research institution to conduct qualified research and development.

(e) "Taxable amount" means the taxable amount subject to the tax imposed in this chapter required to be reported on the person's combined excise tax returns for the calendar year for which the credit is claimed, less any taxable amount for which a credit is allowed under RCW 82.04.440.

~~((8))~~ (9) This section expires January 1, 2015.

Sec. 110. RCW 82.63.030 and 2008 c 15 s 4 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the department ~~((shall))~~ must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on each eligible investment project.

(2) No certificate may be issued for an investment project that has already received a deferral under chapter 82.60 RCW or this chapter, except that an investment project for qualified research and development that has already received a deferral may also receive an additional deferral certificate for adapting the investment project for use in pilot scale manufacturing.

(3) The department may not issue a certificate under this section on or after July 1, 2013.

(4) This section (~~shall~~) expires January 1, 2015.

NEW SECTION. Sec. 111. RCW 82.04.272 (Tax on warehousing and reselling prescription drugs) and 2013 c 19 s 127, 2003 c 168 s 401, & 1998 c 343 s 1 are each repealed.

NEW SECTION. Sec. 112. Section 111 of this act applies to taxes due for reporting periods beginning on or after the effective date of section 111 of this act.

Sec. 113. RCW 82.12.0263 and 1980 c 37 s 62 are each amended to read as follows:

The provisions of this chapter (~~shall~~) do not apply in respect to the use of biomass fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same. For purposes of this section, "biomass fuel" means wood waste and other wood residuals, including forest derived biomass, but does not include firewood or wood pellets. "Biomass fuel" also includes partially organic by-products of pulp, paper, and wood manufacturing processes.

NEW SECTION. Sec. 114. A new section is added to chapter 82.12 RCW to read as follows:

The value of the article used with respect to refinery fuel gas under this chapter is the most recent monthly United States natural gas wellhead price, as published by the federal energy information administration.

Part II

Making Appropriations to Fund K-12 Basic Education and Higher Education

II-A

Higher Education Appropriations

NEW SECTION. Sec. 201. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

(1) The sum of nine million seven hundred and twenty thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the University of Washington.

(2) The sum of twenty four million eight hundred and sixty eight thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the University of Washington. The appropriation in this subsection is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

NEW SECTION. Sec. 202. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR WASHINGTON STATE UNIVERSITY

(1) The sum of five million seven thousand dollars is appropriated for the biennium ending June 30, 2015, from the education legacy trust account--state to Washington State University.

(2) The sum of seventeen million six hundred and twenty eight thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to Washington State University. The appropriation in this subsection is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

NEW SECTION. Sec. 203. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

(1) The sum of five million and twenty four thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the Western Washington University.

(2) The sum of four million eight hundred and sixty eight dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the Western Washington University. The appropriation in this subsection is provided solely for the expansion of computer science and engineering enrollments. The university will work with the education research and data center to establish program baselines and demonstrate enrollment increases. By September 1, 2014, and each September 1st thereafter, the university shall provide a report that provides the specific detail on how these amounts were spent in the preceding fiscal year including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices

implemented by the college, and how many students are enrolled in computer science and engineering programs above the 2012-2013 academic year baseline.

NEW SECTION. Sec. 204. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

The sum of two million and eighteen thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to Central Washington University.

NEW SECTION. Sec. 205. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

The sum of one million and three hundred and fifteen thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to Eastern Washington University.

NEW SECTION. Sec. 206. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR THE EVERGREEN STATE COLLEGE

The sum of seven hundred and fifty two thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to The Evergreen State College.

NEW SECTION. Sec. 207. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

The sum of two million five hundred thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the state board for community and technical colleges. The appropriation in this section is provided solely for the student achievement initiative.

NEW SECTION. Sec. 208. A new section is added to 2013 1st sp.s. c ... (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

FOR THE STUDENT ACHIEVEMENT COUNCIL--OPPORTUNITY SCHOLARSHIP

The sum of five million dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account--state to the student achievement council. The appropriation in this section is provided solely for expenditure into the opportunity scholarship match transfer account for purposes of the opportunity scholarship program established in chapter 28B.145 RCW. The council shall enter appropriate agreements with the administrator to demonstrate receipt of consideration for public funds and use of public funds for the specified statutory purposes.

II-B

K-12 Policy Changes

Sec. 209. RCW 28A.150.220 and 2013 c 323 s 2 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased district-wide to ((at least one thousand eighty instructional hours for students enrolled in each of grades seven through twelve and)) at least one thousand instructional hours for students in each of grades one through six ((according to an implementation schedule adopted by the legislature, but not before)) beginning with the ((2014-15)) 2017-18 school year(;) and increased district-wide for students in each of grades seven through twelve according to the following implementation schedule:

Minimum instructional			
hours for grades 7-12			
2014-15	school	year.....	1,020
2015-16	school	year.....	1,040
2016-17	school	year.....	1,060
2017-18 school year and thereafter.....			1,080

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, subject to a phased-in implementation of the twenty-four credits as established by the legislature. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315. However, schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory. In addition, effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 210. RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each amended to read as follows:

The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

(1) The governor shall and the superintendent of public instruction may recommend to the legislature a formula for the distribution of a basic education instructional allocation for each common school district.

(2) The distribution formula under this section shall be for allocation purposes only. Except as may be required under chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

(3)(a) To the extent the technical details of the formula have been adopted by the legislature and except when specifically provided as a school district allocation, the distribution formula for the basic education instructional allocation shall be based on minimum staffing and nonstaff costs the legislature deems necessary to support instruction and operations in prototypical schools serving high, middle, and elementary school students as provided in this section. The use of prototypical schools for the distribution formula does not constitute legislative intent that schools should be operated or structured in a similar fashion as the prototypes. Prototypical schools illustrate the level of resources needed to operate a school of a particular size with particular types and grade levels of students using commonly understood terms and inputs, such as class size, hours of instruction, and various categories of school staff. It is the intent that the funding allocations to school districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has six hundred average annual full-time equivalent students in grades nine through twelve;

(ii) A prototypical middle school has four hundred thirty-two average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has four hundred average annual full-time equivalent students in grades kindergarten through six.

(4)(a) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

General education average class size	
Grades K-3	25.23
Grade 4	27.00
Grades 5-6	27.00
Grades 7-8	28.53
Grades 9-12	28.74

(b) During the 2011-2013 biennium and beginning with schools with the highest percentage of students eligible for free and reduced-price meals in the prior school year, the general education average class size for grades K-3 shall be reduced until the average class size funded under this subsection (4) is no more than 17.0 full-time equivalent students per teacher beginning in the 2017-18 school year.

(c) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

Career and technical education average class size
 Approved career and technical education offered at the middle school and high school level 26.57
 Skill center programs meeting the standards established by the office of the superintendent of public instruction 22.76

(d) In addition, the omnibus appropriations act shall at a minimum specify:

(i) A high-poverty average class size in schools where more than fifty percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for laboratory science, advanced placement, and international baccalaureate courses.

(e) To support the increase in instructional hours required under RCW 28A.150.220(2)(a), beginning with the 2014-15 school year, the minimum allocation for each prototypical middle school and high school must provide resources to provide an additional 0.5556 hours of instruction per week per annual average full-time equivalent student enrolled in grades seven through twelve, based on the general education average class sizes specified in (a) of this subsection, which shall be increased in equal annual increments until an additional 2.2222 hours of instruction is provided in the 2017-18 school year and thereafter.

(5) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators	1.253	1.353	1.880
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs	0.663	0.519	0.523
Health and social services:			
School nurses	0.076	0.060	0.096
Social workers	0.042	0.006	0.015
Psychologists	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising	0.493	((1.116)) <u>1.283</u>	((1.909)) <u>2.076</u>
Teaching assistance, including any aspect of educational instructional services provided by classified employees.....	0.936	0.700	0.652
Office support and other noninstructional aides.....	2.012	2.325	3.269
Custodians	1.657	1.942	2.965
Classified staff providing student and staff safety.....	0.079	0.092	0.141
((Parent involvement)) <u>Family engagement</u> coordinators.....	((0.00)) <u>0.167</u>	0.00	0.00

(6)(a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

Staff per 1,000 K-12 students
 Technology 0.628
 Facilities, maintenance, and grounds 1.813
 Warehouse, laborers, and mechanics 0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) ~~((and))~~, (b), and (e) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs, to be adjusted for inflation from the 2008-09 school year:

Per annual average
full-time equivalent student
in grades K-12

Technology	\$54.43
Utilities and insurance	\$147.90
Curriculum and textbooks	\$58.44
Other supplies and library materials	\$124.07
Instructional professional development for certified and classified staff	\$9.04
Facilities maintenance	\$73.27
Security and central office	\$50.76

(b) During the 2011-2013 biennium, the minimum allocation for (~~maintenance~~) materials, supplies, and operating costs shall be increased as specified in the omnibus appropriations act. The following allocations, adjusted for inflation from the 2007-08 school year, are provided in the 2015-16 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

Per annual average
full-time equivalent student
in grades K-12

Technology	\$113.80
Utilities and insurance	\$309.21
Curriculum and textbooks	\$122.17
Other supplies and library materials	\$259.39
Instructional professional development for certificated and classified staff	\$18.89
Facilities maintenance	\$153.18
Security and central office administration	\$106.12

(9) In addition to the amounts provided in subsection (8) of this section, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

- (a) Exploratory career and technical education courses for students in grades seven through twelve;
- (b) Laboratory science courses for students in grades nine through twelve;
- (c) Preparatory career and technical education courses for students in grades nine through twelve offered in a high school; and
- (d) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center.

(10) In addition to the allocations otherwise provided under this section, amounts shall be provided to support the following programs and services:

(a) To provide supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall provide for each level of prototypical school resources to provide, on a statewide average, 1.5156 hours per week in extra instruction with a class size of fifteen learning assistance program students per teacher.

(b) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the following:

(i) The head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction with fifteen transitional bilingual instruction program students per teacher. (~~(Notwithstanding other provisions of this subsection (10), the actual per student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.)~~)

(ii) The head count number of students in each school who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment approved by the superintendent of public instruction under RCW 28A.180.090. Beginning with the 2013-14 school year, the minimum allocation under this subsection (10)(b)(ii) for each level of prototypical school must provide resources to provide, on a statewide average, 1.0 hours per week in extra instruction with fifteen exited transitional bilingual instruction program students per teacher, based on students who exited within the previous school year. Beginning with the 2014-15 school year, the minimum allocation must be based on students who exited within the previous two school years.

(iii) School districts may not receive allocations under both (b)(i) and (ii) of this subsection for the same student in a single school year.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on two and three hundred fourteen one- thousandths percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, 2.1590 hours per week in extra instruction with fifteen highly capable program students per teacher.

(11) The allocations under subsections (4)(a) (~~and~~), (b), ~~and~~ (c), (5), (6), and (8) of this section shall be enhanced as provided under RCW 28A.150.390 on an excess cost basis to provide supplemental instructional resources for students with disabilities.

(12)(a) For the purposes of allocations for prototypical high schools and middle schools under subsections (4) and (10) of this section that are based on the percent of students in the school who are eligible for free and reduced-price meals, the actual percent of such students in a school

shall be adjusted by a factor identified in the omnibus appropriations act to reflect underreporting of free and reduced-price meal eligibility among middle and high school students.

(b) Allocations or enhancements provided under subsections (4), (7), and (9) of this section for exploratory and preparatory career and technical education courses shall be provided only for courses approved by the office of the superintendent of public instruction under chapter 28A.700 RCW.

(13)(a) This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature.

(b) In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect.

(c) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the first school day of each month, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. The definition of full-time equivalent student shall be determined by rules of the superintendent of public instruction and shall be included as part of the superintendent's biennial budget request. The definition shall be based on the minimum instructional hour offerings required under RCW 28A.150.220. Any revision of the present definition shall not take effect until approved by the house ways and means committee and the senate ways and means committee.

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050.

Sec. 211. RCW 28A.150.390 and 2010 c 236 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state funds accruing through RCW 28A.150.260 (4)(a) (~~(and)~~), (b), and (c), (5), (6), and (8).

(2) The excess cost allocation to school districts shall be based on the following:

(a) A district's annual average headcount enrollment of students ages birth through four and those five year olds not yet enrolled in kindergarten who are eligible for and enrolled in special education, multiplied by the district's base allocation per full-time equivalent student, multiplied by 1.15; and

(b) A district's annual average full-time equivalent basic education enrollment, multiplied by the district's funded enrollment percent, multiplied by the district's base allocation per full-time equivalent student, multiplied by 0.9309.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a) (~~(and)~~), (b), and (c), (5), (6), and (8), to be divided by the district's full-time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident students including nonresident students enrolled under RCW 28A.225.225 and students from nonhigh districts enrolled under RCW 28A.225.210 and excluding students residing in another district enrolled as part of an interdistrict cooperative program under RCW 28A.225.250.

(c) "Enrollment percent" means the district's resident special education annual average enrollment, excluding students ages birth through four and those five year olds not yet enrolled in kindergarten, as a percent of the district's annual average full-time equivalent basic education enrollment.

(d) "Funded enrollment percent" means the lesser of the district's actual enrollment percent or twelve and seven-tenths percent.

Sec. 212. RCW 28A.180.030 and 2001 1st sp.s. c 6 s 3 are each amended to read as follows:

As used throughout this chapter, unless the context clearly indicates otherwise:

(1) "Transitional bilingual instruction" means:

(a) A system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in English. Concepts and information are introduced in the primary language and reinforced in the second language: PROVIDED, That the program shall include testing in the subject matter in English; or

(b) In those cases in which the use of two languages is not practicable as established by the superintendent of public instruction and unless otherwise prohibited by law, an alternative system of instruction which may include English as a second language and is designed to enable the pupil to achieve competency in English.

(2) "Primary language" means the language most often used by the student for communication in his/her home.

(3) "Eligible pupil" means any enrollee of the school district whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning.

(4) "Exited pupil" means a student previously enrolled in the transitional bilingual instruction program who is no longer eligible for the program based on his or her performance on an English proficiency assessment approved by the superintendent of public instruction.

Sec. 213. RCW 28A.180.040 and 2009 c 380 s 5 are each amended to read as follows:

(1) Every school district board of directors shall:

(a) Make available to each eligible pupil transitional bilingual instruction to achieve competency in English, in accord with rules of the superintendent of public instruction;

(b) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program;

(c) Determine, by administration of an English test approved by the superintendent of public instruction the number of eligible pupils enrolled in the school district at the beginning of a school year and thereafter during the year as necessary in individual cases;

(d) Ensure that a student who is a child of a military family in transition and who has been assessed as in need of, or enrolled in, a bilingual instruction program, the receiving school shall initially honor placement of the student into a like program.

(i) The receiving school shall determine whether the district's program is a like program when compared to the sending school's program; and

(ii) The receiving school may conduct subsequent assessments pursuant to RCW 28A.180.090 to determine appropriate placement and continued enrollment in the program;

(e) Before the conclusion of each school year, measure each eligible pupil's improvement in learning the English language by means of a test approved by the superintendent of public instruction; ~~(and)~~

(f) Provide in-service training for teachers, counselors, and other staff, who are involved in the district's transitional bilingual program. Such training shall include appropriate instructional strategies for children of culturally different backgrounds, use of curriculum materials, and program models; _____ and _____

(g) Make available a program of instructional support for up to two years immediately after pupils exit from the program, for exited pupils who need assistance in reaching grade-level performance in academic subjects even though they have achieved English proficiency for purposes of the transitional bilingual instructional program.

(2) The definitions in Article II of RCW 28A.705.010 apply to subsection (1)(d) of this section.

II-C

K-12 APPROPRIATIONS

Sec. 214. 2013 1st sp.s. c ... (ESHB 1057) s 502 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT

General Fund--State Appropriation (FY 2014)	\$5,445,282,000
General Fund--State Appropriation (FY 2015)	\$5,735,636,000
Education Legacy Trust Account--State Appropriation	(\$25,283,000)
\$106,604,000	
TOTAL APPROPRIATION	(\$11,206,201,000)
\$11,287,522,000	

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b) For the 2013-14 and 2014-15 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary schedules in sections 502 and 503 of this act, excluding (c) of this subsection.

(c) From July 1, 2013 to August 31, 2013, the superintendent shall allocate general apportionment funding to school districts programs as provided in sections 502 and 503, chapter 50, Laws of 2011 1st sp. sess., as amended through sections 502 and 503 of the 2013 omnibus supplemental operating appropriations act.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2013-14 and 2014-15 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2013-14 School Year	2014-15 School Year
Grades K-3		23.50	23.50
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00
Grades 7-8		28.53	28.53
Grades 9-12		28.74	28.74

The superintendent shall base allocations for career and technical education (CTE) and skill center programs average class size as provided in RCW 28A.150.260.

(ii) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

	2013-14 School Year	2014-15 School Year
General education class size in high poverty school:		
Grades K-3	21.76	21.76
Grade 4	27.00	27.00
Grades 5-6	27.00	27.00
Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

(iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher planning period, expressed as a percentage of a teacher work day, is 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

(iv) Laboratory science, advanced placement, and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260 and is considered certificated instructional staff, except as provided in (d)(ii) of this subsection.

(ii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 students:

Career and Technical Education students	2.02 per 1000 student FTE's
Skill Center students	2.36 per 1000 student FTE's

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2013-14 and 2014-15 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistance principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of the general education rate in (a) of this subsection by the following factors: Career and Technical Education students 1.025
Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building- level and district-wide support services for the 2013-14 and 2014-15 school years are determined using the formula-generated staff units provided in RCW 28A.150.260, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2013-14 and 2014-15 school year for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.47 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

(c) Staff units generated as enhancements outside the program of basic education to the minimum requirements of RCW 28A.150.260, and staff units generated by skill center and career-technical students, are excluded from the total central office staff units calculation in (a) of this subsection.

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((4.97))~~ 1.53 percent in the 2013-14 school year and ~~((4.97))~~ 1.61 percent in the 2014-15 school year for career and technical education students, and ~~((21.92))~~ 21.38 percent in the 2013-14 school year and ~~((21.92))~~ 19.93 percent in the 2014-15 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 18.68 percent in the 2013-14 school year and 18.68 percent in the 2014-15 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 20.95 percent in the 2013-14 school year and 20.95 percent in the 2014-15 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the maintenance rate specified in section 504 of this act, based on the number of benefit units determined as follows:

(a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section; and

(b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full-time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full-time equivalent.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2013-14 SCHOOL YEAR	2014-15 SCHOOL YEAR
Technology	\$82.43	\$83.83
Utilities and Insurance	\$223.98	\$227.78
Curriculum and Textbooks	\$88.50	\$90.01
Other Supplies and Library Materials	\$187.89	\$191.08
Instructional Professional Development for Certificated and Classified Staff	\$13.69	\$13.92
Facilities Maintenance	\$110.96	\$112.84
Security and Central Office	\$76.86	\$78.18
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$784.31	\$797.64

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,249.17 for the 2013-14 school year and \$1,270.41 for the 2014-15 school year.

(c) Students in approved exploratory and preparatory career and technical education programs generate a per student MSOC allocation of \$1,249.17 for the 2013-14 school year and \$1,270.41 for the 2014-15 school year.

(d) Students in laboratory science courses generate per student FTE MSOC allocations which equal the per student FTE rate for general education students established in (a) of this subsection.

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2013-14 and 2014-15 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2013, to August 31, 2013, are adjusted to reflect provisions of chapter 34, Laws of 2011 1st sp. sess. (allocation of funding for funding for students enrolled in alternative learning experiences).

(b) Amounts provided in this section beginning September 1, 2013, are adjusted to reflect 2013 legislation that modifies alternative learning experience courses.

(c) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

Funding in this section is sufficient to fund voluntary full day kindergarten programs in qualifying high poverty schools, pursuant to RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls for the voluntary full-day program in a qualifying school shall count as one-half of one full-time equivalent student for purpose of making allocations under this section. Funding in this section provides full-day kindergarten programs for ~~((48.0))~~ 53.0 percent of kindergarten enrollment in the 2013-14 school year and ~~((48.0))~~ 53.0 percent in the 2014-15 school year.

(12) INCREASED INSTRUCTIONAL HOURS FOR GRADES SEVEN THROUGH TWELVE

Amounts provided in this section are sufficient to fund increased instructional hours in grades seven through twelve. For the 2014-15 school year, the superintendent shall allocate funding to school districts for increased instructional hours. In calculating the allocations, the superintendent shall assume the following averages: (a) Additional instruction of 0.5556 hours per week per full-time equivalent student in grades seven through twelve in the 2014-15 school year; (b) the general education average class sizes specified in section 502(2)(c); (c) 36 instructional weeks per year; (d) 900 instructional hours per teachers; and (e) the district's average staff mix and compensation rates as provided in section 503, chapter ... (ESHB 1057), Laws of 2013 1st sp.s.

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

(i) For those enrolling no students in grades 7 and 8, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades 7 or 8, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled;

(b) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full-time equivalent students in grades K-8, and for small school plants within any school district which enroll more than twenty-five average annual full-time equivalent students in grades K-8 and have been judged to be remote and necessary by the superintendent of public instruction:

(i) For enrollment of up to sixty annual average full-time equivalent students in grades K-6, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full-time equivalent students in grades 7 and 8, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units;

(c) For districts operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students, for enrollment in grades 9-12 in each such school, other than alternative schools, except as noted in this subsection:

(i) For remote and necessary schools enrolling students in any grades 9-12 but no more than twenty-five average annual full-time equivalent students in grades K-12, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full-time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full-time equivalent students;

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

(d) For each nonhigh school district having an enrollment of more than seventy annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit;

(e) For each nonhigh school district having an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit;

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

(ii) For each nonhigh school district with an enrollment of more than fifty annual average full-time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit; and

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection ~~((12))~~ (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

~~((13))~~ (14) Any school district board of directors may petition the superintendent of public instruction by submission of a resolution adopted in a public meeting to reduce or delay any portion of its basic education allocation for any school year. The superintendent of public instruction shall approve such reduction or delay if it does not impair the district's financial condition. Any delay shall not be for more than two school years. Any reduction or delay shall have no impact on levy authority pursuant to RCW 84.52.0531 and local effort assistance pursuant to chapter 28A.500 RCW.

~~((14))~~ (15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2014 and 2015 as follows:

(a) \$607,000 of the general fund--state appropriation for fiscal year 2014 and \$617,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund--state appropriation for fiscal year 2014 and \$436,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

~~((15))~~ (16) \$214,000 of the general fund--state appropriation for fiscal year 2014 and \$218,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for school district emergencies as certified by the superintendent of public instruction. At the close of the fiscal year the superintendent of public instruction shall report to the office of financial management and the appropriate fiscal committees of the legislature on the allocations provided to districts and the nature of the emergency.

~~((16))~~ (17) Funding in this section is sufficient to fund a maximum of 1.6 FTE enrollment for skills center students pursuant to chapter 463, Laws of 2007.

~~((17))~~ (18) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.2 FTE including school district and institution of higher education enrollment. In calculating the combined 1.2 FTE, the office of the superintendent of public instruction may average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and higher education institution. Additionally, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the higher education coordinating board, and the education data center, shall annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

~~((18))~~ (19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection ~~((12))~~ (13) of this section, the following apply:

(a) For three school years following consolidation, the number of basic education formula staff units shall not be less than the number of basic education formula staff units received by the districts in the school year prior to the consolidation; and

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection ~~((12))~~ (13) of this section shall be reduced in increments of twenty percent per year.

~~((19))~~ (20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed ten percent of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

(b) Career and technical education program full-time equivalent enrollment shall be reported on the same monthly basis as the enrollment for students eligible for basic support, and payments shall be adjusted for reported career and technical education program enrollments on the same monthly basis as those adjustments for enrollment for students eligible for basic support.

Sec. 215. 2013 1st sp.s. c ... (ESHB 1057) s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS

General Fund--State Appropriation (FY 2014)	\$727,748,000
General Fund--State Appropriation (FY 2015)	\$764,041,000
General Fund--Federal Appropriation	\$462,020,000
Education Legacy Trust Account--State Appropriation	((756,000))
\$8,631,000	
TOTAL APPROPRIATION	((1,954,565,000))
\$1,962,440,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 502 and 504 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

- (ii) As a class, special education students are entitled to the full basic education allocation; and
- (iii) Special education students are basic education students for the entire school day.

(b) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006.

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(4)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390.

(b) From July 1, 2013 to August 31, 2013, the superintendent shall allocate funding to school district programs for special education students as provided in section 507, chapter 50, Laws of 2011 1st sp. sess., as amended through section 507 of the 2013 omnibus supplemental operating appropriations act.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund--state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 12.7 percent.

(6) At the request of any interdistrict cooperative of at least 15 districts in which all excess cost services for special education students of the districts are provided by the cooperative, the maximum enrollment percent shall be calculated in accordance with RCW 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate rather than individual district units. For purposes of this subsection, the average basic education allocation per full-time equivalent student shall be calculated in the aggregate rather than individual district units.

(7) \$34,227,000 of the general fund--state appropriation for fiscal year 2014, \$35,592,000 of the general fund--state appropriation for fiscal year 2015, and \$29,574,000 of the general fund--federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2013-14 and 2014-15 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$678,000 may be expended from the general fund-- state appropriations to fund 5.43 full-time equivalent teachers and 2.1 full-time equivalent aides at children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high- cost students, for purchasing regional special education services from educational service districts, and for staff development activities particularly relating to inclusion issues.

(10) A school district may carry over from one year to the next year up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended in the special education program.

(11) \$252,000 of the general fund--state appropriation for fiscal year 2014 and \$252,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for two additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(12) \$50,000 of the general fund--state appropriation for fiscal year 2014, \$50,000 of the general fund--state appropriation for fiscal year 2015, and \$100,000 of the general fund--federal appropriation shall be expended to support a special education ombudsman program within the office of superintendent of public instruction.

Sec. 216. 2013 1st sp.s. c ... (ESHB 1057) s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE

General Fund--State Appropriation (FY 2014)	\$309,436,000
General Fund--State Appropriation (FY 2015)	\$334,289,000
Education Legacy Trust Account--State Appropriation	\$835,000
TOTAL APPROPRIATION	(\$643,725,000)
\$644,560,000	

The appropriations in this section are subject to the following conditions and limitations: For purposes of RCW 84.52.0531, the increase per full-time equivalent student is 5.0 percent from the 2012- 13 school year to the 2013-14 school year and 5.0 percent from the 2013-14 school year to the 2014-15 school year.

Sec. 217. 2013 1st sp.s. c ... (ESHB 1057) s 511 (uncodified) is amended to read as follows:

FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund--State Appropriation (FY 2014)	\$9,377,000
General Fund--State Appropriation (FY 2015)	\$9,696,000
Education Legacy Trust Account--State Appropriation	\$34,000
TOTAL APPROPRIATION	(\$19,073,000)
\$19,107,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c). In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 511, chapter 50, Laws of 2011 1st sp. sess., as amended through section 511 of the 2013 omnibus supplemental operating appropriations act.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2014 and \$85,000 of the general fund--state appropriation for fiscal year 2015 are provided solely for the centrum program at Fort Worden state park.

Sec. 218. 2013 1st sp.s. c ... (ESHB 1057) s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund--State Appropriation (FY 2014)	\$89,123,000	
General Fund--State Appropriation (FY 2015)	\$95,248,000	
General Fund--Federal Appropriation	\$71,016,000	
Education Legacy Trust Account--State Appropriation	\$12,869,000	
TOTAL APPROPRIATION	(\$255,387,000)	
	\$268,256,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(2)(a) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs as provided in RCW 28A.150.260(10)(b). In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six in school years 2013-14 and 2014-15; (ii) additional instruction of ~~((4.7780))~~ 5.1850 hours per week in school year 2013-14 and ~~((4.7780 hours per week in))~~ school year 2014-15 per transitional bilingual program student in grades seven through eight; (iii) additional instruction of ~~((4.7780))~~ 5.8520 hours per week in school year 2013-14 and ~~((4.7780 hours per week in))~~ school year 2014-15 per transitional bilingual program student in grades nine through twelve; (iv) additional instruction of 1.0000 hours per week in school year 2013-14 for the head count number of students who have exited the transitional bilingual instruction program within the previous school year based on their performance on the English proficiency assessment; (v) additional instruction of 1.0000 hours per week in school year 2014-15 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (vi) fifteen transitional bilingual program students per teacher; ~~((vi))~~ (vii) 36 instructional weeks per year; ~~((vi))~~ (viii) 900 instructional hours per teacher; and ~~((vi))~~ (ix) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(b) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 514, chapter 50, Laws of 2011 1st sp. sess., as amended through section 512 of the 2013 omnibus supplemental operating appropriations act.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: 1.86 percent for school year 2013-14 and 1.79 percent for school year 2014-15.

(4) The general fund--federal appropriation in this section is for migrant education under Title I Part C and English language acquisition, and language enhancement grants under Title III of the elementary and secondary education act.

(5) \$35,000 of the general fund--state appropriation for fiscal year 2014 and \$35,000 of the general fund--state appropriation for fiscal year 2015 are provided solely to track current and former transitional bilingual program students.

Sec. 219. 2013 1st sp.s. c ... (ESHB 1057) s 515 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM

General Fund--State Appropriation (FY 2014)	\$158,963,000	
General Fund--State Appropriation (FY 2015)	\$175,003,000	
General Fund--Federal Appropriation	\$448,434,000	
Education Legacy Trust Account--State Appropriation	\$275,000	
TOTAL APPROPRIATION	(\$782,400,000)	
	\$782,675,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund--state appropriations in this section are subject to the following conditions and limitations:

(a) The appropriations include such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

(b)(i) For the 2013-14 and 2014-15 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 1.9200 hours per week per funded learning assistance program student for the 2013-14 school year and the 2014-15 school year; (B) fifteen learning assistance program students per teacher; (C) 36 instructional weeks per year; (D) 900 instructional hours per teacher; and (E) the district's average staff mix and compensation rates as provided in sections 503 and 504 of this act.

(ii) From July 1, 2013, to August 31, 2013, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 515, chapter 50, Laws of 2011 1st sp. sess., as amended through section 513 of the 2013 omnibus supplemental operating appropriations act.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced price lunch in the prior school year.

(2) Allocations made pursuant to subsection (1) of this section shall be adjusted to reflect ineligible applications identified through the annual income verification process required by the national school lunch program, as recommended in the report of the state auditor on the learning assistance program dated February, 2010.

(3) The general fund--federal appropriation in this section is provided for Title I Part A allocations of the no child left behind act of 2001.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund--state funds allocated under this program; however, carryover funds shall be expended for the learning assistance program.

NEW SECTION. Sec. 220. A new section is added to 2013 1st. sp.s. c . . . (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

The sum of two million four hundred seventy thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account to the superintendent of public instruction for educational service districts. The appropriation in this section is provided solely for regional professional development related to English language arts curriculum and instructional strategies, in support of implementation of the common core state standards. Funding shall be distributed among each of the educational service districts as determined by the superintendent of public instruction. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

NEW SECTION. Sec. 221. A new section is added to 2013 1st. sp.s. c . . . (Engrossed Substitute House Bill 1057) (uncodified) to read as follows:

The sum of two million sixty-one thousand dollars is appropriated for the fiscal biennium ending June 30, 2015, from the education legacy trust account to the superintendent of public instruction. The amount in this section is provided solely for chapter 184, Laws of 2013 (Second Substitute House Bill 1642) (academic acceleration). Of the amount appropriated in this section, forty-nine thousand is provided as one-time funding.

Part III

Transfers to Education Legacy Trust Account

NEW SECTION. Sec. 301. A new section is added to chapter 82.32 RCW to read as follows:

(1) By the last workday of the second and fourth calendar quarters, the state treasurer must transfer the amount specified in subsection (2) of this section from the general fund to the education legacy trust account. The first transfer under this subsection (1) must occur by December 31, 2013.

(2) By December 15th and by June 15th of each year, the department must estimate the increase in state general fund revenues from the changes made under part I of this act for the current and prior calendar quarters and notify the state treasurer of the increase.

NEW SECTION. Sec. 302. A new section is added to chapter 43.135 RCW to read as follows:

RCW 43.135.034(4) does not apply to the transfers under section 301 of this act.

NEW SECTION. Sec. 303. A new section is added to chapter 39.42 RCW to read as follows:

The purpose of repealing or narrowing tax preferences in part I of this act is to support education-related expenditures from the education legacy trust account. For this reason, general state revenues transferred to the education legacy trust account under section 301 of this act are excluded from the calculation of general state revenues for purposes of Article VIII, section 1 of the state Constitution and RCW 39.42.130 and 39.42.140.

Part IV

Miscellaneous Technical Provisions

NEW SECTION. Sec. 401. (1) Except as otherwise provided in this section, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013.

(2) Sections 101, 103 through 108, 111, and 112 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect August 1, 2013.

(3) Sections 209 through 213 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2013.

NEW SECTION. Sec. 402. Section 102 of this act takes effect July 1, 2015.

NEW SECTION. Sec. 403. Section 101 of this act expires July 1, 2015."

Correct the title.

Representatives Sullivan and Orcutt spoke in favor of the adoption of the amendment.

Amendment (521) was adopted.

With the consent of the house, amendments 510, 507, 514, and 499 were withdrawn.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Tharinger and Sullivan spoke in favor of the passage of the bill.

Representatives Orcutt, Dahlquist and Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2034.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2034, and the bill passed the House by the following vote: Yeas, 52; Nays, 40; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Hope, Morris, Nealey and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2034, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 12:00 p.m., June 7, 2013, the 26th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

TWENTY SIXTH DAY

House Chamber, Olympia, Friday, June 7, 2013

The House was called to order at 12:00 p.m. by the Speaker (Representative Hunter presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4656, by Representatives Chopp, Kristiansen, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, Mike Carrell was first elected to the Washington State House of Representatives in 1994, ably representing the people of the 28th Legislative District; and

WHEREAS, Mike Carrell spent ten years in the House before being elected to the Washington State Senate in 2004, again in 2008, and again in 2012, comprising a distinguished 19-year career dedicated to public service; and

WHEREAS, Mike Carrell was regularly moved by tragedies and problems affecting the people of his district and our state, working tirelessly to craft legislative solutions to ensure that those same tragedies would never be repeated; and

WHEREAS, Public safety was of the utmost concern for Mike Carrell, who spearheaded landmark prison legislation and also worked to keep communities safe with released offender supervision legislation; and

WHEREAS, Balancing the care and treatment needs of the mentally ill with the protection of the public and employees of the state's mental health facilities was always a priority for Mike Carrell; and

WHEREAS, Mike Carrell was especially known for his work helping at-risk youth and juvenile offenders, serving on numerous committees, work groups, and task forces to address these groups and issues; and

WHEREAS, Outside of the legislature, Mike Carrell's passion for learning led him to a lifelong career in science and math education, retiring from the Franklin Pierce School District in 1998 after having taught at Keithley Middle School, Franklin Pierce High School, and the district's GATES alternative school, as well as at the collegiate level; and

WHEREAS, Of Mike Carrell's many titles, such as "teacher," "mentor," "advocate," and "senator," perhaps his most cherished roles were as "Mikey" to his loving wife, Charlotte, whom he affectionately

referred to as "Babes," as "Dad" to his four children, and as "Grandpa" to his five grandchildren, all of whom will eternally hold him in a special place in their hearts;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor and remember the life and legacy of Senator Mike Carrell – a true statesman, devoted husband and father, and unwaveringly loyal friend to our great state; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mike Carrell's wife, Charlotte Carrell.

The Speaker (Representative Hunter presiding) stated the question before the House to be adoption of House Resolution No. 4656.

HOUSE RESOLUTION NO. 4656 was adopted.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

HELD ON FIRST READING.

HB 2071 by Representatives Zeiger, Blake, Orcutt, Takko, Short, Freeman, Scott, Rodne, Hayes, Hargrove, Haler, Kochmar, Pike, Angel, Smith, Manweller, MacEwen, Fagan and Vick

AN ACT Relating to expedited permitting and contracting for Washington state bridges deemed structurally deficient; amending RCW 47.28.170; reenacting and amending RCW 47.04.010; adding a new section to chapter 47.58 RCW; adding a new section to chapter 43.21C RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HJM 4003 by Representatives Lytton, Hayes, Ryu, Morris, Freeman, Kristiansen and McCoy

Requesting that the Interstate 5 Skagit River Bridge be named the Trooper No. 1076, Sean M. O'Connell Memorial Bridge.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2070 which was held on first reading.

The Speaker (Representative Hunter presiding) called upon Representative Sullivan to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 2:00 p.m., June 8, 2013, the 27th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Monday, June 10, 2013

The House was called to order at 1:00 p.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Kathie Roberts and Joe McDermott. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Cyrus Habib, 48th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2013-4657, by Representatives Chopp, Kristiansen, Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, and Zeiger

WHEREAS, Sean M. O'Connell Jr. was born September 10, 1974, in West Islip, New York and graduated from Pawling High School in Pawling, New York; and

WHEREAS, Sean M. O'Connell Jr. served our country honorably in the United States Navy from October 13, 1992, to June 24, 1997, receiving many commendations and service medals; and

WHEREAS, Sean M. O'Connell Jr. was commissioned on March 1, 1999, with the 82nd Trooper Basic Training Class as a Washington State Patrol Trooper and assigned to Marysville; and

WHEREAS, Trooper Sean M. O'Connell Jr. became a strong and vital link between the work of the Washington State Patrol and the community he served; and

WHEREAS, Trooper Sean M. O'Connell Jr. fully embodied the Washington State Patrol's motto of "Service with Humility" by performing his duties professionally with a positive attitude, a ubiquitous smile, and a sense of respect for the community he served; and

WHEREAS, Trooper Sean M. O'Connell Jr. honored Washington State Patrol Badge #1076 on his chest and on his patrol car license plate through years of selfless and courageous service; and

WHEREAS, Trooper Sean M. O'Connell Jr. was tragically killed in the line of duty on May 31, 2013, after serving nearly 15 years with the Washington State Patrol; and

WHEREAS, Trooper Sean M. O'Connell Jr. will be missed dearly by his brothers and sisters in the State Patrol family and law

enforcement, and his spirit of service will continue through the lives he impacted as well as those he touched throughout the community; and

WHEREAS, Trooper Sean M. O'Connell Jr. was not only a loving son and brother but also a devoted husband to his wife Alissa for more than 12 years and an adoring father to his 7 year old son Kian and 5 year old daughter Miley;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives express its deepest condolences to the family, friends, colleagues, and community that have lost Trooper Sean M. O'Connell Jr.; and

BE IT FURTHER RESOLVED, That the House of Representatives join the people of the State of Washington in commending, saluting, and honoring Trooper Sean M. O'Connell Jr. for his exemplary and exceptional service; and

BE IT FURTHER RESOLVED, That the House of Representatives express profound appreciation and enduring gratitude to the brave men and women that protect our state every day as members of the Washington State Patrol; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the surviving family members of Trooper Sean M. O'Connell Jr., Washington State Patrol Chief John R. Batiste, and Washington State Patrol Marysville District Commander Jeffrey R. Sass.

Representative Morris moved adoption of HOUSE RESOLUTION NO. 4657.

Representatives Morris, Hayes and Dunshee spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4657 was adopted.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 1089 and the bill was placed on the second reading calendar:

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

HELD ON FIRST READING.

HB 2072 by Representative Manweller

AN ACT Relating to collected compostable waste; amending RCW 70.95.092 and 70.95.090; adding a new section to chapter 70.95 RCW; and creating a new section.

Referred to Committee on Environment.

HB 2073 by Representatives Upthegrove, Fitzgibbon, Springer, Sullivan and Pollet

AN ACT Relating to a county sales and use tax to fund regional health and human services; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1089, by Representatives Dunshee and Warnick

Adopting the 2013-2015 capital budget. Revised for 1st Substitute: Adopting the 2013-2015 capital budget. (REVISED FOR ENGROSSED: Concerning the 2013-2015 capital budget.)

The bill was read the second time.

There being no objection, Substitute House Bill No. 1089 was substituted for House Bill No. 1089 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1089 was read the second time.

Representative Dunshee moved the adoption of amendment (522).

FORMAT CHANGED TO ACCOMMODATE TEXT.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2015, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2014" or "FY 2014" means the period beginning July 1, 2013, and ending June 30, 2014.

(b) "Fiscal year 2015" or "FY 2015" means the period beginning July 1, 2014, and ending June 30, 2015.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2015-2017 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2013, from the 2011-2013 biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. Sec. 1001. FOR THE DEPARTMENT OF COMMERCE

Rural Washington Loan Fund (19882002)

Reappropriation:

Rural Washington Loan Account--State.....	\$105,000
Prior Biennia (Expenditures).....	\$13,260,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,365,000

NEW SECTION. Sec. 1002. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (20064008)

The reappropriation is subject to the provisions in section 131, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account--State.....	\$692,000
Prior Biennia (Expenditures).....	\$45,210,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,902,000

NEW SECTION. Sec. 1003. FOR THE DEPARTMENT OF COMMERCE

Rural Washington Loan Fund (20064010)

Reappropriation:

Rural Washington Loan Account--State.....	\$2,656,000
Prior Biennia (Expenditures).....	\$1,471,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,127,000

NEW SECTION. Sec. 1004. FOR THE DEPARTMENT OF COMMERCE

Job and Economic Development Grants (20064950)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 107, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account—State.....	\$1,406,000
Prior Biennia (Expenditures).....	\$45,051,000
Future Biennia (Projected Costs).....	\$0

TOTAL \$46,457,000
NEW SECTION. Sec. 1005. FOR THE DEPARTMENT OF COMMERCE
 Jobs in Communities (20064951)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 140, chapter 488, Laws of 2005.

Reappropriation:
 State Building Construction Account--State..... \$1,428,000
 Prior Biennia (Expenditures)..... \$10,822,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$12,250,000

NEW SECTION. Sec. 1006. FOR THE DEPARTMENT OF COMMERCE
 Drinking Water Assistance Program (20074004)

Reappropriation:
 Drinking Water Assistance Repayment Account--State..... \$15,693,000
 Prior Biennia (Expenditures)..... \$18,347,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$34,040,000

NEW SECTION. Sec. 1007. FOR THE DEPARTMENT OF COMMERCE
 Rural Washington Loan Fund (20074008)

Reappropriation:
 Rural Washington Loan Account--State..... \$1,751,000
 Prior Biennia (Expenditures)..... \$276,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,027,000

NEW SECTION. Sec. 1008. FOR THE DEPARTMENT OF COMMERCE
 Housing Assistance, Weatherization, and Affordable Housing (20074009)

Reappropriation:
 State Taxable Building Construction Account--State..... \$4,434,000
 Prior Biennia (Expenditures)..... \$195,566,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$200,000,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMERCE
 Job Development Fund Grants (20074010)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007 and section 1005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:
 State Building Construction Account--State..... \$4,061,000
 Prior Biennia (Expenditures)..... \$44,869,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$48,930,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMERCE
 Longview Regional Water Treatment Plant Dredging (20081001)

Reappropriation:
 State Building Construction Account--State..... \$24,000
 Prior Biennia (Expenditures)..... \$126,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$150,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMERCE
 Local and Community Projects (20084001)

Reappropriation:
 State Building Construction Account--State..... \$750,000

Prior Biennia (Expenditures)..... \$124,394,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$125,144,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMERCE

Innovation Partnership Zones (20082003)

Reappropriation:

State Building Construction Account--State..... \$42,000

Prior Biennia (Expenditures)..... \$4,958,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,000,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE

Community Development Fund (20084850)

Reappropriation:

State Building Construction Account--State..... \$1,410,000

Prior Biennia (Expenditures)..... \$19,506,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$20,916,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMERCE

Belfair Sewer Improvements (20084852)

Reappropriation:

State Building Construction Account--State..... \$506,000

Prior Biennia (Expenditures)..... \$9,794,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$10,300,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMERCE

2008 Local and Community Projects (20084861)

Reappropriation:

State Building Construction Account--State..... \$1,535,000

Prior Biennia (Expenditures)..... \$16,209,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$17,744,000

NEW SECTION. Sec. 1016. FOR THE DEPARTMENT OF COMMERCE

Drinking Water State Revolving Fund Loan Program (30000005)

Reappropriation:

Drinking Water Assistance Account--State \$10,233,000
 Drinking Water Assistance Repayment Account--State..... \$31,201,000
 Subtotal Reappropriation..... \$41,434,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$41,434,000

NEW SECTION. Sec. 1017. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000010)

Reappropriation:

Public Facility Construction Loan Revolving
 Account--State..... \$5,076,000

Prior Biennia (Expenditures)..... \$1,177,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,253,000

NEW SECTION. Sec. 1018. FOR THE DEPARTMENT OF COMMERCE

Innovation Partnership Zones (30000012)

Reappropriation:

State Building Construction Account--State..... \$750,000

Prior Biennia (Expenditures).....	\$750,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 1019. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, and Affordable Housing (30000013)

Reappropriation:

State Building Construction Account--State.....	\$1,964,000
Washington Housing Trust Account--State	\$751,000
Subtotal Reappropriation	\$2,715,000

Prior Biennia (Expenditures).....	\$127,285,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$130,000,000

NEW SECTION. Sec. 1020. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (30000019)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account--State.....	\$556,000
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Prior Biennia (Expenditures).....	\$19,589,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,145,000

NEW SECTION. Sec. 1021. FOR THE DEPARTMENT OF COMMERCE

2010 Local and Community Projects (30000082)

The reappropriation in this section is subject to the following conditions and limitations: The projects must comply with RCW 43.63A.125 and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account--State.....	\$3,961,000
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Prior Biennia (Expenditures).....	\$10,169,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,130,000

NEW SECTION. Sec. 1022. FOR THE DEPARTMENT OF COMMERCE

Community Schools (91000002)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$150,000
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Prior Biennia (Expenditures).....	\$6,350,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,500,000

NEW SECTION. Sec. 1023. FOR THE DEPARTMENT OF COMMERCE

Temporary Public Works Grant Program (92000021)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are subject to the provisions of section 6001, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$1,049,000
State Taxable Building Construction Account--State.....	\$69,000
Subtotal Reappropriation	\$1,118,000

Prior Biennia (Expenditures).....	\$40,252,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$41,370,000

NEW SECTION. Sec. 1024. FOR THE DEPARTMENT OF COMMERCE

Jobs Act for K-12 Public Schools and Higher Education Institutions (91000085)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1016, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$3,643,000
Prior Biennia (Expenditures).....	\$41,166,000
Future Biennia (Projected Costs)	\$0
TOTAL \$44,809,000	

NEW SECTION. Sec. 1025. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board - Export Assistance Grants and Loans (92000069)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1018, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

Public Facility Construction Loan Revolving Account--State.....	\$601,000
Prior Biennia (Expenditures).....	\$2,399,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,000,000	

NEW SECTION. Sec. 1026. FOR THE DEPARTMENT OF COMMERCE

Drinking Water State Revolving Fund Loan Program (30000095)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

Reappropriation:

Drinking Water Assistance Repayment Account--State.....	\$92,000,000
Drinking Water Assistance Account--State	\$16,000,000
Subtotal Reappropriation	\$108,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$108,000,000	

NEW SECTION. Sec. 1027. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000097)

Reappropriation:

Public Facility Construction Loan Revolving Account--State.....	\$5,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$5,000,000	

NEW SECTION. Sec. 1028. FOR THE DEPARTMENT OF COMMERCE

Housing Assistance, Weatherization, Affordable Housing Trust Fund (30000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$28,332,000
Prior Biennia (Expenditures).....	\$21,668,000
Future Biennia (Projected Costs)	\$0
TOTAL \$50,000,000	

NEW SECTION. Sec. 1029. FOR THE DEPARTMENT OF COMMERCE

Youth Recreational Facilities Grants (30000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1029, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$1,554,000
Prior Biennia (Expenditures).....	\$2,699,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,253,000	

NEW SECTION. Sec. 1030. FOR THE DEPARTMENT OF COMMERCE

Building for the Arts Grants (30000101)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1030, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$1,137,000
Prior Biennia (Expenditures).....	\$1,325,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,462,000	

NEW SECTION. Sec. 1031. FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Grants (30000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1027, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$2,509,000
Prior Biennia (Expenditures).....	\$10,894,000
Future Biennia (Projected Costs)	\$0
TOTAL \$13,403,000	

NEW SECTION. Sec. 1032. FOR THE DEPARTMENT OF COMMERCE

Local and Community Projects (30000166)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$8,541,000
Prior Biennia (Expenditures).....	\$8,276,000
Future Biennia (Projected Costs)	\$0
TOTAL \$16,817,000	

NEW SECTION. Sec. 1033. FOR THE DEPARTMENT OF COMMERCE

Clean Energy Partnership (30000175)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is provided solely for implementation of the recommendations of the clean energy leadership council by providing state matching funds for projects that:

- (a) Integrate energy efficiency and renewable energy in buildings;
- (b) Integrate renewable energy into the regional electrical grid;
- (c) Advance bioenergy in the state.
- (2) State funding must not exceed fifty percent of the total program or project funds.
- (3) Eligible projects must:
 - (a) Involve a majority of companies that are located in Washington state;
 - (b) Represent a substantially new solution that is not widely available today; and
 - (c) Be designed to generate solutions that are applicable both inside and outside of the state.

Reappropriation:

Public Facility Construction Loan Revolving Account--State.....	\$5,499,000
Prior Biennia (Expenditures).....	\$1,000

Future Biennia (Projected Costs)	\$0
TOTAL \$5,500,000	

NEW SECTION. Sec. 1034. FOR THE DEPARTMENT OF COMMERCE

Financing Energy/Water Efficiency (30000180)

Reappropriation:

Public Works Assistance Account--State.....	\$4,927,000
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Prior Biennia (Expenditures).....	\$73,000
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Future Biennia (Projected Costs)	\$0
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TOTAL \$5,000,000	
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NEW SECTION. Sec. 1035. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency Grants for Local Governments (91000241)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 301, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$17,797,000
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Prior Biennia (Expenditures).....	\$203,000
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Future Biennia (Projected Costs)	\$0
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TOTAL \$18,000,000	
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NEW SECTION. Sec. 1036. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency Grants for Higher Education (91000242)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 307, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$19,910,000
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Prior Biennia (Expenditures).....	\$90,000
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Future Biennia (Projected Costs)	\$0
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TOTAL \$20,000,000	
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NEW SECTION. Sec. 1037. FOR THE DEPARTMENT OF COMMERCE

Weatherization (91000247)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$20,534,000
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Prior Biennia (Expenditures).....	\$4,466,000
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Future Biennia (Projected Costs)	\$0
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TOTAL \$25,000,000	
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NEW SECTION. Sec. 1038. FOR THE DEPARTMENT OF COMMERCE

Connell Klindworth Water Line Distribution (91000318)

Reappropriation:

State Building Construction Account--State.....	\$28,000
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Prior Biennia (Expenditures).....	\$512,000
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Future Biennia (Projected Costs)	\$0
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TOTAL \$540,000	
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NEW SECTION. Sec. 1039. FOR THE DEPARTMENT OF COMMERCE

Housing for Families with Children (91000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 310, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$8,250,000
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Prior Biennia (Expenditures).....	\$0
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Future Biennia (Projected Costs) \$0
 TOTAL \$8,250,000

NEW SECTION. Sec. 1040. FOR THE DEPARTMENT OF COMMERCE

Housing for People with Developmental Disabilities (91000410)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State \$2,900,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,900,000

NEW SECTION. Sec. 1041. FOR THE DEPARTMENT OF COMMERCE

Housing for Seniors and People with Physical Disabilities (91000411)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 311, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State \$9,666,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,666,000

NEW SECTION. Sec. 1042. FOR THE DEPARTMENT OF COMMERCE

Housing for People with Chronic Mental Illness (91000412)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State \$1,125,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL..... \$1,125,000

NEW SECTION. Sec. 1043. FOR THE DEPARTMENT OF COMMERCE

Housing for the Homeless (91000413)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State \$28,944,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$28,944,000

NEW SECTION. Sec. 1044. FOR THE DEPARTMENT OF COMMERCE

Housing for Farmworkers (91000414)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State \$6,215,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,215,000

NEW SECTION. Sec. 1045. FOR THE DEPARTMENT OF COMMERCE

Housing for People At Risk of Homelessness (91000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 312, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$2,500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$2,500,000	

NEW SECTION. Sec. 1046. FOR THE DEPARTMENT OF COMMERCE
Housing for Low-Income Households (91000416)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$2,982,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$2,982,000	

NEW SECTION. Sec. 1047. FOR THE DEPARTMENT OF COMMERCE
2012 Local and Community Projects (91000417)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 302, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$9,097,000
Prior Biennia (Expenditures).....	\$526,000
Future Biennia (Projected Costs)	\$0
TOTAL \$9,623,000	

NEW SECTION. Sec. 1048. FOR THE DEPARTMENT OF COMMERCE
Housing Competitive Pool (91000432)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1014, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Taxable Building Construction Account--State.....	\$4,530,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$4,530,000	

NEW SECTION. Sec. 1049. FOR THE DEPARTMENT OF COMMERCE
Local and Community Projects 2012 (91000437)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$31,000
State Taxable Building Construction Account--State.....	\$1,800,000
Subtotal Reappropriation	\$1,831,000
Prior Biennia (Expenditures).....	\$1,004,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,835,000	

NEW SECTION. Sec. 1050. FOR THE DEPARTMENT OF COMMERCE
Innovation Partnership Zones - Facilities and Infrastructure (92000089)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 309, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$13,177,000
Prior Biennia (Expenditures).....	\$343,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,520,000

NEW SECTION. Sec. 1051. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board Administered Economic Development, Innovation, and Export Grants (92000096)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 304, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$14,891,000
Prior Biennia (Expenditures).....	\$1,871,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,762,000

NEW SECTION. Sec. 1052. FOR THE DEPARTMENT OF COMMERCE

Main Street Improvement Grants (92000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 305, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$13,771,000
Prior Biennia (Expenditures).....	\$286,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,057,000

NEW SECTION. Sec. 1053. FOR THE DEPARTMENT OF COMMERCE

Brownfield Redevelopment Grants (92000100)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for redevelopment of the Bellingham waterfront.

Reappropriation:

Local Toxics Control Account--State	\$1,492,000
Prior Biennia (Expenditures).....	\$8,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 1054. FOR THE DEPARTMENT OF COMMERCE

Port and Export Related Infrastructure (92000102)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 306, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$30,222,000
Prior Biennia (Expenditures).....	\$2,928,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,150,000

NEW SECTION. Sec. 1055. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account--State.....	\$250,000
Prior Biennia (Expenditures).....	\$1,250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 1056. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Chehalis River Basin Flood Relief Projects (91000398)

Reappropriation:

State Building Construction Account--State.....	\$4,689,000
Prior Biennia (Expenditures).....	\$311,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,000,000	

NEW SECTION. Sec. 1057. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Catastrophic Flood Relief (20084850)

Reappropriation:

State Building Construction Account--State.....	\$752,000
Prior Biennia (Expenditures).....	\$8,733,000
Future Biennia (Projected Costs)	\$28,202,000
TOTAL \$37,687,000	

NEW SECTION. Sec. 1058. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Aerospace and Manufacturing Training Equipment Pool (91000003)

Reappropriation:

State Building Construction Account--State.....	\$2,265,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$2,265,000	

NEW SECTION. Sec. 1059. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Roof Replacement/Exterior Foam Insulation Repairs (30000546)

Reappropriation:

State Building Construction Account--State.....	\$13,000
Capitol Building Construction Account--State	\$366,000
Subtotal Reappropriation	\$379,000
Prior Biennia (Expenditures).....	\$4,103,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,482,000	

NEW SECTION. Sec. 1060. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works Preservation (30000550)

Reappropriation:

State Building Construction Account--State.....	\$1,698,000
Prior Biennia (Expenditures).....	\$636,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,334,000	

NEW SECTION. Sec. 1061. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Dredging (30000571)

The reappropriation in this section is subject to the following conditions and limitations: Within the reappropriation, the department must prepare a long term financing plan for maintenance dredging activities that may be required to either maintain Capitol Lake or support estuary restoration efforts. In consultation with the involved local governments, the department must recommend an equitable cost sharing formula for the cost of maintenance dredging based on the relative benefits received by the state and the various local governments.

Reappropriation:

State Toxics Control Account--State.....	\$181,000
Prior Biennia (Expenditures).....	\$19,000
Future Biennia (Projected Costs)	\$0
TOTAL \$200,000	

NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Exterior Repairs (30000577)

Reappropriation:

State Building Construction Account--State.....	\$64,000
Prior Biennia (Expenditures).....	\$892,000
Future Biennia (Projected Costs)	\$0
TOTAL \$956,000	

NEW SECTION. Sec. 1063. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:

Capitol Building Construction Account--State	\$1,025,000
Prior Biennia (Expenditures).....	\$154,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,179,000	

NEW SECTION. Sec. 1064. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Reuse General Administration Building for Heritage Center, State Library, and State Patrol (92000003)

Reappropriation:

Washington State Heritage Center Account--State	\$75,000
Prior Biennia (Expenditures).....	\$75,000
Future Biennia (Projected Costs)	\$0
TOTAL \$150,000	

NEW SECTION. Sec. 1065. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Exterior Repairs (92000004)

Reappropriation:

State Building Construction Account--State	\$557,000
Prior Biennia (Expenditures).....	\$843,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,400,000	

NEW SECTION. Sec. 1066. FOR THE MILITARY DEPARTMENT

Minor Works Preservation (30000560)

Reappropriation:

General Fund--Federal	\$1,840,000
State Building Construction Account--State	\$417,000
Subtotal Reappropriation	\$2,257,000
Prior Biennia (Expenditures).....	\$2,542,000
Future Biennia (Projected Costs)	\$0
TOTAL.....	\$4,799,000

NEW SECTION. Sec. 1067. FOR THE MILITARY DEPARTMENT

Minor Works Program (30000561)

Reappropriation:

General Fund--Federal	\$4,728,000
Prior Biennia (Expenditures).....	\$5,230,000
Future Biennia (Projected Costs)	\$0
TOTAL \$9,958,000	

NEW SECTION. Sec. 1068. FOR THE MILITARY DEPARTMENT

Thurston County Readiness Center (91000005)

Reappropriation:

General Fund--Federal	\$75,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$75,000	

NEW SECTION. Sec. 1069. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Heritage Barn Preservation Program (30000005)

Reappropriation:

State Building Construction Account--State	\$105,000
Prior Biennia (Expenditures).....	\$95,000
Future Biennia (Projected Costs)	\$0
TOTAL \$200,000	

NEW SECTION. Sec. 1070. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Courthouse Preservation (30000006)

Reappropriation:

State Building Construction Account--State.....	\$673,000
Prior Biennia (Expenditures).....	\$77,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$750,000

(End of part)

PART 2
HUMAN SERVICES

NEW SECTION. Sec. 2001. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: Westlake Building Renovation (30000852)

Reappropriation:

State Building Construction Account--State.....	\$300,000
Prior Biennia (Expenditures).....	\$1,575,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,875,000

NEW SECTION. Sec. 2002. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation: Health, Safety, and Code Requirements (30001264)

Reappropriation:

State Building Construction Account--State.....	\$1,500,000
Prior Biennia (Expenditures).....	\$2,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,500,000

NEW SECTION. Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation: Infrastructure Preservation (30001290)

Reappropriation:

State Building Construction Account--State.....	\$2,000,000
Prior Biennia (Expenditures).....	\$2,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation: Facilities Preservation (30001291)

Reappropriation:

State Building Construction Account--State.....	\$3,315,000
Prior Biennia (Expenditures).....	\$2,760,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,075,000

NEW SECTION. Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Hazards Abatement and Demolition (30002221)

Reappropriation:

State Building Construction Account--State.....	\$600,000
Prior Biennia (Expenditures).....	\$400,000
Future Biennia (Projected Costs)	\$4,244,000
TOTAL	\$5,244,000

NEW SECTION. Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Capacity to Replace Maple Lane School (92000005)

Reappropriation:

State Building Construction Account--State..... \$50,000

Prior Biennia (Expenditures)..... \$2,410,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,460,000

NEW SECTION. Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School: Cottages Remodel and Renovation (91000017)

Reappropriation:

State Building Construction Account--State..... \$2,800,000

Prior Biennia (Expenditures)..... \$200,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,000,000

NEW SECTION. Sec. 2008. FOR THE DEPARTMENT OF HEALTH

Drinking Water Assistance Program (30000013)

Reappropriation:

Drinking Water Assistance Account--Federal \$75,670,000

Prior Biennia (Expenditures)..... \$51,840,000

Future Biennia (Projected Costs) \$0

TOTAL \$127,510,000

NEW SECTION. Sec. 2009. FOR THE DEPARTMENT OF HEALTH

Safe Reliable Drinking Water Grants (92000002)

Reappropriation:

State Building Construction Account--State..... \$9,628,000

Prior Biennia (Expenditures)..... \$2,010,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,638,000

NEW SECTION. Sec. 2010. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Walla Walla Nursing Facility (20082008)

Reappropriation:

General Fund--Federal \$31,200,000

State Building Construction Account--State..... \$15,978,000

Subtotal Reappropriation..... \$47,178,000

Prior Biennia (Expenditures)..... \$947,000

Future Biennia (Projected Costs) \$0

TOTAL \$48,125,000

NEW SECTION. Sec. 2011. FOR THE DEPARTMENT OF CORRECTIONS

Washington State Penitentiary: Housing Units, Kitchen, and Site Work (30000482)

Reappropriation:

State Building Construction Account--State..... \$9,130,000

Prior Biennia (Expenditures)..... \$38,442,000

Future Biennia (Projected Costs) \$0

TOTAL \$47,572,000

NEW SECTION. Sec. 2012. FOR THE DEPARTMENT OF CORRECTIONS

SW: Minor Works - Infrastructure Preservation (30000539)

Reappropriation:

State Building Construction Account--State..... \$576,000

Prior Biennia (Expenditures)..... \$1,924,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,500,000

NEW SECTION. Sec. 2013. FOR THE DEPARTMENT OF CORRECTIONS

SW: Minor Works - Facility Preservation (30000540)

Reappropriation:

State Building Construction Account--State..... \$1,506,000

Prior Biennia (Expenditures).....	\$994,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,500,000	

NEW SECTION. Sec. 2014. FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Complex: Close Sewer Lagoon (20082022)

Reappropriation:

State Building Construction Account--State.....	\$294,000
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Prior Biennia (Expenditures).....	\$1,097,000
Future Biennia (Projected Costs)	\$8,500,000
TOTAL \$9,891,000	

NEW SECTION. Sec. 2015. FOR THE DEPARTMENT OF CORRECTIONS

SW: Minor Works - Health, Safety, and Code (30000541)

Reappropriation:

State Building Construction Account--State.....	\$1,740,000
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Prior Biennia (Expenditures).....	\$860,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,600,000	

(End of part)

**PART 3
NATURAL RESOURCES**

NEW SECTION. Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY

Water Supply Facilities (19742006)

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$552,000
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Prior Biennia (Expenditures).....	\$19,998,000
Future Biennia (Projected Costs)	\$0
TOTAL \$20,550,000	

NEW SECTION. Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY

Low-Level Nuclear Waste Disposal Trench Closure (19972012)

Reappropriation:

Site Closure Account--State.....	\$11,885,000
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Prior Biennia (Expenditures).....	\$3,548,000
Future Biennia (Projected Costs)	\$0
TOTAL \$15,433,000	

NEW SECTION. Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY

Twin Lake Aquifer Recharge Project (20042951)

Reappropriation:

State Building Construction Account--State.....	\$191,000
---	-----------

Prior Biennia (Expenditures).....	\$559,000
Future Biennia (Projected Costs)	\$0
TOTAL \$750,000	

NEW SECTION. Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY

Water Supply Facilities (20044006)

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$51,000
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Prior Biennia (Expenditures).....	\$13,467,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,518,000

NEW SECTION. Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY

Water Conveyance Infrastructure Projects (20052850)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 322, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account--State.....	\$1,569,000
Prior Biennia (Expenditures).....	\$4,143,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,712,000

NEW SECTION. Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY

Quad Cities Water Right Mitigation (20052852)

Reappropriation:

State Building Construction Account--State.....	\$421,000
Prior Biennia (Expenditures).....	\$1,179,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,600,000

NEW SECTION. Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (20062003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 136, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account--State.....	\$364,000
Prior Biennia (Expenditures).....	\$12,436,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,800,000

NEW SECTION. Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Basin Water Supply Development Program (20062950)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3008, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

Columbia River Basin Water Supply Development Account--State.....	\$29,705,000
Columbia River Basin Taxable Bond Water Supply Development Account--State	\$10,404,000
Subtotal Reappropriation	\$40,109,000
Prior Biennia (Expenditures).....	\$51,391,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$91,500,000

NEW SECTION. Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Account (20064002)

Reappropriation:

Water Pollution Control Revolving Account--State	\$5,223,000
Water Pollution Control Revolving Account--Federal	\$8,453,000
Subtotal Reappropriation	\$13,676,000

Prior Biennia (Expenditures).....	\$225,940,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$239,616,000

NEW SECTION. Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (20064007)

Reappropriation:

State Building Construction Account--State.....	\$317,000
Water Quality Capital Account--State	\$32,000
Subtotal Reappropriation	\$349,000

Prior Biennia (Expenditures).....	\$47,151,000
Future Biennia (Projected Costs)	\$0
TOTAL \$47,500,000	

NEW SECTION. Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY

Local Toxics Grants for Cleanup and Prevention (20064008)

Reappropriation:

State Building Construction Account--State.....	\$9,066,000
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Prior Biennia (Expenditures).....	\$89,834,000
Future Biennia (Projected Costs)	\$0
TOTAL \$98,900,000	

NEW SECTION. Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:

State Building Construction Account--State.....	\$305,000
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Prior Biennia (Expenditures).....	\$145,000
Future Biennia (Projected Costs)	\$0
TOTAL \$450,000	

NEW SECTION. Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (20084008)

Reappropriation:

State Building Construction Account--State.....	\$14,108,000
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Prior Biennia (Expenditures).....	\$78,767,000
Future Biennia (Projected Costs)	\$0
TOTAL \$92,875,000	

NEW SECTION. Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (20084010)

Reappropriation:

State Building Construction Account--State.....	\$771,000
Water Quality Capital Account--State	\$401,000
State Toxics Control Account--State.....	\$997,000
Subtotal Reappropriation	\$2,169,000

Prior Biennia (Expenditures).....	\$64,314,000
Future Biennia (Projected Costs)	\$0
TOTAL \$66,483,000	

NEW SECTION. Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Loan Program (20084011)

Reappropriation:

Water Pollution Control Revolving Account--State.....	\$14,581,000
Water Pollution Control Revolving	
Account--Federal	\$19,068,000
Subtotal Reappropriation	\$33,649,000

Prior Biennia (Expenditures).....	\$106,351,000
Future Biennia (Projected Costs)	\$0
TOTAL \$140,000,000	

NEW SECTION. Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Storage Feasibility Study (20084026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for completion of the United States bureau of reclamation's Yakima basin storage feasibility study, including the associated joint national environmental policy act, the state environmental policy act, and the environmental impact statement. The reappropriated funds are to be used by

the bureau of reclamation and the department of ecology to evaluate potential in basin storage facilities such as the proposed Bumping Lake and Wymer reservoirs and other reasonable alternatives that will enhance water supplies and streamflows in the Yakima Basin.

Reappropriation:

State Building Construction Account--State.....	\$83,000
Prior Biennia (Expenditures).....	\$5,167,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,250,000	

NEW SECTION. Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY
 Watershed Plan Implementation and Flow Achievement (20084029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions in section 3054, chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account--State.....	\$2,897,000
Prior Biennia (Expenditures).....	\$11,103,000
Future Biennia (Projected Costs)	\$0
TOTAL \$14,000,000	

NEW SECTION. Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY
 Water Pollution Control Revolving Fund Program (30000007)

Reappropriation:

Water Pollution Control Revolving Account--State	\$16,325,000
Water Pollution Control Revolving Account--Federal.....	\$16,825,000
Water Pollution Control Revolving Account--Federal Stimulus \$2,720,000	
Subtotal Reappropriation	\$35,870,000

Prior Biennia (Expenditures).....	\$142,830,000
Future Biennia (Projected Costs)	\$0
TOTAL \$178,700,000	

NEW SECTION. Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Program (30000008)

Reappropriation:

State Building Construction Account--State.....	\$8,925,000
Prior Biennia (Expenditures).....	\$21,075,000
Future Biennia (Projected Costs)	\$0
TOTAL \$30,000,000	

NEW SECTION. Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY
 Upper Columbia River Black Sand Beach Cleanup (30000016)

Reappropriation:

State Building Construction Account--State.....	\$117,000
Prior Biennia (Expenditures).....	\$383,000
Future Biennia (Projected Costs)	\$0
TOTAL \$500,000	

NEW SECTION. Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY
 Watershed Plan Implementation and Flow Achievement (30000028)

Reappropriation:

State Building Construction Account--State.....	\$2,612,000
Prior Biennia (Expenditures).....	\$3,388,000
Future Biennia (Projected Costs)	\$0
TOTAL \$6,000,000	

NEW SECTION. Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY
 Kittitas Groundwater Study (30000029)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Funds may be provided to develop and implement water banking and transfer methods and agreements that are fully protective of senior water rights and that protect domestic groundwater users and improve the profitability of farming operations. The legislature finds such activities to be in the public interest because they can help sustain the viability of the agricultural economy and enhance the certainty of water supplies for domestic groundwater users.

(2) Funds may be provided to lease or purchase water rights to create a reserve water supply for domestic groundwater users that have a groundwater right with a priority date later than May 10, 1905, as well as for all out-of-priority groundwater users. In securing water for such domestic groundwater users, strong preference must be given to the use of water banking and transfer methods that provide alternatives to permanent purchase and dry-up of agricultural water rights in the basin, including dry-year options, water banking, long-term water supply lease agreements, long-term agricultural land fallowing agreements, and reduced consumptive use through efficiency or alternative cropping arrangements while maintaining historic return flows.

(3) A portion of the reappropriation may be used for administrative costs, not to exceed four percent, and other costs associated with leasing or acquiring and transferring the water rights. All costs must be fully recovered from participating domestic water users for their prorated portion of the cost, including, but not limited to, the costs of securing a water right or rights for this purpose, costs associated with the development and implementation of alternative agricultural water transfer methods, associated annual operational costs, and federal water service contract costs owed to the United States bureau of reclamation. Funds recovered in this manner must be deposited in the state and local improvements revolving account and may be used for any purpose provided in this section.

Reappropriation:

State and Local Improvements Revolving Account	
(Water Supply Facilities)--State	\$263,000
Prior Biennia (Expenditures).....	\$437,000
Future Biennia (Projected Costs)	\$0
TOTAL \$700,000	

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000039)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

Local Toxics Control Account--State	\$17,019,000
State Building Construction Account--State	\$3,062,000
Subtotal Reappropriation	\$20,081,000
Prior Biennia (Expenditures).....	\$55,830,000
Future Biennia (Projected Costs)	\$0
TOTAL \$75,911,000	

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Retrofit and Low-Impact Development Grant Program (30000097)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3005, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State and Local Improvements Revolving	
Account--State	\$973,000
Local Toxics Control Account--State	\$1,151,000
State and Local Improvements Revolving	
Account--Waste Facilities 1980--State.....	\$325,000
State Building Construction Account--State.....	\$20,812,000
State Toxics Control Account--State.....	\$5,564,000
Subtotal Reappropriation	\$28,825,000
Prior Biennia (Expenditures).....	\$25,784,000
Future Biennia (Projected Costs)	\$0
TOTAL \$54,609,000	

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

Reducing Diesel Particle Emissions in Tacoma (30000139)

Reappropriation:

Air Pollution Control Account--State	\$350,000
Prior Biennia (Expenditures).....	\$650,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,000,000	

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY
 Water Pollution Control Revolving Fund Program (30000142)

Reappropriation:

Water Pollution Control Revolving Account--Federal	\$8,793,000
Water Pollution Control Revolving Account--State	\$21,742,000
Subtotal Reappropriation	\$30,535,000
Prior Biennia (Expenditures).....	\$6,465,000
Future Biennia (Projected Costs)	\$0
TOTAL \$37,000,000	

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY
 Clean Up Toxic Sites - Puget Sound (30000144)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Cleanup Settlement Account--State	\$7,402,000
State Toxics Control Account--State.....	\$6,670,000
Subtotal Reappropriation	\$14,072,000
Prior Biennia (Expenditures).....	\$27,126,000
Future Biennia (Projected Costs)	\$0
TOTAL \$41,198,000	

NEW SECTION. Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY
 Settlement Funding To Clean Up Toxic Sites (30000145)

Reappropriation:

Cleanup Settlement Account--State	\$299,000
Prior Biennia (Expenditures).....	\$8,201,000
Future Biennia (Projected Costs)	\$0
TOTAL \$8,500,000	

NEW SECTION. Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY
 Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account--State.....	\$3,338,000
Prior Biennia (Expenditures).....	\$1,062,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,400,000	

NEW SECTION. Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY
 Protect Communities from Flood and Drought (92000002)

Reappropriation:

State Building Construction Account--State.....	\$3,984,000
Prior Biennia (Expenditures).....	\$10,991,000
Future Biennia (Projected Costs)	\$0
TOTAL \$14,975,000	

NEW SECTION. Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY
 Wastewater Treatment and Water Reclamation (92000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$1,641,000
Prior Biennia (Expenditures).....	\$1,789,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,430,000	

NEW SECTION. Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Program (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

State Toxics Control Account--State.....	\$20,904,000
Prior Biennia (Expenditures).....	\$13,196,000
Future Biennia (Projected Costs)	\$0
TOTAL \$34,100,000	

NEW SECTION. Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Fund Program (30000209)

The reappropriations in this section are subject to the following conditions and limitations: For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control revolving fund program loan.

Reappropriation:

Water Pollution Control Revolving Account--Federal.....	\$58,594,000
Water Pollution Control Revolving Account--State	\$97,068,000
Subtotal Reappropriation	\$155,662,000
Prior Biennia (Expenditures).....	\$36,482,000
Future Biennia (Projected Costs)	\$0
TOTAL \$192,144,000	

NEW SECTION. Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Prevention and Cleanup (30000210)

Reappropriation:

Waste Tire Removal Account--State	\$263,000
Prior Biennia (Expenditures).....	\$737,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,000,000	

NEW SECTION. Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY

Wood Stove Pollution Reduction (30000211)

Reappropriation:

Local Toxics Control Account--State	\$2,111,000
Prior Biennia (Expenditures).....	\$889,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,000,000	

NEW SECTION. Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY

Diesel Emissions Reduction (30000212)

Reappropriation:

Local Toxics Control Account--State	\$3,419,000
Prior Biennia (Expenditures).....	\$3,581,000
Future Biennia (Projected Costs)	\$0
TOTAL \$7,000,000	

NEW SECTION. Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000213)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3030, chapter 49, Laws of 2011 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$6,219,000
Prior Biennia (Expenditures).....	\$1,781,000
Future Biennia (Projected Costs)	\$0
TOTAL \$8,000,000	

NEW SECTION. Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY
Hood Canal Regional Septic Repair Loan Program (30000215)

Reappropriation:

State Building Construction Account--State	\$395,000
Prior Biennia (Expenditures).....	\$2,855,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,250,000	

NEW SECTION. Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY
Remedial Action Grant Program (30000216)

Reappropriation:

Local Toxics Control Account--State	\$51,463,000
Prior Biennia (Expenditures).....	\$12,371,000
Future Biennia (Projected Costs)	\$0
TOTAL \$63,834,000	

NEW SECTION. Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY
Eastern Washington Clean Sites Initiative (30000217)

Reappropriation:

State Toxics Control Account--State.....	\$4,146,000
Prior Biennia (Expenditures).....	\$1,854,000
Future Biennia (Projected Costs)	\$0
TOTAL \$6,000,000	

NEW SECTION. Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY
Burlington Northern Santa Fe Skykomish Restoration (30000218)

Reappropriation:

Cleanup Settlement Account--State	\$284,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$284,000	

NEW SECTION. Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY
Safe Soils Remediation Program - Central Washington (30000263)

Reappropriation:

State Toxics Control Account--State.....	\$2,693,000
Prior Biennia (Expenditures).....	\$1,018,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,711,000	

NEW SECTION. Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY
Clean Up Toxics Sites - Puget Sound (30000265)

Reappropriation:

State Toxics Control Account--State.....	\$15,410,000
Prior Biennia (Expenditures).....	\$990,000
Future Biennia (Projected Costs)	\$0
TOTAL \$16,400,000	

NEW SECTION. Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY
Yakima Basin Integrated Water Management Plan Implementation (30000278)

Reappropriation:

State Building Construction Account--State.....	\$220,000
Prior Biennia (Expenditures).....	\$1,780,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,000,000	

NEW SECTION. Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY
ASARCO - Tacoma Smelter Plume and Mines (30000280)

Reappropriation:

Cleanup Settlement Account--State	\$17,963,000
Prior Biennia (Expenditures).....	\$2,684,000
Future Biennia (Projected Costs)	\$0
TOTAL \$20,647,000	

NEW SECTION. Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Boat Launch (30000281)

Reappropriation:

General Fund--Federal	\$100,000
Prior Biennia (Expenditures).....	\$220,000
Future Biennia (Projected Costs)	\$0
TOTAL \$320,000	

NEW SECTION. Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects (30000282)

Reappropriation:

General Fund--Federal	\$800,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$800,000	

NEW SECTION. Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds Administration (30000283)

Reappropriation:

General Fund--Federal	\$17,413,000
Prior Biennia (Expenditures).....	\$5,787,000
Future Biennia (Projected Costs)	\$0
TOTAL \$23,200,000	

NEW SECTION. Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies (30000285)

Reappropriation:

State Building Construction Account--State	\$549,000
Prior Biennia (Expenditures).....	\$451,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,000,000	

NEW SECTION. Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY

Statewide Storm Water Projects (30000294)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for construction projects or design/construction projects statewide that result in the greatest improvements necessary to meet national pollution discharge elimination system requirements for communities least able to pay for those projects or for jurisdictions that are early adopters of new regulations and effective new technology. The department must develop specific evaluative criteria to award grants on a competitive basis to projects that meet the policy objectives in this section, demonstrate readiness to proceed, and have a minimum cash match of twenty-five percent.

Reappropriation:

Local Toxics Control Account--State	\$29,334,000
Prior Biennia (Expenditures).....	\$666,000
Future Biennia (Projected Costs)	\$0
TOTAL \$30,000,000	

NEW SECTION. Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY

Green River Flood Levee Improvements (30000295)

Reappropriation:

State Building Construction Account--State	\$4,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$4,000,000	

NEW SECTION. Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY
 Mount Vernon Flood Protection (30000297)

Reappropriation:

State Building Construction Account--State.....	\$700,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$700,000	

NEW SECTION. Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY
 Clean Up Toxics Sites - Puget Sound (91000032)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the following list of projects:

Project	Authorized Amount
Port Gamble Bay - Open up 90 acres of geoduck tracts	\$2,000,000
Port Gamble Bay - Source control, habitat preservation and clean-up sustainability Administration	\$7,000,000 \$180,000
TOTAL	\$9,180,000

Reappropriation:

State Toxics Control Account--State.....	\$9,180,000
Prior Biennia (Expenditures).....	\$90,000
Future Biennia (Projected Costs)	\$0
TOTAL \$9,270,000	

NEW SECTION. Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY
 Eastern Washington Clean Sites Initiative (91000033)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3003, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

State Toxics Control Account--State.....	\$1,543,000
Prior Biennia (Expenditures).....	\$2,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,545,000	

NEW SECTION. Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY
 Fiscal Year 2012 Statewide Storm Water Grant Program (91000053)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3004, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

Local Toxics Control Account--State	\$23,161,000
Prior Biennia (Expenditures).....	\$912,000
Future Biennia (Projected Costs)	\$0
TOTAL \$24,073,000	

NEW SECTION. Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY
 Storm Water Retrofit and Local Improvement District Competitive Grants (91000054)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3005, chapter 2, Laws of 2012 2nd sp. sess.

Reappropriation:

Local Toxics Control Account--State	\$14,459,000
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Prior Biennia (Expenditures).....	\$4,000
Future Biennia (Projected Costs)	\$0
TOTAL \$14,463,000	

NEW SECTION. Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY
Columbia River Water Management Projects (91000179)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 502, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

Columbia River Basin Water Supply Development	
Account--State.....	\$2,000,000

Prior Biennia (Expenditures).....	\$2,500,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,500,000	

NEW SECTION. Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY
Skagit Mitigation (91000181)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the department to develop mitigation options and alternative water sources or tools to make water available for stream flows and for rural domestic permit-exempt uses within the Carpenter/Fisher, East Nookachamps, and Upper Nookachamps subbasins. Up to \$100,000 of the amount specified shall be used to develop a rural domestic demonstration project to determine if onsite best management practices, including, but not limited to, rainwater infiltration, water conservation, and low-impact development standards can meet the mitigation requirements of chapter 173-503 WAC and be reasonably and feasibly integrated into rural domestic developments.

Reappropriation:

State Building Construction Account--State.....	\$2,156,000
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Prior Biennia (Expenditures).....	\$69,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,225,000	

NEW SECTION. Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY
Flood Levee Improvements (92000057)

The reappropriations in this section are subject to the following conditions and limitations:

- (1) The reappropriation in this section from the state building construction account is provided solely for the Mt. Vernon flood protection project.
- (2) The reappropriation in this section from the local toxics control account is provided solely for the King county flood district for the Briscoe-Desimone levee improvement project.

Reappropriation:

State Building Construction Account--State.....	\$1,500,000
Local Toxics Control Account--State	\$7,000,000
Subtotal Reappropriation	\$8,500,000

Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$8,500,000	

NEW SECTION. Sec. 3060. FOR THE DEPARTMENT OF ECOLOGY
Ground Water Management Yakima Basin (92000061)

Reappropriation:

Columbia River Basin Water Supply Development	
Account--State.....	\$450,000

Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$450,000	

NEW SECTION. Sec. 3061. FOR THE STATE PARKS AND RECREATION COMMISSION
Bay View Park: Wide Wastewater Treatment System (20082041)

Reappropriation:

State Building Construction Account--State.....	\$370,000
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Prior Biennia (Expenditures).....	\$1,817,000
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Future Biennia (Projected Costs) \$0
 TOTAL \$2,187,000

NEW SECTION. Sec. 3062. FOR THE STATE PARKS AND RECREATION COMMISSION

Ike Kinswa State Park: Improvement (20082950)

Reappropriation:

Parks Renewal and Stewardship Account--Private/Local \$490,000

Prior Biennia (Expenditures)..... \$10,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$500,000

NEW SECTION. Sec. 3063. FOR THE STATE PARKS AND RECREATION COMMISSION

Fish Barrier Removal (30000540)

Reappropriation:

State Building Construction Account--State \$700,000

Prior Biennia (Expenditures)..... \$538,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,238,000

NEW SECTION. Sec. 3064. FOR THE STATE PARKS AND RECREATION COMMISSION

Iron Horse Tunnel Hazard Repair (30000552)

Reappropriation:

State Building Construction Account--State \$600,000

Prior Biennia (Expenditures)..... \$1,296,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,896,000

NEW SECTION. Sec. 3065. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000667)

Reappropriation:

State Building Construction Account--State \$3,200,000

Prior Biennia (Expenditures)..... \$1,800,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,000,000

NEW SECTION. Sec. 3066. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Facilities and Infrastructure Preservation (30000766)

Reappropriation:

State Building Construction Account--State \$1,700,000

Prior Biennia (Expenditures)..... \$1,300,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,000,000

NEW SECTION. Sec. 3067. FOR THE STATE PARKS AND RECREATION COMMISSION

Facility and Infrastructure Backlog Reduction (30000770)

Reappropriation:

State Building Construction Account--State \$400,000

Prior Biennia (Expenditures)..... \$900,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,300,000

NEW SECTION. Sec. 3068. FOR THE STATE PARKS AND RECREATION COMMISSION

Picnic Shelters (91000018)

Reappropriation:

State Building Construction Account--State \$490,000

Prior Biennia (Expenditures)..... \$10,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$500,000

NEW SECTION. Sec. 3069. FOR THE STATE PARKS AND RECREATION COMMISSION

Rocky Reach Trail (91000035)

Reappropriation:

State Building Construction Account--State..... \$325,000

Prior Biennia (Expenditures)..... \$75,000

Future Biennia (Projected Costs) \$0

TOTAL \$400,000

NEW SECTION. Sec. 3070. FOR THE STATE PARKS AND RECREATION COMMISSION

Comfort Stations (91000036)

Reappropriation:

State Building Construction Account--State..... \$1,500,000

Prior Biennia (Expenditures)..... \$254,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,754,000

NEW SECTION. Sec. 3071. FOR THE STATE PARKS AND RECREATION COMMISSION

Deferred Maintenance (91000030)

Reappropriation:

State Building Construction Account--State..... \$400,000

Prior Biennia (Expenditures)..... \$670,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,070,000

NEW SECTION. Sec. 3072. FOR THE STATE PARKS AND RECREATION COMMISSION

Energy Conservation (91000040)

Reappropriation:

State Building Construction Account--State..... \$156,000

Prior Biennia (Expenditures)..... \$59,000

Future Biennia (Projected Costs) \$0

TOTAL \$215,000

NEW SECTION. Sec. 3073. FOR THE STATE PARKS AND RECREATION COMMISSION

Culverts (91000046)

Reappropriation:

State Building Construction Account--State..... \$1,000,000

Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3074. FOR THE STATE PARKS AND RECREATION COMMISSION

Wallace Falls: Footbridge (91000047)

Reappropriation:

State Building Construction Account--State..... \$470,000

Prior Biennia (Expenditures)..... \$16,000

Future Biennia (Projected Costs) \$0

TOTAL \$486,000

NEW SECTION. Sec. 3075. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (20044001)

Reappropriation:

General Fund--Federal \$3,500,000

State Building Construction Account--State..... \$161,000

Subtotal Reappropriation \$3,661,000

Prior Biennia (Expenditures)..... \$42,714,000

Future Biennia (Projected Costs) \$0

TOTAL \$46,375,000

NEW SECTION. Sec. 3076. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife and Recreation Program (20044002)

The reappropriations in this section are subject to the following conditions and limitations: Any amount of the reappropriations that are not obligated to a specific project may be used to fund alternate projects approved by the legislature from the same account in biennia succeeding that in which the moneys were originally appropriated.

Reappropriation:

Outdoor Recreation Account--State	\$415,000
Habitat Conservation Account--State	\$200,000
Subtotal Reappropriation	\$615,000
Prior Biennia (Expenditures).....	\$43,915,000
Future Biennia (Projected Costs)	\$0
TOTAL \$44,530,000	

NEW SECTION. Sec. 3077. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Youth Athletic Fields (20062952)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 172, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account--State.....	\$63,000
Prior Biennia (Expenditures).....	\$2,437,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,500,000	

NEW SECTION. Sec. 3078. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (20064001)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 403, chapter 488, Laws of 2005.

Reappropriation:

General Fund--Federal	\$3,600,000
State Building Construction Account--State.....	\$950,000
Subtotal Reappropriation	\$4,550,000
Prior Biennia (Expenditures).....	\$57,450,000
Future Biennia (Projected Costs)	\$0
TOTAL \$62,000,000	

NEW SECTION. Sec. 3079. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife and Recreation Program (20064002)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 404, chapter 488, Laws of 2005.

Reappropriation:

Outdoor Recreation Account--State	\$928,000
Habitat Conservation Account--State	\$2,300,000
Subtotal Reappropriation	\$3,228,000
Prior Biennia (Expenditures).....	\$46,772,000
Future Biennia (Projected Costs)	\$0
TOTAL \$50,000,000	

NEW SECTION. Sec. 3080. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway and Off-Road Vehicle Activities Program (20064004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 170, chapter 371, Laws of 2006.

Reappropriation:

NOVA Program Account--State.....	\$437,000
Prior Biennia (Expenditures).....	\$7,142,000
Future Biennia (Projected Costs)	\$0
TOTAL \$7,579,000	

NEW SECTION. Sec. 3081. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest and Fish Passage Program (20082001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3138, chapter 520, Laws of 2007.

Reappropriation:

State Building Construction Account--State.....	\$239,000
Prior Biennia (Expenditures).....	\$5,761,000
Future Biennia (Projected Costs)	\$0
TOTAL \$6,000,000	

NEW SECTION. Sec. 3082. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Facilities Program (20084001)

Reappropriation:

Recreation Resources Account--State.....	\$469,000
Prior Biennia (Expenditures).....	\$7,552,000
Future Biennia (Projected Costs)	\$0
TOTAL \$8,021,000	

NEW SECTION. Sec. 3083. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (20084003)

Reappropriation:

Firearms Range Account--State.....	\$48,000
Prior Biennia (Expenditures).....	\$424,000
Future Biennia (Projected Costs)	\$0
TOTAL \$472,000	

NEW SECTION. Sec. 3084. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Restoration and Acquisition (20084004)

Reappropriation:

State Building Construction Account--State.....	\$783,000
Prior Biennia (Expenditures).....	\$39,967,000
Future Biennia (Projected Costs)	\$0
TOTAL \$40,750,000	

NEW SECTION. Sec. 3085. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (20084005)

Reappropriation:

State Building Construction Account--State.....	\$264,000
Prior Biennia (Expenditures).....	\$4,761,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,025,000	

NEW SECTION. Sec. 3086. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Nonhighway and Off-Road Vehicle Activities Program (20084008)

Reappropriation:

NOVA Program Account--State.....	\$425,000
Prior Biennia (Expenditures).....	\$8,611,000
Future Biennia (Projected Costs)	\$0
TOTAL \$9,036,000	

NEW SECTION. Sec. 3087. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (20084011)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3146, chapter 520, Laws of 2007.

Reappropriation:

Outdoor Recreation Account--State.....	\$1,174,000
Habitat Conservation Account--State	\$7,217,000
Subtotal Reappropriation.....	\$8,391,000

Prior Biennia (Expenditures).....	\$90,101,000
Future Biennia (Projected Costs)	\$0
TOTAL \$98,492,000	

NEW SECTION. Sec. 3088. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (20084851)

Reappropriation:

State Building Construction Account--State.....	\$1,929,000
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Prior Biennia (Expenditures).....	\$58,071,000
Future Biennia (Projected Costs)	\$0
TOTAL \$60,000,000	

NEW SECTION. Sec. 3089. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Washington Wildlife Recreation Grants (30000002)

Reappropriation:

Outdoor Recreation Account--State	\$619,000
Habitat Conservation Account--State	\$6,721,000
Riparian Protection Account--State	\$3,600,000
Farmlands Preservation Account--State.....	\$1,040,000
Subtotal Reappropriation	\$11,980,000

Prior Biennia (Expenditures).....	\$57,465,000
Future Biennia (Projected Costs)	\$0
TOTAL \$69,445,000	

NEW SECTION. Sec. 3090. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Salmon Recovery Funding Board Programs (30000003)

Reappropriation:

General Fund--Federal	\$10,300,000
State Building Construction Account--State.....	\$213,000
Subtotal Reappropriation	\$10,513,000

Prior Biennia (Expenditures).....	\$59,487,000
Future Biennia (Projected Costs)	\$0
TOTAL \$70,000,000	

NEW SECTION. Sec. 3091. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation Fund (30000005)

Reappropriation:

General Fund--Federal	\$1,160,000
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Prior Biennia (Expenditures).....	\$2,840,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,000,000	

NEW SECTION. Sec. 3092. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000007)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2009-3, developed March 9, 2009.

Reappropriation:

Aquatic Lands Enhancement Account--State	\$390,000
State Building Construction Account--State.....	\$324,000
Subtotal Reappropriation	\$714,000

Prior Biennia (Expenditures).....	\$4,311,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,025,000	

NEW SECTION. Sec. 3093. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (30000009)

Reappropriation:

Firearms Range Account--State	\$210,000
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Prior Biennia (Expenditures).....	\$285,000
Future Biennia (Projected Costs)	\$0
TOTAL \$495,000	
NEW SECTION. Sec. 3094. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Puget Sound Acquisition and Restoration (30000080)	

Reappropriation:

State Building Construction Account--State.....	\$4,369,000
Prior Biennia (Expenditures).....	\$28,631,000
Future Biennia (Projected Costs)	\$0
TOTAL \$33,000,000	
NEW SECTION. Sec. 3095. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Puget Sound Estuary and Salmon Restoration Program (30000081)	

Reappropriation:

State Building Construction Account--State.....	\$2,101,000
Prior Biennia (Expenditures).....	\$4,899,000
Future Biennia (Projected Costs)	\$0
TOTAL \$7,000,000	
NEW SECTION. Sec. 3096. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Boating Facilities Program (30000138)	

Reappropriation:

Recreation Resources Account--State.....	\$4,300,000
Prior Biennia (Expenditures).....	\$3,700,000
Future Biennia (Projected Costs)	\$0
TOTAL \$8,000,000	
NEW SECTION. Sec. 3097. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Washington Wildlife Recreation Grants (30000139)	

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:

Riparian Protection Account--State	\$650,000
Farmlands Preservation Account--State.....	\$314,000
Outdoor Recreation Account--State	\$8,330,000
Habitat Conservation Account--State	\$7,567,000
Subtotal Reappropriation	\$16,861,000
Prior Biennia (Expenditures).....	\$25,139,000
Future Biennia (Projected Costs)	\$0
TOTAL \$42,000,000	
NEW SECTION. Sec. 3098. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Salmon Recovery Funding Board Programs (30000140)	

Reappropriation:

General Fund--Federal	\$50,000,000
State Building Construction Account--State.....	\$7,350,000
Subtotal Reappropriation	\$57,350,000
Prior Biennia (Expenditures).....	\$12,712,000
Future Biennia (Projected Costs)	\$0
TOTAL \$70,062,000	
NEW SECTION. Sec. 3099. FOR THE RECREATION AND CONSERVATION FUNDING BOARD	
Nonhighway and Off-Road Vehicle Activities Program (30000141)	

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3067, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

NOVA Program Account--State.....	\$3,347,000
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Prior Biennia (Expenditures).....	\$2,153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,500,000

NEW SECTION. Sec. 3100. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Land and Water Conservation Fund (30000142)

Reappropriation:

General Fund--Federal	\$3,750,000
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Prior Biennia (Expenditures).....	\$250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 3101. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3B, revised April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account--State	\$2,601,000
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Prior Biennia (Expenditures).....	\$4,205,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,806,000

NEW SECTION. Sec. 3102. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Firearms and Archery Range Recreation (30000144)

Reappropriation:

Firearms Range Account--State	\$45,000
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Prior Biennia (Expenditures).....	\$320,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$365,000

NEW SECTION. Sec. 3103. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Boating Improvement Grants (30000145)

Reappropriation:

General Fund--Federal	\$359,000
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Prior Biennia (Expenditures).....	\$1,741,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,100,000

NEW SECTION. Sec. 3104. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Recreational Trails Program (30000146)

Reappropriation:

General Fund--Federal	\$3,960,000
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Prior Biennia (Expenditures).....	\$1,040,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3105. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Estuary and Salmon Restoration Program (30000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation shall not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account--State	\$3,455,000
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Prior Biennia (Expenditures).....	\$1,545,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3106. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (91000001)

Reappropriation:

State Building Construction Account--State.....	\$188,000
Prior Biennia (Expenditures).....	\$4,812,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,000,000	

NEW SECTION. Sec. 3107. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Puget Sound Restoration (30000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation shall not be expended on the acquisition of lands by state agencies.

Reappropriation:

State Building Construction Account--State.....	\$10,684,000
Prior Biennia (Expenditures).....	\$4,316,000
Future Biennia (Projected Costs)	\$0
TOTAL \$15,000,000	

NEW SECTION. Sec. 3108. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (30000203)

Reappropriation:

State Building Construction Account--State.....	\$367,000
Prior Biennia (Expenditures).....	\$16,633,000
Future Biennia (Projected Costs)	\$0
TOTAL \$17,000,000	

NEW SECTION. Sec. 3109. FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Family Forest Fish Passage Program (91000097)

Reappropriation:

State Toxics Control Account--State.....	\$8,981,000
Prior Biennia (Expenditures).....	\$1,019,000
Future Biennia (Projected Costs)	\$0
TOTAL \$10,000,000	

NEW SECTION. Sec. 3110. FOR THE STATE CONSERVATION COMMISSION

Conservation Reserve Enhancement Program (91000007)

Reappropriation:

State Building Construction Account--State.....	\$850,000
Prior Biennia (Expenditures).....	\$427,000
Future Biennia (Projected Costs)	\$0
TOTAL.....	\$1,277,000

NEW SECTION. Sec. 3111. FOR THE STATE CONSERVATION COMMISSION

Farms and Water Quality (91000004)

Reappropriation:

State Building Construction Account--State.....	\$500,000
Prior Biennia (Expenditures).....	\$4,500,000
Future Biennia (Projected Costs)	\$0
TOTAL \$5,000,000	

NEW SECTION. Sec. 3112. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Voights Creek Hatchery (20081003)

Reappropriation:

State Building Construction Account--State.....	\$13,300,000
Prior Biennia (Expenditures).....	\$1,997,000
Future Biennia (Projected Costs)	\$0
TOTAL \$15,297,000	

NEW SECTION. Sec. 3113. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Stemilt Basin Acquisition (20082029)

Reappropriation:

State Building Construction Account--State.....	\$153,000
Prior Biennia (Expenditures).....	\$47,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 3114. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Facility Preservation (30000300)

Reappropriation:

State Building Construction Account--State.....	\$1,350,000
Prior Biennia (Expenditures).....	\$1,207,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,557,000

NEW SECTION. Sec. 3115. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Road Maintenance and Abandonment Plan (30000295)

Reappropriation:

State Building Construction Account--State.....	\$1,505,000
Prior Biennia (Expenditures).....	\$321,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,826,000

NEW SECTION. Sec. 3116. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Access Areas Preservation (30000296)

Reappropriation:

State Building Construction Account--State.....	\$336,000
Prior Biennia (Expenditures).....	\$691,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,027,000

NEW SECTION. Sec. 3117. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Dam and Dike (30000297)

Reappropriation:

State Building Construction Account--State.....	\$750,000
Prior Biennia (Expenditures).....	\$293,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,043,000

NEW SECTION. Sec. 3118. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account--State.....	\$394,000
Prior Biennia (Expenditures).....	\$286,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$680,000

NEW SECTION. Sec. 3119. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund--Federal	\$2,328,000
Prior Biennia (Expenditures).....	\$672,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 3120. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

Reappropriation:

General Fund--Federal	\$12,778,000
Special Wildlife Account--Federal.....	\$300,000

Special Wildlife Account--Private/Local \$203,000
 Subtotal Reappropriation \$13,281,000

Prior Biennia (Expenditures)..... \$81,515,000
 Future Biennia (Projected Costs) \$126,750,000
 TOTAL \$221,546,000

NEW SECTION. Sec. 3121. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Health Safety and Code Requirements (30000284)

Reappropriation:

State Building Construction Account--State..... \$693,000

Prior Biennia (Expenditures)..... \$548,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,241,000

NEW SECTION. Sec. 3122. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Infrastructure Preservation (30000298)

Reappropriation:

State Building Construction Account--State..... \$600,000

Prior Biennia (Expenditures)..... \$1,930,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,530,000

NEW SECTION. Sec. 3123. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Fish Passage Barrier Corrections (30000372)

Reappropriation:

State Building Construction Account--State..... \$841,000

Prior Biennia (Expenditures)..... \$439,000
 Future Biennia (Projected Costs) \$0
 TOTAL..... \$1,280,000

NEW SECTION. Sec. 3124. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Beebe Springs Development (92000026)

Reappropriation:

State Building Construction Account--State..... \$960,000

Prior Biennia (Expenditures)..... \$931,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,891,000

NEW SECTION. Sec. 3125. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Fishway Improvements/Diversions (91000033)

Reappropriation:

State Building Construction Account--State..... \$7,300,000

Prior Biennia (Expenditures)..... \$700,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$8,000,000

NEW SECTION. Sec. 3126. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Hatchery Improvements (91000036)

Reappropriation:

State Building Construction Account--State..... \$32,250,000

Prior Biennia (Expenditures)..... \$2,525,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$34,775,000

NEW SECTION. Sec. 3127. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Dry Forest Restoration (91000039)

Reappropriation:

State Building Construction Account--State..... \$496,000

Prior Biennia (Expenditures)..... \$300,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$796,000
NEW SECTION. Sec. 3128. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Dam and Dike (91000042)

Reappropriation:
 State Building Construction Account--State..... \$197,000

 Prior Biennia (Expenditures)..... \$3,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$200,000
NEW SECTION. Sec. 3129. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Access Sites (91000044)

Reappropriation:
 State Building Construction Account--State..... \$6,125,000

 Prior Biennia (Expenditures)..... \$1,281,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,406,000
NEW SECTION. Sec. 3130. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Fish Passage Barriers (Culverts) (91000045)

Reappropriation:
 State Building Construction Account--State..... \$1,300,000

 Prior Biennia (Expenditures)..... \$195,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,495,000
NEW SECTION. Sec. 3131. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Road Maintenance and Abandonment Plan (91000046)

Reappropriation:
 State Building Construction Account--State..... \$495,000

 Prior Biennia (Expenditures)..... \$21,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$516,000
NEW SECTION. Sec. 3132. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Acquire Dryden Gravel Pit from Washington DOT (92000028)

Reappropriation:
 State Building Construction Account--State..... \$251,000

 Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$251,000
NEW SECTION. Sec. 3133. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Deschutes Watershed Center (20062008)

Reappropriation:
 State Building Construction Account--State..... \$219,000

 Prior Biennia (Expenditures)..... \$2,976,000
 Future Biennia (Projected Costs) \$38,534,000
 TOTAL \$41,729,000
NEW SECTION. Sec. 3134. FOR THE PUGET SOUND PARTNERSHIP
 Community Partnership Restoration Grants (30000007)

Reappropriation:
 General Fund--Federal \$1,155,000

 Prior Biennia (Expenditures)..... \$445,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,600,000

NEW SECTION. Sec. 3135. FOR THE DEPARTMENT OF NATURAL RESOURCES
Land Acquisition Grants (20052021)

Reappropriation:

General Fund--Federal	\$3,714,000
Prior Biennia (Expenditures).....	\$39,240,000
Future Biennia (Projected Costs)	\$20,000,000
TOTAL \$62,954,000	

NEW SECTION. Sec. 3136. FOR THE DEPARTMENT OF NATURAL RESOURCES
Marine Station (20081015)

Reappropriation:

Resources Management Cost Account--State.....	\$318,000
State Building Construction Account--State.....	\$316,000
Subtotal Reappropriation	\$634,000
Prior Biennia (Expenditures).....	\$866,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,500,000	

NEW SECTION. Sec. 3137. FOR THE DEPARTMENT OF NATURAL RESOURCES
Forest Legacy (30000060)

Reappropriation:

General Fund--Federal	\$11,519,000
Prior Biennia (Expenditures).....	\$2,481,000
Future Biennia (Projected Costs)	\$35,000,000
TOTAL \$49,000,000	

NEW SECTION. Sec. 3138. FOR THE DEPARTMENT OF NATURAL RESOURCES
Hazardous Fuels Reduction, Forest Health, and Ecosystem Improvements (91000001)

Reappropriation:

General Fund--Federal Stimulus	\$100,000
Prior Biennia (Expenditures).....	\$19,900,000
Future Biennia (Projected Costs)	\$0
TOTAL \$20,000,000	

NEW SECTION. Sec. 3139. FOR THE DEPARTMENT OF NATURAL RESOURCES
National Coastal Wetland Conservation Program Lands Acquisition (91000007)

Reappropriation:

General Fund--Federal	\$593,000
Prior Biennia (Expenditures).....	\$407,000
Future Biennia (Projected Costs)	\$0
TOTAL \$1,000,000	

NEW SECTION. Sec. 3140. FOR THE DEPARTMENT OF NATURAL RESOURCES
Replacing State Forest Lands with Productive Forests (91000029)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The total reappropriation is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in counties with a population of 25,000 or less that are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The approved list of properties for transfer is identified in the LEAP capital document No. 2011-5A, revised April 10, 2013.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110, in the same manner as valuable material revenues from other state forest lands in the applicable counties. The value of the land transferred must be deposited in the park land trust revolving account and be solely used to buy replacement state forest land within the same county as the property transferred, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. However, the department or applicable counties may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Reappropriation:

State Building Construction Account--State.....	\$727,000
Prior Biennia (Expenditures).....	\$1,273,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,000,000	
NEW SECTION. Sec. 3141. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Puget SoundCorps (91000046)	

Reappropriation:

Aquatic Lands Enhancement Account--State	\$3,000,000
State Building Construction Account--State.....	\$8,436,000
Subtotal Reappropriation	\$11,436,000
Prior Biennia (Expenditures).....	\$1,564,000
Future Biennia (Projected Costs)	\$0
TOTAL \$13,000,000	
NEW SECTION. Sec. 3142. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Derelict Vessel Removal and Disposal (91000049)	

Reappropriation:

State Building Construction Account--State.....	\$589,000
Prior Biennia (Expenditures).....	\$2,411,000
Future Biennia (Projected Costs)	\$2,000,000
TOTAL \$5,000,000	
NEW SECTION. Sec. 3143. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Urban Forest Restoration (Puget Sound Basin) (91000051)	

Reappropriation:

State Building Construction Account--State.....	\$399,000
Prior Biennia (Expenditures).....	\$1,000
Future Biennia (Projected Costs)	\$0
TOTAL \$400,000	
NEW SECTION. Sec. 3144. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Large Debris Removal (91000052)	

Reappropriation:

State Building Construction Account--State.....	\$188,000
Prior Biennia (Expenditures).....	\$12,000
Future Biennia (Projected Costs)	\$0
TOTAL \$200,000	
NEW SECTION. Sec. 3145. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Secret Harbor Estuary Restoration - Cypress Island (91000053)	

Reappropriation:

State Building Construction Account--State.....	\$415,000
Prior Biennia (Expenditures).....	\$120,000
Future Biennia (Projected Costs)	\$0
TOTAL.....	\$535,000
NEW SECTION. Sec. 3146. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Restoration Projects to Improve Natural Resources (91000054)	

Reappropriation:

State Building Construction Account--State.....	\$1,200,000
Prior Biennia (Expenditures).....	\$1,360,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,560,000	
NEW SECTION. Sec. 3147. FOR THE DEPARTMENT OF NATURAL RESOURCES	
Point Ruston Sediment Capping/Shoreline Restoration Stabilization (91000065)	

Reappropriation:

Cleanup Settlement Account--State.....	\$6,584,000
Prior Biennia (Expenditures).....	\$616,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,200,000

NEW SECTION. Sec. 3148. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Forest Hazard Reduction and Safety (91000066)

Reappropriation:

State Building Construction Account--State.....	\$3,941,000
Prior Biennia (Expenditures).....	\$4,529,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,470,000

NEW SECTION. Sec. 3149. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Shoreline Restoration Projects (92000011)

Reappropriation:

State Building Construction Account--State.....	\$2,944,000
Prior Biennia (Expenditures).....	\$1,022,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,966,000

NEW SECTION. Sec. 3150. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Creosote Piling Removal (92000014)

Reappropriation:

State Building Construction Account--State.....	\$880,000
Prior Biennia (Expenditures).....	\$770,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,650,000

NEW SECTION. Sec. 3151. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Natural Areas Facilities Preservation and Access (30000208)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for ecological restoration of the upland buffer areas within the Elk River natural resource conservation area.

Reappropriation:

Aquatic Land Enhancement Account--State.....	\$345,000
Prior Biennia (Expenditures).....	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,845,000

NEW SECTION. Sec. 3152. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Road Maintenance and Abandonment Plan (RMAP) (91000040)

Reappropriation:

State Building Construction Account--State.....	\$3,710,000
Prior Biennia (Expenditures).....	\$3,124,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,834,000

(End of part)

PART 4
EDUCATION

NEW SECTION. Sec. 4001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 2007-2009 School Construction Assistance Grant Program (20084200)

The reappropriation in this section is subject to the following conditions and limitations: For school construction projects funded through the school construction assistance grant program, the superintendent of public instruction shall require mapping the design of new facilities and remapping the design of facilities to be remodeled.

Reappropriation:

Common School Construction Account--State.....	\$650,000
Prior Biennia (Expenditures).....	\$791,109,000
Future Biennia (Projected Costs)	\$0
TOTAL \$791,759,000	

NEW SECTION. Sec. 4002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Northeast King County Skills Center (20084855)

Reappropriation:

School Construction and Skill Centers Building Account--State.....	\$41,000
Prior Biennia (Expenditures).....	\$8,561,000
Future Biennia (Projected Costs)	\$0
TOTAL \$8,602,000	

NEW SECTION. Sec. 4003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center (20084856)

Reappropriation:

State Building Construction Account--State.....	\$6,198,000
School Construction and Skills Center Account--State	\$50,000
Subtotal Reappropriation	\$6,248,000
Prior Biennia (Expenditures).....	\$17,688,000
Future Biennia (Projected Costs)	\$11,609,000
TOTAL \$35,545,000	

NEW SECTION. Sec. 4004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2009-2011 School Construction Assistance Grant Program (30000031)

The reappropriations in this section are subject to the following conditions and limitations: Up to \$14,000,000 of the state building construction account--state reappropriation in this section is for the Grand Coulee Dam school district school project, contingent on the availability of sufficient contributions from federal, local, private, or other sources to make up the remainder of the total cost of the project. The Grand Coulee Dam school district is faced with a unique set of local funding barriers and federal or other funds may substitute as the usual requirement for school district participation. In the event sufficient matching contributions are not secured by the Grand Coulee Dam school district, these funds shall lapse.

Reappropriation:

State Building Construction Account--State.....	\$14,000,000
Common School Construction Account--State.....	\$12,000,000
Subtotal Reappropriation	\$26,000,000
Prior Biennia (Expenditures).....	\$490,595,000
Future Biennia (Projected Costs)	\$0
TOTAL \$516,595,000	

NEW SECTION. Sec. 4005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Energy Efficiency and Small Repair Grants (91000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5007, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State.....	\$2,424,000
Prior Biennia (Expenditures).....	\$67,465,000
Future Biennia (Projected Costs)	\$0
TOTAL \$69,889,000	

NEW SECTION. Sec. 4006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2011-2013 School Construction Assistance Program (30000071)

Reappropriation:

State Building Construction Account--State.....	\$52,566,000
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Common School Construction Account--State.....	\$281,191,000
Subtotal Reappropriation.....	\$333,757,000
Prior Biennia (Expenditures).....	\$223,435,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$557,192,000

NEW SECTION. Sec. 4007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account--State.....	\$12,962,000
Prior Biennia (Expenditures).....	\$12,481,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,443,000

NEW SECTION. Sec. 4008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

Reappropriation:

State Building Construction Account--State.....	\$10,570,000
Prior Biennia (Expenditures).....	\$949,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,519,000

NEW SECTION. Sec. 4009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Grant County Branch Campus of Wenatchee Valley Skills Center (30000091)

Reappropriation:

State Building Construction Account--State.....	\$18,861,000
Prior Biennia (Expenditures).....	\$547,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,408,000

NEW SECTION. Sec. 4010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Clark County Skills Center (30000093)

Reappropriation:

State Building Construction Account--State.....	\$650,000
Prior Biennia (Expenditures).....	\$100,000
Future Biennia (Projected Costs)	\$7,151,000
TOTAL	\$7,901,000

NEW SECTION. Sec. 4011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Energy Operational Savings Project Grants (30000097)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5011, chapter 49, Laws of 2011 1st sp.s.

Reappropriation:

State Building Construction Account--State.....	\$4,351,000
Prior Biennia (Expenditures).....	\$15,649,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,000,000

NEW SECTION. Sec. 4012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Energy Efficiency Grants for K-12 Schools (91000017)

Reappropriation:

State Building Construction Account--State.....	\$37,238,000
Prior Biennia (Expenditures).....	\$2,762,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. Sec. 4013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
 Wenatchee Valley Skills Center (92000004)

Reappropriation:

State Building Construction Account--State.....	\$9,386,000
Prior Biennia (Expenditures).....	\$114,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,500,000

NEW SECTION. Sec. 4014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Spokane Area Professional - Technical Skills Center (92000005)

Reappropriation:

State Building Construction Account--State.....	\$1,800,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$11,887,000
TOTAL	\$13,687,000

NEW SECTION. Sec. 4015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WA-NIC (Washington Network for Innovative Careers) Skills Center - Snoqualmie Valley School District/Bellevue Community College (92000006)

Reappropriation:

State Building Construction Account--State.....	\$1,715,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,715,000

NEW SECTION. Sec. 4016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Puget Sound Skills Center (92000007)

The reappropriation in this section is subject to the following conditions and limitations: The office of the superintendent of public instruction and the Puget Sound skills center shall enter into an interagency agreement with the office of financial management to provide funding for a budget evaluation study. The office of financial management shall use a budget evaluation study team approach using value engineering techniques and life cycle cost analysis in conducting the study. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature, the office of the superintendent of public instruction, and the Puget Sound skills center in a timely manner following completion of the study. The study must also include a review of land acquisitions for the project site, including whether there was adequate disclosure of fill materials that contained toxic substances or substandard soils that would require disposal prior to construction, and whether those disclosed conditions were accounted for in setting the purchase price and other considerations for the land acquisition.

Reappropriation:

State Building Construction Account--State.....	\$1,500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 4017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (92000009)

Reappropriation:

State Building Construction Account--State.....	\$22,415,000
Prior Biennia (Expenditures).....	\$4,985,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$27,400,000

NEW SECTION. Sec. 4018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center Sunnyside Satellite (92000013)

Reappropriation:

State Building Construction Account--State.....	\$5,938,000
Prior Biennia (Expenditures).....	\$287,000
Future Biennia (Projected Costs)	\$0
TOTAL.....	\$6,225,000

NEW SECTION. Sec. 4019. FOR THE STATE SCHOOL FOR THE BLIND

General Campus Preservation (30000018)

Reappropriation:

State Building Construction Account--State.....	\$149,000
Prior Biennia (Expenditures).....	\$401,000
Future Biennia (Projected Costs)	\$0
TOTAL \$550,000	

NEW SECTION. Sec. 4020. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell (20082006)

Reappropriation:

State Building Construction Account--State.....	\$1,700,000
University of Washington Building Account--State	\$12,963,000
Subtotal Reappropriation	\$14,663,000

Prior Biennia (Expenditures).....	\$23,337,000
Future Biennia (Projected Costs)	\$0
TOTAL \$38,000,000	

NEW SECTION. Sec. 4021. FOR THE UNIVERSITY OF WASHINGTON

House of Knowledge Longhouse (30000021)

Reappropriation:

State Building Construction Account--State.....	\$2,400,000
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Prior Biennia (Expenditures).....	\$600,000
Future Biennia (Projected Costs)	\$0
TOTAL \$3,000,000	

NEW SECTION. Sec. 4022. FOR THE UNIVERSITY OF WASHINGTON

Odegaard Undergraduate Learning Center (30000370)

Reappropriation:

State Building Construction Account--State.....	\$900,000
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Prior Biennia (Expenditures).....	\$15,675,000
Future Biennia (Projected Costs)	\$0
TOTAL \$16,575,000	

NEW SECTION. Sec. 4023. FOR THE UNIVERSITY OF WASHINGTON

High Voltage Infrastructure Improvement Project (30000371)

Reappropriation:

State Building Construction Account--State.....	\$200,000
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Prior Biennia (Expenditures).....	\$4,165,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,365,000	

NEW SECTION. Sec. 4024. FOR THE UNIVERSITY OF WASHINGTON

University of Washington Minor Capital Repairs (30000372)

Reappropriation:

State Building Construction Account--State.....	\$500,000
University of Washington Building Account--State	\$2,000,000
Subtotal Reappropriation	\$2,500,000

Prior Biennia (Expenditures).....	\$36,487,000
Future Biennia (Projected Costs)	\$0
TOTAL \$38,987,000	

NEW SECTION. Sec. 4025. FOR THE UNIVERSITY OF WASHINGTON

University of Washington Tacoma Campus Development and Soil Remediation (92000002)

Reappropriation:

State Building Construction Account--State.....	\$4,300,000
State Toxics Control Account--State.....	\$700,000
Subtotal Reappropriation	\$5,000,000

Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$5,000,000	

NEW SECTION. Sec. 4026. FOR THE UNIVERSITY OF WASHINGTON

Burke Museum Renovation (20082850)

Reappropriation:

State Building Construction Account--State.....	\$3,000,000
Prior Biennia (Expenditures).....	\$800,000
Future Biennia (Projected Costs)	\$14,000,000
TOTAL	\$17,800,000

NEW SECTION. Sec. 4027. FOR THE UNIVERSITY OF WASHINGTON

University of Washington Tacoma - Soils Remediation (20082852)

Reappropriation:

State Toxics Control Account--State.....	\$500,000
Prior Biennia (Expenditures).....	\$500,000
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$21,000,000

NEW SECTION. Sec. 4028. FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Spokane - Riverpoint Biomedical and Health Sciences (20162953)

Reappropriation:

State Building Construction Account--State.....	\$5,230,000
Washington State University Building Account--State	\$3,770,000
Subtotal Reappropriation	\$9,000,000
Prior Biennia (Expenditures).....	\$41,140,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,140,000

NEW SECTION. Sec. 4029. FOR THE WASHINGTON STATE UNIVERSITY

Minor Works - Preservation (30000525)

Reappropriation:

Washington State University Building Account--State	\$4,800,000
Prior Biennia (Expenditures).....	\$19,515,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,315,000

NEW SECTION. Sec. 4030. FOR THE EASTERN WASHINGTON UNIVERSITY

Patterson Hall Remodel (20062002)

Reappropriation:

State Building Construction Account--State.....	\$13,885,000
Prior Biennia (Expenditures).....	\$42,958,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$56,843,000

NEW SECTION. Sec. 4031. FOR THE EASTERN WASHINGTON UNIVERSITY

Minor Works - Preservation (30000427)

Reappropriation:

State Building Construction Account--State.....	\$1,320,000
Eastern Washington University Capital Projects	
Account--State.....	\$5,654,000
Subtotal Reappropriation	\$6,974,000
Prior Biennia (Expenditures).....	\$9,666,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,640,000

NEW SECTION. Sec. 4032. FOR THE CENTRAL WASHINGTON UNIVERSITY

Science Building (30000045)

Reappropriation:

State Building Construction Account--State.....	\$900,000
Prior Biennia (Expenditures).....	\$1,678,000
Future Biennia (Projected Costs)	\$63,483,000

TOTAL \$66,061,000
NEW SECTION. Sec. 4033. FOR THE CENTRAL WASHINGTON UNIVERSITY
 Minor Works Preservation (30000444)

Reappropriation:

Central Washington University Capital Projects
 Account--State..... \$3,500,000

 Prior Biennia (Expenditures)..... \$3,930,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,430,000

NEW SECTION. Sec. 4034. FOR THE CENTRAL WASHINGTON UNIVERSITY
 Combined Utilities (30000448)

Reappropriation:

State Building Construction Account--State..... \$700,000

 Prior Biennia (Expenditures)..... \$3,300,000
 Future Biennia (Projected Costs) \$25,810,000
 TOTAL \$29,810,000

NEW SECTION. Sec. 4035. FOR THE CENTRAL WASHINGTON UNIVERSITY
 Samuelson Communication and Technology Center (SCTC) (30000451)

Reappropriation:

State Building Construction Account--State..... \$3,000,000

 Prior Biennia (Expenditures)..... \$2,000,000
 Future Biennia (Projected Costs) \$65,481,000
 TOTAL \$70,481,000

NEW SECTION. Sec. 4036. FOR THE EVERGREEN STATE COLLEGE
 Communications Laboratory Building Preservation and Renovation (30000002)

Reappropriation:

The Evergreen State College Capital Projects
 Account--State..... \$275,000

 Prior Biennia (Expenditures)..... \$10,706,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$10,981,000

NEW SECTION. Sec. 4037. FOR THE EVERGREEN STATE COLLEGE
 Facilities Preservation (30000051)

Reappropriation:

The Evergreen State College Capital Projects
 Account--State..... \$275,000

 Prior Biennia (Expenditures)..... \$6,660,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,935,000

NEW SECTION. Sec. 4038. FOR THE EVERGREEN STATE COLLEGE
 Science Center - Lab I, 2nd Floor Renovation (30000116)

Reappropriation:

State Building Construction Account--State..... \$150,000

 Prior Biennia (Expenditures)..... \$4,800,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,950,000

NEW SECTION. Sec. 4039. FOR THE WESTERN WASHINGTON UNIVERSITY
 Carver Academic Renovation (20081060)

Reappropriation:

State Building Construction Account--State..... \$2,000,000

 Prior Biennia (Expenditures)..... \$5,374,000
 Future Biennia (Projected Costs) \$73,531,000

TOTAL \$80,905,000
NEW SECTION. Sec. 4040. FOR THE WESTERN WASHINGTON UNIVERSITY
 Classroom and Lab Upgrades (30000425)

Reappropriation:

State Building Construction Account--State..... \$50,000
 Western Washington University Capital Projects
 Account--State..... \$489,000
 Subtotal Reappropriation..... \$539,000

Prior Biennia (Expenditures)..... \$4,260,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,799,000

NEW SECTION. Sec. 4041. FOR THE WESTERN WASHINGTON UNIVERSITY
 Fraser Hall Renovation (30000427)

Reappropriation:

State Building Construction Account--State..... \$2,500,000

Prior Biennia (Expenditures)..... \$2,440,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,940,000

NEW SECTION. Sec. 4042. FOR THE WESTERN WASHINGTON UNIVERSITY
 Minor Works - Preservation (30000431)

Reappropriation:

Western Washington University Capital Projects
 Account--State..... \$2,508,000

Prior Biennia (Expenditures)..... \$7,286,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,794,000

NEW SECTION. Sec. 4043. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Pacific-Lewis and Clark Station Camp Park Project (2002S001)

Reappropriation:

State Building Construction Account--State..... \$226,000

Prior Biennia (Expenditures)..... \$4,261,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,487,000

NEW SECTION. Sec. 4044. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Washington Heritage Grants (20074004)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
- (2) The reappropriation in this section is subject to the project list in section 5137, chapter 520, Laws of 2007.
- (3) The reappropriation in this section is subject to the provisions of section 5044, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State..... \$626,000

Prior Biennia (Expenditures)..... \$9,279,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,905,000

NEW SECTION. Sec. 4045. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Washington Heritage Project Capital Grants (30000011)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation in this section is subject to the provisions of section 5120, chapter 497, Laws of 2009.
- (2) The reappropriation in this section is subject to the provisions of section 5045, chapter 36, Laws of 2010 1st sp. sess.

Reappropriation:

State Building Construction Account--State..... \$1,152,000

Prior Biennia (Expenditures)..... \$8,273,000

Future Biennia (Projected Costs) \$0
 TOTAL \$9,425,000

NEW SECTION. Sec. 4046. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Building Preservation (30000111)

Reappropriation:

State Building Construction Account--State..... \$414,000

Prior Biennia (Expenditures)..... \$386,000

Future Biennia (Projected Costs) \$0

TOTAL \$800,000

NEW SECTION. Sec. 4047. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Grants (30000117)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation in this section is subject to the provisions of RCW 27.34.330.
- (2) The reappropriation in this section is subject to the provisions of section 622, chapter 1, Laws of 2012 2nd sp. sess.

Reappropriation:

State Building Construction Account--State..... \$3,729,000

Prior Biennia (Expenditures)..... \$3,353,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,082,000

NEW SECTION. Sec. 4048. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic College: Humanities and Student Services (20061204)

Reappropriation:

State Building Construction Account--State..... \$83,000

Prior Biennia (Expenditures)..... \$41,305,000

Future Biennia (Projected Costs) \$0

TOTAL..... \$41,388,000

NEW SECTION. Sec. 4049. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls Community College: Campus Classrooms (20062696)

Reappropriation:

State Building Construction Account--State..... \$12,629,000

Prior Biennia (Expenditures)..... \$6,987,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,616,000

NEW SECTION. Sec. 4050. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Puget Sound Community College: Learning Resource Center (20062698)

Reappropriation:

State Building Construction Account--State..... \$18,185,000

Prior Biennia (Expenditures)..... \$15,476,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,661,000

NEW SECTION. Sec. 4051. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clover Park Technical College: Allied Health Care Facility (20062699)

Reappropriation:

State Building Construction Account--State..... \$11,450,000

Prior Biennia (Expenditures)..... \$10,883,000

Future Biennia (Projected Costs) \$0

TOTAL \$22,333,000

NEW SECTION. Sec. 4052. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Seattle Central Community College: Wood Construction Center (20081216)

Reappropriation:

State Building Construction Account--State..... \$942,000

Prior Biennia (Expenditures)..... \$21,367,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$22,309,000

NEW SECTION. Sec. 4053. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Community College: Technical Education Building (20081220)

Reappropriation:

State Building Construction Account--State..... \$4,804,000

Prior Biennia (Expenditures)..... \$21,626,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$26,430,000

NEW SECTION. Sec. 4054. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Everett Community College: Index Hall Replacement (20081221)

Reappropriation:

State Building Construction Account--State..... \$8,652,000

Prior Biennia (Expenditures)..... \$27,662,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$36,314,000

NEW SECTION. Sec. 4055. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Green River Community College: Trades and Industry Building (20081222)

Reappropriation:

State Building Construction Account--State..... \$573,000

Prior Biennia (Expenditures)..... \$1,272,000
 Future Biennia (Projected Costs) \$27,332,000
 TOTAL \$29,177,000

NEW SECTION. Sec. 4056. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce College Fort Steilacoom: Cascade Core (20081321)

Reappropriation:

State Building Construction Account--State..... \$568,000
 Community/Technical College Capital Projects
 Account--State..... \$219,000
 Subtotal Reappropriation..... \$787,000

Prior Biennia (Expenditures)..... \$23,054,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$23,841,000

NEW SECTION. Sec. 4057. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Tacoma Community College: Health Careers Center (20082701)

Reappropriation:

State Building Construction Account--State..... \$34,971,000

Prior Biennia (Expenditures)..... \$6,202,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$41,173,000

NEW SECTION. Sec. 4058. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bellevue Community College: Health Science Building (20082702)

Reappropriation:

State Building Construction Account--State..... \$170,000

Prior Biennia (Expenditures)..... \$2,884,000
 Future Biennia (Projected Costs) \$29,475,000
 TOTAL \$32,529,000

NEW SECTION. Sec. 4059. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:

State Building Construction Account--State..... \$219,000

Prior Biennia (Expenditures).....	\$1,709,000
Future Biennia (Projected Costs)	\$24,267,000
TOTAL \$26,195,000	

NEW SECTION. Sec. 4060. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)

Reappropriation:

State Building Construction Account--State.....	\$1,335,000
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Prior Biennia (Expenditures).....	\$1,239,000
Future Biennia (Projected Costs)	\$34,348,000
TOTAL \$36,922,000	

NEW SECTION. Sec. 4061. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Peninsula College: Fort Worden Building 202 (30000114)

Reappropriation:

State Building Construction Account--State.....	\$4,191,000
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Prior Biennia (Expenditures).....	\$186,000
Future Biennia (Projected Costs)	\$0
TOTAL \$4,377,000	

NEW SECTION. Sec. 4062. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bellingham Technical College: Fisheries Program (30000117)

Reappropriation:

State Building Construction Account--State.....	\$1,590,000
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Prior Biennia (Expenditures).....	\$410,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,000,000	

NEW SECTION. Sec. 4063. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Lower Columbia College: Myklebust Gymnasium (30000118)

Reappropriation:

State Building Construction Account--State.....	\$1,712,000
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Prior Biennia (Expenditures).....	\$288,000
Future Biennia (Projected Costs)	\$0
TOTAL \$2,000,000	

NEW SECTION. Sec. 4064. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Seattle Central Community College: Seattle Maritime Academy (30000120)

Reappropriation:

State Building Construction Account--State.....	\$220,000
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Prior Biennia (Expenditures).....	\$1,117,000
Future Biennia (Projected Costs)	\$15,780,000
TOTAL \$17,117,000	

NEW SECTION. Sec. 4065. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Yakima Valley Community College: Palmer Martin Building (30000121)

Reappropriation:

State Building Construction Account--State.....	\$3,000
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Prior Biennia (Expenditures).....	\$994,000
Future Biennia (Projected Costs)	\$19,735,000
TOTAL \$20,732,000	

NEW SECTION. Sec. 4066. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic College: College Instruction Center (30000122)

The reappropriation in this section is subject to the following conditions and limitations: Olympic community college shall enter into an interagency agreement with the office of financial management to provide funding for a budget evaluation study. The office of financial management shall use a budget evaluation study team approach using value engineering techniques and life cycle cost analysis in conducting the study. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature and agencies in a timely manner following the study.

Reappropriation:

State Building Construction Account--State.....	\$3,212,000
Prior Biennia (Expenditures).....	\$412,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,624,000

NEW SECTION. Sec. 4067. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

North Seattle Community College: Technology Building Renewal (30000129)

Reappropriation:

State Building Construction Account--State.....	\$22,159,000
Prior Biennia (Expenditures).....	\$3,260,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,419,000

NEW SECTION. Sec. 4068. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Green River Community College: Science, Math, and Technology Building (30000130)

Reappropriation:

State Building Construction Account--State.....	\$8,271,000
Prior Biennia (Expenditures).....	\$11,606,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,877,000

NEW SECTION. Sec. 4069. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Site Repairs "A" (30000504)

Reappropriation:

State Building Construction Account--State.....	\$1,620,000
Community/Technical College Capital Projects	
Account--State.....	\$2,379,000
Subtotal Reappropriation.....	\$3,999,000
Prior Biennia (Expenditures).....	\$1,046,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,045,000

NEW SECTION. Sec. 4070. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Facility Repairs "A" (30000505)

Reappropriation:

Community/Technical College Capital Projects	
Account--State.....	\$7,676,000
Prior Biennia (Expenditures).....	\$8,153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,829,000

NEW SECTION. Sec. 4071. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Roof Repairs "A" (30000434)

Reappropriation:

Community/Technical College Capital Projects	
Account--State.....	\$3,708,000
Prior Biennia (Expenditures).....	\$5,417,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,125,000

NEW SECTION. Sec. 4072. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Preservation (30000461)

Reappropriation:

Community/Technical College Capital Projects	
Account--State.....	\$10,544,000
Prior Biennia (Expenditures).....	\$5,457,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,001,000

NEW SECTION. Sec. 4073. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Program (30000674)

Reappropriation:

State Building Construction Account--State.....	\$7,270,000
Prior Biennia (Expenditures).....	\$12,730,000
Future Biennia (Projected Costs)	\$0
TOTAL \$20,000,000	

(End of part)

PART 5

2013 SUPPLEMENTAL CAPITAL BUDGET

Sec. 5001. 2012 2nd sp.s. c 2 s 3002 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxic Sites - Puget Sound (91000032)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following ranked list of projects. ~~((If a specified project has not met the requirements for executing a contract with the department by April 30, 2013, the department may allocate the amount specified to additional projects awarded on a competitive basis provided that the awardee is ready to proceed with the project.))~~

Project	Authorized Amount
Port Gamble Bay - Open up 90 acres of geoduck ((tracts)) <u>tracts</u>	\$2,000,000
Port Gamble Bay - Source control, habitat preservation, and cleanup sustainability Administration	\$7,000,000
	\$270,000
Total	\$9,270,000

Appropriation:

State Toxics Control Account--State.....	\$9,270,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$9,270,000	

Sec. 5002. 2011 1st sp.s. c 49 s 3052 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden State Park: Building 202 Rehabilitation (30000027)

Appropriation:

State Building Construction Account--State.....	(\$2,377,000)
<u>\$0</u>	
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL (\$2,377,000)	

\$0

Sec. 5003. 2011 1st sp.s. c 48 s 3070 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION FUNDING BOARD

Aquatic Lands Enhancement Account (30000143)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for the list of projects in LEAP capital document No. 2011-3B, ~~((developed April 6, 2011))~~ revised April 10, 2013.

Appropriation:

Aquatic Lands Enhancement Account--State	(\$6,806,000)
<u>\$6,461,000</u>	
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL ((\$6,806,000))	
<u>\$6,461,000</u>	

Sec. 5004. 2011 1st sp s. c 49 s 3112 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Replacing State Forest Lands with Productive Forests (91000029)

The appropriation in this section is subject to the following conditions and limitations:

(1) The total appropriation is provided solely to the department to transfer from state forest land status to natural resources conservation area status certain state forest lands in counties with a population of 25,000 or less which are subject to timber harvest deferrals greater than thirty years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act. The approved list of properties for transfer is identified in the LEAP capital document No. 2011-5A, (~~developed March 24, 2014~~) revised April 10, 2013.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110, in the same manner as valuable material revenues from other state forest lands in the applicable counties. The value of the land transferred must be deposited in the park land trust revolving account and be solely used to buy replacement state forest land within the same county as the property transferred, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. However, the department or applicable counties may remove a property from the transfer list based on new, substantive information, if it is determined that transfer of the property is not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account--State.....	\$2,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$2,000,000	

NEW SECTION. Sec. 5005. FOR THE DEPARTMENT OF NATURAL RESOURCES

Natural Areas Facilities Preservation and Access (30000208)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for ecological restoration of the upland buffer areas within the Elk River natural resource conservation area.

Appropriation:

Aquatic Lands Enhancement Account--State	\$345,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$0
TOTAL \$345,000	

Sec. 5006. 2012 2nd sp.s. c 2 s 5005 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2011-13 School Construction Assistance Program (30000071)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,337,000 of the common school construction account--state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) In calculating square foot eligibility for state assistance grants, kindergarten student headcount shall not be reduced by fifty percent.

(3) \$952,000 of the common school construction account--state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

Appropriation:

Common School Construction Account--State.....	\$307,558,000
Common School Construction Account--Federal.....	(\$1,600,000)
<u>\$2,230,000</u>	
Subtotal Appropriation	(\$309,158,000)
<u>\$309,788,000</u>	

Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	\$1,351,139,000

TOTAL ((~~\$1,660,297,000~~))
\$1,660,927,000

Sec. 5007. 2011 1st sp.s. c 5101 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Peninsula College: Fort Worden Building 202 (30000114)

Appropriation:

State Building Construction Account--State.....((~~\$2,000,000~~))
\$4,377,000

Prior Biennia (Expenditures)..... \$0
 Future Biennia (Projected Costs) \$0

TOTAL ((~~\$2,000,000~~))
\$4,377,000

NEW SECTION. Sec. 5008. COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS.

Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

(End of part)

PART 6

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 6001. (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. Sec. 6002. To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of \$5,000,000 shall not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document shall include, but not be limited to, program, site, and cost analysis, including life cycle cost, in accordance with the predesign manual adopted by the office of financial management. The results of life cycle cost analysis shall be a primary consideration in the selection of a building design. Construction shall proceed only upon providing to the office of financial management the life cycle costs. To improve monitoring of major construction projects, progress reports shall be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports will be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. Sec. 6003. (1) To ensure minor works appropriations are carried out in accordance with legislative intent, funds appropriated in this act shall not be allotted until project lists are on file at the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee. All projects must meet the criteria included in subsection (2)(a) of this section. Revisions to the lists must be filed with the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee and include an explanation of variances from the prior lists before funds may be expended on the revisions.

(2)(a) Minor works projects are single line appropriations that include multiple projects of a similar nature and that are valued between \$25,000 and \$1,000,000 each, with the exception of higher education minor works projects that may be valued up to \$2,000,000. These projects can generally be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed \$1,000,000, or \$2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the above minor works categories.

(b) Minor works appropriations shall not be used for, among other things: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock, computers or to supplement funding for projects with funding shortfalls unless expressly authorized elsewhere in this act. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(c) Minor works preservation projects may include program improvements of no more than twenty-five percent of the individual minor works preservation project cost.

(3) Minor works projects are intended to be one-time expenditures that do not require future state resources to complete.

NEW SECTION. Sec. 6004. (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under \$250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. Sec. 6005. (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. Sec. 6006. State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. Sec. 6007. Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies and higher education institutions shall comply with the requirements set forth in this executive order.

NEW SECTION. Sec. 6008. PUGET SOUND PROTECTION AND RESTORATION. Consistent with RCW 90.71.340, when expending appropriations under this act that contribute to Puget Sound protection and recovery, agencies shall consult with the Puget Sound partnership to ensure that projects and expenditures are either in, or consistent with the 2020 action agenda. These consultations shall include the exchange of information on specific actions, projects, associated funding, performance measures, and other information necessary to track project implementation and ensure alignment with the action agenda. In situations where the Puget Sound partnership finds that a project is not in, or is not consistent with the action agenda Puget Sound partnership shall document this finding and report back to the governor and legislative fiscal committees.

NEW SECTION. Sec. 6009. The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2015-2017 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

NEW SECTION. Sec. 6010. To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 6011. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. Sec. 6012. (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. Sec. 6013. The office of financial management, in consultation with the fiscal committees of the legislature, may select capital projects that have completed predesign to undergo a budget evaluation study. The budget evaluation study team approach using value engineering techniques and life cycle cost analysis must be utilized by the office of financial management in conducting the studies. The office of financial management shall select the budget evaluation team members, contract for the study, and report the results to the legislature and agencies in a timely manner following the study. Funds from the project appropriation must be used by the office of financial management through an interagency agreement with the affected agencies to cover the cost of the study.

NEW SECTION. Sec. 6014. COLUMBIA RIVER BASIN NONTAXABLE AND TAXABLE BOND PROCEEDS.

Portions of the appropriation authority granted by this act from the Columbia river basin water supply development account may be transferred to the Columbia river basin taxable bond water supply development account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the Columbia

river basin water supply development account and the Columbia river basin taxable bond water supply development account is necessary, or that a shift of appropriation authority from the Columbia river basin taxable bond water supply development account to the Columbia river basin water supply development account may be made.

Sec. 6015. 2005 c 8 s 1 (uncodified) is amended to read as follows:

Pursuant to chapter 43.155 RCW, the following project loans recommended by the public works board are authorized to be made with funds appropriated from the public works assistance account:

- (1) Bainbridge Island--storm sewer project--construct a storm sewer waste management facility including bins for storage of asphalt, concrete, wood chips, rock, sand and gravel, and miscellaneous woody debris; and test remaining soil and remove contaminated soils from the Head of the Bay site..... \$782,000
- (2) Bainbridge Island--sanitary sewer project--upgrade wastewater treatment plant by upgrading the following: Headworks, biosolids, oxidation ditch aeration basins, sludge holding basins, secondary clarification, and sludge pumping and effluent outfall..... \$3,618,000
- (3) Battle Ground--sanitary sewer project--expand the capacity in the shared use facilities by performing the design engineering and construction for a parallel sewer line interceptor, 1 new transmission pump station, an influent pressure main, and treatment plant improvements to increase the capacity from 10.3 million gallons per day to 16 million gallons per day..... \$10,000,000
- (4) Birchbay water and sewer district--sanitary sewer project--extend the existing sanitary sewer system constructing approximately 10,000 feet of gravity sewer mains, including manholes, side sewers to each lot, and other sewer appurtenances. The project will also include temporary erosion and sedimentation control measures and other public/private improvement restoration following sewer installation
\$765,000
- (5) Blaine--sanitary sewer project--construct a wastewater pretreatment facility and a 700,000 gallon equalization storage facilities along and underneath Marine Drive to prevent raw sewage overflows into Drayton Harbor, construction of control structures required to operate and maintain facilities, and reconstruction of existing lift station number one..... \$5,080,000
- (6) Brewster--sanitary sewer project--retrofit south lift station and dry well/wet well system will be converted to a submersible pump station, headworks structure will be enclosed, including electrical and ventilation systems, replacement of chlorine gas disinfection system with UV disinfection, construction of a plant water system, adding new effluent flow meter and automatic sampler, replacement of activated sludge pumps, retrofitting primary clarifier, installation of a new dewatering facility, electrical, and control features and appurtenances
\$2,659,600
- (7) Carnation--sanitary sewer project--eliminate current septic tank/drainfield systems and replace them with a centralized sewer collection system that will connect directly to the treatment facility being built by King County, including approximately 26,000 feet of vacuum sewer collector pipes, 3,000 feet of force main, approximately 700 side sewers and the associated abandonment of septic tank/drainfield systems, relocation of 10,000 feet of water main, telemetry system for new sewer facilities, and a vacuum/pump station
\$4,374,700
- (8) Castle Rock--sanitary sewer project--upgrade wastewater treatment plant by constructing a new treatment process, structures and equipment, new oxidation ditch, modernized headworks, disinfecting with ultraviolet, installation of a belt thickener, and press for solids and secondary clarifiers \$655,000
- (9) Chinook water district--domestic water project--construct a new package water filter plant..... \$1,425,000
- (10) College Place--domestic water project--construct a 1.5 million gallon water storage reservoir, install a booster station, approximately 7,100 feet of 16 inch water transmission mains, three pressure reducing valve stations, and a second booster station in the Regency Park package system, telemetry improvements, and associated appurtenances \$2,975,000
- (11) Douglas county--storm sewer project--construction of a detention basin of approximately 35 acre feet, construction of an urban conveyance and water quality project that consists of construction of about 2,000 feet of closed conduit, 1,000 feet of open channel, and construction of a water quality treatment facility, and all appropriate appurtenances..... \$2,835,600
- (12) Dupont--sanitary sewer project--replace approximately 6,600 feet of sanitary sewer line with manholes, 103 side sewers, and overlaying 4,200 feet of street. The city of DuPont will also purchase capacity from Pierce County allowing the transfer of flows for treatment to Pierce County \$1,985,600
- (13) East Wenatchee water district--domestic water project--increase capacity and remedy leaking mains by replacing approximately one mile of 12 inch ductile iron transmission main..... \$490,875
- (14) Eatonville--domestic water project--construct a membrane filtration system and use the existing disinfection system, install a booster pump station, additional well sources, basin modifications, and approximately 1,200 feet of transmission main to connect to the existing system
\$807,500
- (15) Edmonds--sanitary sewer project--lift station elimination and rehabilitation project includes elimination of lift station seven, demolish the facility and construct approximately 1,550 feet of gravity sewer line, and install a new line from current location of lift station seven to lift station eight. Replace lift station eight, including upsizing of the wet well and replacement of all mechanical and electrical equipment and replacement and upsizing of approximately 450 feet of force main..... \$1,216,903
- (16) Enumclaw--sanitary sewer project--upgrade and expand the existing wastewater treatment plant by constructing a new headworks, install new extended aeration activated sludge basins, anaerobic/anoxic basins, and two additional secondary clarifiers. The city will also include construction of chemical facilities, enlarging laboratory area, sludge dewatering, and stabilization facilities and related appurtenances\$9,750,000
- (17) Ephrata--sanitary sewer project--construction of approximately 2,400 feet of sanitary sewer main, 200 feet of side sewer pipe, eight manholes and appurtenances, and the rehabilitation of approximately one mile of access roadway in the port of Ephrata..... \$289,000
- (18) Everett--sanitary sewer project--construct upgrades to the wastewater treatment plant that include: A headworks grit system, construction of two primary clarifiers, a new biofilter, new piping arrangements, modifications to the trickling filter pump station, installation of primary sludge grit removal equipment, sludge dispersion equipment, flow metering, new hypochlorite generation facilities, new scum collection and dewatering equipment, and minor upgrade of the north effluent pump station..... \$10,000,000
- (19) Freeland water district--domestic water project--solve the source and storage needs by constructing a new reservoir, connection of the new well to the new reservoir, connection of the new reservoir to the system, rehabilitation of the existing well number one, and all appropriate appurtenances..... \$308,030

- (20) Gig Harbor--sanitary sewer project--upgrade to the wastewater treatment plant to improve its efficiency and effectiveness. In addition, an outfall extension into Colvos Passage, including a diffuser will be constructed. Project will result in a higher quality effluent being discharged to Puget Sound..... \$10,000,000
- (21) Goldendale--road project--reconstruct approximately 2,700 feet of East Collins Drive. This will include curb and gutters, storm drainage facilities, sewer line repair and replacement, water line replacement, and a 40 foot curb to curb road section consisting of two eleven foot travel lanes and two nine foot parking areas \$827,316
- (22) Highland water district--domestic water project--construct a 0.5 million gallon steel water tank and foundation, appurtenances such as water lines and valves, access road, and other site improvements as needed..... \$573,750
- (23) Ilwaco--sanitary sewer project--replace approximately 2,000 feet of sanitary sewer lines and 2,250 feet of storm sewer lines, including contributing laterals. In addition, installation of new manholes, catch basins, and other related improvements would be made as part of the project \$774,000
- (24) Jefferson County public utility district 1--domestic water project--extend water system to service the entire Marrowstone Island. Replacing individual wells with a public water supply. This will include installation of approximately 150,000 feet of water mains with accoutrements, a new 300,000 gallon storage tank, and expansion of existing treatment facilities. This will ensure a consistent source of potable water for the residents..... \$2,000,000
- (25) Jefferson County public utility district 1--sanitary sewer project--replace approximately 80 individual septic systems with a new community drainfield system, consisting of approximately 12 grinder pump stations, twin booster pump stations, two dosing tanks, and other components necessary to enable the system to function properly. Completion of this project will virtually eliminate the release of any untreated effluent into the wetland and Discovery Bay..... \$948,924
- (26) Kennewick--domestic water project--upgrade the water treatment plant with installation of a new membrane filtration at the Columbia River plant and installation of an ultraviolet disinfection system at the Ranney collector number five. Other related improvements will be made to the system as part of the project. This project will bring the city into compliance with the department of health's ground water under the influence (GWI) requirements..... \$10,000,000
- (27) King county water district No. 111--domestic water project--construct four water treatment facilities. Each facility will include chlorine generation systems, backwash recycling facilities, SCADA systems at each plant, and any other related activities necessary to complete the construction. This will enable the district to be in compliance with iron and manganese MCLs and eliminate the hazards associated with chlorine \$1,255,428
- (28) King county water district No. 125--domestic water project--upgrade pressure zone 2 by installing two secondary source connections, including pressure-reducing valves, valves, piping, and appurtenances and approximately 150 feet of water main. The project will also include replacement of approximately 12,500 feet of undersized water main, including all valves, fittings, hydrants, and appurtenances and project area restoration as required..... \$1,088,850
- (29) Lake Forest Park--sanitary sewer project--installation of a series of extensions to the city of Lake Forest Park's sanitary sewer system to provide service to residential areas currently not serviced. This will include construction of approximately 3.8 miles of sewer main extension including gravity sewer, pressure piping, service connections and side sewers, lift stations, grinder pump assemblies, surface restoration, temporary erosion and sedimentation control, and related work..... \$4,656,000
- (30) Leavenworth--domestic water project--reconstruct old reservoir on existing site, including new structural walls, new roof, and related appurtenances. Project will also include installation of a SCADA monitoring/radio telemetry control system..... \$1,400,000
- (31) LOTT wastewater alliance--sanitary sewer project--construct four secondary clarifier mechanisms, replacement of RAS pumps, secondary scum pumping improvements, and motorized actuators. Upgrades to equipment and mechanisms will enable LOTT to meet increasing loads at the Budd Inlet wastewater treatment plant and improve the effluent quality..... \$4,278,404
- (32) Malaga water district--domestic water project--construct a new 52,000 gallon partially buried concrete reservoir and connecting piping and install security fencing around tank. This project will enable the district to ensure a continuous safe water supply to the homes and businesses in the area..... \$161,500
- (33) Manchester water district--domestic water project--upgrade a wide range of the water system. Project will include installation of a SCADA system with all hardware, software, and backup equipment. Installation of a new flow meter at each wellhead and pump station. Distribution/transmission piping replacements and upgrades to the Mile Hill Road area, Yukon Harbor Drive and Southworth Drive. Installation of two interties in the South Street and Garfield Road area. Construction of two pressure-reducing stations located in the Beach Drive and Harper Hill areas..... \$970,870
- (34) Mason county public utility district 1--domestic water project--source improvements and system rehabilitation to the newly acquired Arcadia Estates system. Project will include pump and controls for well number two, 24,000 gallon storage reservoir with draft fire hydrant, three booster pumps, two pressure tanks, pressure-reducing station, service meters, and three blow off assemblies. This will remove the red operating permit and ensure a safe and reliable source of potable water for the community..... \$95,950
- (35) Mason county public utility district 1--domestic water project--rehabilitate the source of supply at the newly acquired Twanoh Heights water system. This project will include rehabilitation of well number one, installation of two pumps, abandonment of well number two per department of ecology rules, service meters and air release valves. This project will allow the community to have a continuous, safe and reliable water source..... \$172,900
- (36) Mason county public utility district 1--domestic water project--address system needs for the Madrona Beach water system by constructing a 11,500 gallon reservoir, booster station, site work/plumbing, service meters, and a source meter. This will enable the public utility district to comply with department of health requirements and remove a blue operating permit \$171,000
- (37) Mason county public utility district 1--domestic water project--make improvements to the newly acquired Canal Beach water system. The improvements include drilling and testing a new well source, constructing a 20,000 gallon storage tank, piped system intertie, fire service line and hydrant, water services with new meters, and abandonment of existing well sources per department of ecology rules \$171,712
- (38) Mason county public utility district 1--domestic water project--make improvements to the Minerva Terrace water system that will include drill and test well, integrate well into system, booster station with all appurtenances, 35,200 gallon reservoir, and a draft fire hydrant. This will enable the system to have the red operating permit to be lifted and comply with department of health rules.....

\$217,550

(39) Northeast Sammamish sewer/water district--domestic water project--construct a new water treatment plant, new 0.5 million gallon reservoir and pump station, new transmission water main, and new distribution main and associated minor improvements. The district will then be able to meet the federal arsenic level regulations and ensure a safe source of potable water for the community \$4,154,970

(40) Northshore utility district--sanitary sewer project--install approximately 2,445 feet of gravity sewer main, manholes, connection to the sanitary sewer system, and related restoration and appurtenances. In addition, the district will replace approximately 2,400 feet of asbestos concrete water mains. This will resolve the negative environmental and health impacts of the failing septic systems in the area \$814,634

(41) Northshore utility district--sanitary sewer project--install approximately 300 feet of gravity sewer main, manholes, connection to the sanitary sewer system, and related restoration and appurtenances. In addition, the district will replace approximately 300 feet of asbestos concrete water mains. This will resolve the negative environmental and health impacts of the failing septic systems in the area..... \$113,334

(42) Oak Harbor--domestic water project--replace existing water transmission mains being destroyed due to a highway project. The project includes construction of approximately 4,000 feet of transmission mains along Highway 20 just south of Deception Pass state park. Project will meet the city's foreseeable water requirements and provide sufficient capacity for the Naval Air Station--Whidbey \$834,700

(43) Orchard Avenue irrigation district number 6--domestic water project--install approximately 19,100 feet of PVC pipe. Approximately 210 buried meter boxes, reconnect approximately 400 existing services, and all required valves and other fittings. Project will eliminate public health concern over potential lead contamination from lead joint pipe \$1,066,800

(44) Pierce County--road project--widen, reconstruct, and overlay the intersection of Canyon Road E and 176th Street E, which includes additional travel lanes in each direction and left and right turn lanes at the intersection, a new traffic signal system, traffic signal interconnect system, street lights, median, curb and gutter, concrete sidewalks, landscaping, undergrounding of utilities, storm drainage conveyance, storage, and treatment facilities. Project will increase carrying capacity and allow for economic development \$2,942,000

(45) Pullman--sanitary sewer project--construct a new variable volume digester at the wastewater treatment plant, with an approximate capacity of 350,000 gallons. The work includes site preparation and construction of the digester, necessary piping modifications, and modifications to the existing plant control system. Project will enable the city to meet the environmental protection agency's SRT requirements \$1,912,000

(46) Pullman--domestic water project--construct a well to replace well number 3. Included in the project will be the drilling of the replacement well, well pump, motor, controls, disinfection equipment, fluoride injection equipment, a swell and chemical storage house, connection of transmission lines, and other related miscellaneous items and site work \$850,000

(47) Ridgefield--sanitary sewer project--construct a new pump station, install approximately 3,000 feet of force main, which will discharge directly into the treatment plant, and construct approximately 3,000 feet of gravity interceptor sewer. This project will enable the city to open up service to an area that is currently not served and allow for economic development..... \$1,718,000

(48) Ritzville--domestic water project--increase the city's water capacity from 1,200 to 2,000 gallons per minute by drilling a new well. This will also include installing the necessary pump and connections to the storage tank and construct a well house to protect the equipment \$845,000

(49) Ronald wastewater district--sanitary sewer project--sewer extension to unsewered areas includes installation of approximately 2,700 feet PVC sewer main and approximately 2,000 feet PVC sewers in three separate areas of the district. All associated appurtenances will also be installed, such as manholes and side sewer stubs. Approximately 1,100 sewer trunk main will be repaired. The streets and other public improvements that are disturbed during construction will be restored to city of Shoreline's standards..... \$1,021,700

(50) Samish water district--sanitary sewer project--upgrade its system by replacing pumps and controls at six sewage pump stations, replace controls at one sewage pump station, upgrade SCADA, and replace inline valves on existing sewer force main. This will ensure that the system operates within regulations \$1,083,000

(51) Seattle--storm sewer project--increase capacity of the drainage system by installing approximately 1,760 feet of storm drain along South Trenton Street, 3rd Avenue South, and 4th Avenue South. Install 2,380 feet of storm drain along South Director Street and 7th Avenue South. The last part of the project will construct a new storm drain system on 8th Avenue South. These new drainage pipes will reduce flows to the combined sewer system and reduce the number of overflows \$3,400,000

(52) Seattle--storm sewer project--upgrade two culverts in the lower reaches of Taylor Creek to remove fish barriers and construct a fish ladder to improve fish passage and control sediment transportation. Other related improvements will be made to the area as part of the project \$450,500

(53) Seattle--storm sewer project--construct two ponds that will include a 4 acre feet sediment collection pond, 2 acre feet decant pond, 750 feet of access road, 750 of decant piping, a gravel pump and its housing and controls, and 4,000 feet of landscaping around the new ponds. Additional related upgrades will be done to complete the project..... \$1,832,600

(54) Skyway water/sewer district--domestic water project--replace and upsize the supply meter from the city of Seattle system and replace approximately 6,350 feet of asbestos water supply line. In addition, four new pressure zones interties will be installed to improve flow between pressure zones within the water/sewer district..... \$1,130,526

(55) Spokane--domestic water project--replace about 3,500 feet of riveted steel water transmission mains with ductile iron pipe. In addition, project will include all valves, connections, blowoffs, air valves, railroad crossing, and pavement restoration and traffic control \$3,453,975

(56) Spokane--domestic water project--construct a 2 million gallon elevated steel tank with an accompanying booster station. This will include all piping, valves, telemetry, instrumentation, excavation and site preparation including landscaping, paving, and fencing..... \$2,232,950

(57) Spokane county--road project--~~(construct a total of 8.3 miles of roadway from Havana Street to Forker Road and from Forker Road from Bigelow Guleh Road to Wellesley Road. The construction will provide for expanding the road to four traveled lanes plus eight foot shoulders to improve safety and traffic capacity. A center turn lane will be added at locations where vehicles routinely make left turns. Eight foot shoulders will be added to provide for safety of pedestrians and bicycles..... \$10,000,000)~~

expand and realign the Bigelow Gulch/Forker Road Corridor to a four lane roadway with eight foot shoulders to improve traffic capacity and increase the overall safety of the corridor. This project will include engineering and design environmental and cultural review, acquisition of right-of-way and construction of 1.78 miles of roadway improvement. In addition, design and right-of-way will be prepared and acquired for the next continuous phase of the project..... \$4,500,000

(58) Stanwood--domestic water project--construct a 1 million gallon elevated water tank, water main, appurtenances, and equipment necessary to connect the new water tank to the existing system. Project will also install telemetry and control systems compatible with existing system, construction of a Cedarhome booster pump station for filling the Cedarhome reservoir, and improvements to the sites such as grading, fencing, and landscaping..... \$2,481,620

(59) Stevens County--solid waste project--expand municipal solid waste site by construction of an 11 acre lateral expansion, environmentally protective landfill lining and leachate collection system and construction of ancillary facilities such as perimeter roads. Leachate facilities will consist of piping, collection and conveyance facilities..... \$2,600,000

(60) Union Gap--sanitary sewer project--construct approximately 3,400 feet of sewer interceptor and 1,800 feet of sewer laterals in conjunction with new roadways in the Valley Mall Boulevard area..... \$676,429

(61) Washougal--sanitary sewer project--construct a redundant secondary clarifier adjacent to existing secondary clarifier, including piping connections to the existing clarifier distribution structure, scum pump station, and RAS/WAS pump room. Additional work will include RAS/WAS pump room modifications for installation of dedicated return and waste-activated sludge pumps, sidewalks, and site grading and all necessary electrical hardware and SCADA control modifications. Project will enable the city to meet their national pollution discharge elimination system permit requirements..... \$794,000

(62) West Richland--sanitary sewer project--increase capacity by constructing a one million gallons per day biolac wastewater treatment facility, approximately 2,700 feet of sanitary sewer pipe, lift station, miscellaneous roadway patching, and site restoration. If additional funds are available, improvements to the facilities outfall structure will be designed along with facilities for sludge handling from the sewer maintenance program. Project will enable the city to meet their national pollution discharge elimination system permit requirements..... \$4,000,000

(63) Witworth water district 2--domestic water project--The district will solve the area problems by installing approximately 27,090 of water lines together with valves and appurtenances, connection to the existing system, 15 hydrants, pavement repair, and other surface restoration. In addition, installation of a two million gallon steel reservoir and a 1,700 gallons per minute booster pump station and various piping, appurtenances, pumps, controls, security, electrical, and connection to existing system..... \$2,502,300

(64) Yakima--sanitary sewer project--The project will be done in two phases. Phase I will install approximately 6,640 feet of sewer main trunk line in River Road from North 16th Avenue to North 40th Avenue. Phase II will install 5,500 feet of sewer main trunk line in River Road from North 6th Avenue to North 16th Avenue if public works trust fund loan funds remain and private development proceeds. The project will help prevent further loss of major employers by providing the transportation and utility infrastructure necessary to maintain competitive operations..... \$2,307,000

Sec. 6016. 2007 c 4 s 1 (uncodified) is amended to read as follows:

Pursuant to chapter 43.155 RCW, the following project loans recommended by the public works board are authorized to be made with funds appropriated from the public works assistance account:

(1) Airway Heights--sanitary sewer project--collection system improvements and an approximately 1 million gallon per day annual average flow wastewater treatment, reclamation, and groundwater recharge facility \$7,000,000

(2) Annapolis water district--domestic water project--interior and exterior of surface water reservoir will be sandblasted and painted to preserve structural integrity of the tank and eliminate breaches in the paint coating systems. Structural repairs will also be made to the tank and foundation \$595,000

(3) Blaine--sanitary sewer project--construct a new wastewater treatment plant to serve the projected demand for the next twenty years, using the latest membrane filtering technology to produce reuse-quality water effluent to minimize impacts to local shell fishing \$7,000,000

(4) Bremerton--sanitary sewer project--upgrade a sewage pump station to increase capacity from 1,900 gallons per minute to 3,500 gallons per minute, eliminating combined sewer overflows into the Puget Sound and meet a court order..... \$675,000

(5) Bremerton--sanitary sewer project--design and construct a treatment plant upgrade to address the vital needs of the plant, create redundancy for essential treatment processes, and replace twenty year old components and meet a court order..... \$3,000,000

(6) Bremerton--sanitary sewer project--construct approximately 1,300 feet new sewer interceptor and collector pipe to replace old, failing shallow sewer and meet a court order..... \$300,000

(7) Chelan county public utility district no. 1--domestic water project--design and construct: Two pump stations to increase capacity from approximately 4,000 gallons per minute to approximately 6,000 gallons per minute; a two million gallon reservoir; and approximately 5,000 feet of twelve and sixteen-inch water transmission mains to provide a reliable water source for approximately 4,500 customers \$5,267,000

(8) Cowlitz county--domestic water project--recoat the interior and exterior of four reservoirs to address areas of failure with the original coatings and protect the structural integrity of the reservoirs \$340,000

(9) Cross Valley water district--domestic water project--relocation and replacement of a failing water supply line that is located in an extremely wet cow pasture. Approximately 3,500 linear feet of asbestos cement line will be replaced with twelve-inch ductile iron pipe, including all valves, hydrants, and appurtenances as well as complete restoration and paving..... \$532,525

(10) East Wenatchee water district--domestic water project--construct approximately 6,000 lineal feet of twelve-inch water main that will serve as the supply main to the new approximately 1.5 million gallon reservoir..... \$2,772,700

(11) Friday Harbor--sanitary sewer project--construct a new offshore marine pipeline approximately 1,900 feet in length; a new pump station and approximately 3,650 feet of pipeline to the wastewater treatment plant \$4,378,000

(12) Grays Harbor county water district no. 1--domestic water project--provide adequate water supply from primary source to the north end of the system to mitigate low pressure problems and comply with a bilateral compliance agreement; extend distribution system to provide service to residences with failing individual supplies; construct standby power generation facilities for primary source of supply; and construct additional storage and pumping facilities to provide reliable service and fire flow \$6,717,575

- (13) Lake Stevens sewer district--sanitary sewer project--construction of a state of the art membrane bioreactor wastewater treatment facility outside the flood plain and an interceptor line and pump station \$7,000,000
 - (14) Mattawa--sanitary sewer project--complete public bidding and construction of the improvements consisting of an approximately 622,000 cubic foot HDPE lined long-term biosolids digestion basin, associated piping, rehabilitation of the existing biosolids drying beds, and fencing \$465,585
 - (15) Port Angeles--sanitary sewer project--design and construction of approximately 4,500 feet of thirty-inch sewer main to the headworks of the wastewater treatment plant..... \$1,875,000
 - (16) Snohomish--sanitary sewer project--~~(construct a fifteen and ten inch sewer to reach an existing pump station; extend the above sewer using an eight inch pipe to another pump station; and replace an existing sewer with a ten inch pipe to provide additional capacity for future service and to meet the conditions of a stipulated court order \$7,000,000)~~
Segment 2: Add approximately 3,400 feet of sewer trunk to connect to the Segment 1, thereby allowing two pump stations to be abandoned.
Segment 3: Replace approximately 1,200 feet of existing undersized sewer to provide additional capacity and to accommodate future service north and east of Blackmans Lake..... \$1,400,000
 - (17) Toppenish--sanitary sewer project--construct a single activated sludge process to replace the existing wastewater treatment facility, including the installation of ultraviolet disinfection channels to replace chlorine gas. The solids handling system will also be improved \$7,000,000
 - (18) Walla Walla--sanitary sewer project--the third and final upgrade at the wastewater treatment plant to meet class A water reuse standards and to comply with an agreed order from the department of ecology \$6,856,875
 - (19) Yakima--sanitary sewer project--replacement of chlorine gas with ultraviolet disinfection at the Yakima regional wastewater treatment plant to complete the first phase of the facility improvements \$2,300,000
- Sec. 6017.** 2008 c 5 s 1 (uncodified) is amended to read as follows:
- Pursuant to chapter 43.155 RCW, the following project loans recommended by the public works board are authorized to be made with funds appropriated from the public works assistance account, and no loan authorized in this act shall bear an interest rate greater than one-half of one percent:
- (1) Arlington--sanitary sewer project--expand and upgrade the wastewater treatment plant and biosolids composting facility to meet new discharge limitations, produce a higher quality effluent, and accommodate future growth..... \$10,000,000
 - (2) Auburn--street project--reconstruct approximately 0.3 miles of roadway with four travel lanes to bring up to current arterial and truck route standards and modify intersection to optimize efficiency and level of service \$1,800,000
 - (3) Blaine--sanitary sewer project--construct a new wastewater treatment plant and section of outfall pipe to increase treatment capacity, produce reuse quality water, and improve Puget Sound water quality for shellfish..... \$10,000,000
 - (4) Bonney Lake--domestic water project--replace approximately 71,000 linear feet of leaky water mains to reduce current water loss by ten percent \$5,352,000
 - (5) Bonney Lake--sanitary sewer project--replace approximately 12,000 linear feet of failing interceptor sewer pipes \$4,648,000
 - (6) Buckley--sanitary sewer project--rebuild the wastewater treatment plant to provide nutrient removal and meet state and federal discharge regulations and the construction of an interceptor \$5,000,000
 - (7) Camas--sanitary sewer project--construct improvements to the wastewater treatment facilities to provide class A biosolids at the main sewage pump station..... \$10,000,000
 - (8) Clark county--road project--construct new road segments, widen roadways, improve and redesign intersections, and install and modify traffic signals necessary to improve a major interchange with two freeways \$10,000,000
 - (9) Clark regional wastewater district--sanitary sewer project--modify existing and construct new wastewater facilities to process approximately 4.65 million gallons more of wastewater per day and ensure treatment processes continue to be in compliance with current regulations..... \$8,000,000
 - (10) Coal creek utility district--sanitary sewer project--construct sewer lift station, approximately 1,250 lineal feet of gravity sewer main, and 500 feet of force main to provide public sewer to approximately 25 properties on a lake that have private septic systems that have failed or are in prefailure status \$898,875
 - (11) College Place--domestic water project--construct two steel tanks, a booster station, approximately 6,000 feet of transmission line, 3,400 feet of water mains, three pressure reducing valves, and associated telemetry to rectify a deficiency in fire flow and standby water storage protection \$4,710,051
 - (12) Cowlitz county public utility district No. 1--domestic water project--construction of approximately six new groundwater supply wells, 2,100 feet of raw water piping a new water treatment plant producing approximately 20 million gallons per day of potable water, and approximately 4,350 feet of transmission main to connect to the system to replace current water supply that is being impacted by increasing water sediment \$3,213,000
 - (13) Ephrata--domestic water project--replace approximately 68,000 feet of failing water mains, 50,000 feet of failing water service pipes, and the resurfacing of 20 miles of overlaying roadway, including approximately 100 fire hydrants, 400 catch basins, 15 storm sewer drywells, 22,000 feet of curb and gutter, and 16,000 feet of storm sewer pipe..... \$6,605,727
 - (14) Freeland water district--domestic water project--connect a new well and new reservoir to the existing system, rehabilitate the existing well, and install new equipment to increase system reliability, redundancy, and capacity. Install new chlorination equipment to improve water quality \$347,516
 - (15) Gig Harbor--sanitary sewer project--improvements to the wastewater treatment plant including new equipment and electrical work, add a third clarifier, install ultraviolet disinfection, and extend and upsize the outfall \$10,000,000
 - (16) Highline water district--domestic water project--construction of 11,350 feet of transmission main and looping of pipes to eliminate low pressures and fire flows and improve water quality, and create a new pressure zone to correct high pressures..... \$5,390,418

- (17) Karcher creek sewer district--sanitary sewer project--install a new sewer system, including a lift station and approximately 3,600 lineal feet of sewer main, in conjunction with a road project to service approximately 17 homes that will lose their septic systems due to the road project \$1,358,130
- (18) Kennewick--sanitary sewer project--construct improvements to critical wastewater treatment plant processes to enhance reliability, improve energy efficiency and redundancy, as well as increase the capacity of the sludge pumping station..... \$5,500,000
- (19) Kent--street project--construct ~~((two))~~ one bridge(s), ~~((one for the roadway over a set of railroad tracks, and one for railroad tracks over a lowered roadway. This will grade separate the tracks from the roadway to provide safe and reliable operations twenty four hours a day \$10,000,000))~~ and all preliminary activities, such as utility relocation, to prepare for the future bridge to be constructed \$5,000,000
- (20) King county--sanitary sewer project--construct 13,100 lineal feet of pipe to convey approximately 9 million gallons per day of reclaimed water to reduce withdrawals of 250-acre feet per year from the Sammamish river \$7,000,000
- (21) La Center--sanitary sewer project--upgrade wastewater treatment plant to reduce the levels of nitrogen discharged in the effluent and approximately doubling the operation of the plant and producing class A reuse water \$10,000,000
- (22) Lake Forest Park water district--domestic water project--replace approximately 6,915 lineal feet of undersized and corroded water pipes to improve safety and reliability of the system by reducing pipe failures and increasing fire flow \$917,935
- (23) Lake Stevens--sanitary sewer project--construct a new wastewater treatment plant, 9,500 feet of interceptor line, a pump station, and an outfall pipe in partnership with Lake Stevens sewer district \$10,000,000
- (24) Lake Stevens sewer district--sanitary sewer project--construct a new wastewater treatment plant, 9,500 feet of interceptor line, a pump station, and an outfall pipe in partnership with the city of Lake Stevens \$10,000,000
- (25) Lakewood--sanitary sewer project--construct 3 pump stations, approximately 17,200 linear feet of force mains, 13,500 linear feet of gravity collector pipe line, and 320 side sewer stubs to service two neighborhoods currently served exclusively by septic systems..... \$1,840,000
- (26) LOTT alliance--sanitary sewer project--construct approximately 7,400 feet of force main and replace existing pump station with new 1,000 gallon per minute pump station..... \$4,003,807
- (27) Mansfield--sanitary sewer project--expand and rehabilitate wastewater treatment lagoons and effluent spray irrigation system as well as remove the discharge of groundwater from basement sump pumps to the collection system..... \$235,600
- (28) Midway sewer district--sanitary sewer project--replace approximately 16,500 lineal feet of sewer mains and 50 manholes to reduce infiltration and inflow \$3,782,500
- (29) Mount Vernon--sanitary sewer project--upgrade existing wastewater treatment plant, including a new pretreatment facility, 4 additional clarifiers, upgrade aeration basins, installation of an ultraviolet disinfection system, and odor control system \$10,000,000
- (30) Newcastle--road project--reconstruct, widen, and signalize approximately 5,200 linear feet of road to 2 lanes in each direction, add left turn lanes, sidewalks, bicycle lanes, install lighting systems, replace two-lane bridge with a four-lane bridge, and install new traffic signals \$5,000,000
- (31) Olympia--sanitary sewer project--install approximately 6,500 linear feet of sewer mains and construct a lift station to serve 63 homes with failing on-site sewage systems..... \$1,808,375
- (32) Olympus Terrace sewer district--sanitary sewer project--rehabilitate approximately 9,350 linear feet of sewer trunkline, construct approximately 9,800 linear feet of high-flow storm water bypass piping for excess flow, construct approximately 4,150 linear feet of road access, and restore creek habitat \$8,000,000
- (33) Omak--sanitary sewer project--add 2 compost containers, convert storage tank to sludge holding tank, and install a second headworks screen to increase the wastewater treatment plant capacity by 35 percent \$450,000
- (34) Port Angeles--sanitary sewer project--construct approximately 11,500 feet of sewer main, modify a storage tank, and modify the wastewater treatment plant \$10,000,000
- (35) Regional board of mayors--solid waste project--close landfill site by capping and sealing with a soil cap \$859,500
- (36) Regional board of mayors--solid waste project--construct a new solid waste transfer station, including structures and equipment..... \$1,541,000
- (37) Ronald wastewater district--sanitary sewer project--rehabilitate 2 lift stations by replacing pumps, valves, fittings, piping, odor control systems, and electrical equipment..... \$955,400
- (38) Seattle--domestic water project--replace floating pumps with land-based pump station with a maximum capacity of approximately 250 million gallons per day, including 8 pumps, concrete structure, a tunnel, approximately 4,000 feet of pipeline, and a standby generator. \$10,000,000
- (39) Sedro-Woolley--sanitary sewer project--rehabilitate or replace 4 interceptor segments totaling approximately 29,700 linear feet((s)) and install 2 pump stations(~~(, and upgrade the secondary clarifier)~~) in order to lift a building moratorium..... ~~(((\$6,023,491))~~ \$3,803,289
- (40) Shelton--sanitary sewer project--construct a satellite reclamation plant with a capacity of approximately 0.4 million gallons per day to produce class A reclaimed water, approximately 22,000 linear feet of sewer pipelines, and approximately 25,000 linear feet of reclaimed water force main \$2,079,360
- (41) Shelton--sanitary sewer project--replace approximately 38,480 linear feet of mainline sewers to reduce inflow and infiltration..... \$5,737,500
- (42) Skagit county sewer district No. 2--sanitary sewer project--upgrade wastewater treatment plant to a water reclamation facility to provide class A reclaimed water with a capacity of approximately 0.35 million gallons per day..... \$10,000,000
- (43) Snohomish--sanitary sewer project--construct approximately 1,900 feet of sewer pipe, a new pump station with a capacity of approximately 8,000 gallons per minute, and approximately 4,300 feet of force main to reduce overflows \$2,000,000
- (44) Snohomish--sanitary sewer project--upgrade existing wastewater treatment plant including a new influent flow structure, screens, aerators, effluent filtration, ultraviolet disinfection, effluent pump station, improvements to the existing lagoons, and electrical improvements..... \$4,500,000

- (45) Snohomish county--road project--construct a new, approximately two-mile, two-lane truck route around the city of Granite Falls, including 3 roundabouts to improve safety and air quality in the downtown area \$10,000,000
- (46) Southwest Suburban sewer district--sanitary sewer project--replace and/or slipline approximately 5,470 feet of trunk/interceptor sewer main and construct a new lift station to reduce overflows \$3,268,250
- (47) Tacoma--domestic water project--replace 3 open-topped concrete reservoirs with 2 enclosed concrete reservoirs of approximately 33 million gallons each and related piping to comply with the safe drinking water act and a bilateral compliance agreement \$10,000,000
- (48) Tekoa--sanitary sewer system--reconstruct approximately 1,000 feet of failing sewer line and manholes to reduce significant groundwater infiltration \$135,115
- (49) Three rivers regional wastewater authority--sanitary sewer project--construct 2 clarifiers and associated piping to replace 2 failed clarifiers at the wastewater plant..... \$6,630,750
- (50) Washougal--sanitary sewer project--construct a new wastewater treatment plant headworks, including a fine screen, grit removal, and replace approximately 150 linear feet of gravity sewer, and make improvements to the lagoons, including 450 linear feet of piping, modify overflow structures, and a new pump \$3,100,000
- (51) Yakima--domestic water project--develop a new, approximately 3,000 gallon per minute, domestic water well, including drilling, placement of casing, a new pump house, and connection to the existing water distribution system in order to augment the water supply during drought conditions \$2,257,200
- (52) Yakima--street project--construct 2 underpasses and reconstruct 3 lanes on each roadway under a railroad mainline to accommodate additional rail and reduce traffic and emergency response delays and air pollution \$3,000,000

NEW SECTION. Sec. 6018. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of bill)

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Correct the title.

Representatives Dunshee and Warnick spoke in favor of the adoption of the amendment.

Amendment (522) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Warnick, DeBolt, Angel, Riccelli and Smith spoke in favor of the passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1089.

MOTIONS

On motion of Representative Harris, Representatives Crouse, Dahlquist and Klippert were excused. On motion of Representative Pettigrew, Representative Morrell was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1089, and the bill passed the House by the following vote: Yeas, 83; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Kristiansen, Lias, Lytton, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Holy, Kretz, Magendanz, Overstreet, Rodne, Scott, Shea, Short and Taylor.

Excused: Representatives Crouse, Dahlquist, Klippert and Morrell.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1089, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 8, 2013

MR. SPEAKER:

The Senate has passed:

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 9, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5127

ENGROSSED SUBSTITUTE SENATE BILL NO. 5242

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5895 and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 11, 2013, the 30th Day of the 1st Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - FIRST SPECIAL SESSION

THIRTIETH DAY

House Chamber, Olympia, Tuesday, June 11, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Dale Thomas and Jim Gallagher. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Tami Green, 28th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

3ESSB 5034 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to fiscal matters; amending RCW 2.68.020, 2.28.170, 2.28.170, 13.40.466, 18.43.150, 18.85.061, 19.28.351, 28A.500.020, 28B.15.069, 28B.20.476, 28B.67.030, 28B.95.160, 28B.105.110, 28C.04.535, 28C.10.082, 38.52.540, 41.06.280, 41.06.280, 41.26.802, 43.08.190, 43.09.475, 43.10.150, 43.19.791, 43.24.150, 43.24.150, 43.79.445, 43.79.480, 43.82.010, 43.101.200, 43.155.050, 46.66.080, 46.68.340, 67.70.190, 70.42.090, 70.93.180, 70.96A.350, 70.105D.--, 70.105D.070, 70.148.020, 74.09.215, 74.13.621, 74.09.215, 77.12.201, 77.12.203, 79.64.020, 79.64.040, 82.08.160, 82.14.310, 86.26.007, and 74.09.215; reenacting and amending RCW 28B.15.067, 41.60.050, 41.80.010, 41.80.020, 43.325.040, 71.24.310, and 79.105.150; amending 2013 c 147 s 1 (uncodified); amending 2013 c 306 ss 517, 518, and 519; amending 2012 2nd sp.s. c 7 ss 111, 112, 114, 115, 118, 121, 127, 129, 131, 132, 136, 139, 142, 144, 149, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 216, 218, 219, 220, 221, 222, 303, 307, 308, 402, 502, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 602, 613, 615, 616, 617, 701, 702, 707, 801, 802, 803, and 804 (uncodified); amending 2011 2nd sp.s. c 9 ss 506 and 703 (uncodified); amending 2011 1st sp.s. c 50 s 804 (uncodified); amending 2011 1st sp.s. c 41 s 3 (uncodified); adding a new section to 2011 1st sp.s. c 50 (uncodified); creating new sections; making

appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

ESSB 5127 by Senate Committee on Commerce & Labor (originally sponsored by Senators Holmquist Newbry, Tom, King, Sheldon, Baumgartner, Ericksen, Rivers, Litzow, Benton, Dammeier, Carrell, Braun, Bailey, Honeyford, Becker, Hill, Roach, Schoesler, Parlette, Padden and Hewitt)

AN ACT Relating to amending provisions governing structured settlements by lowering age barriers and clarifying legislative intent; amending RCW 51.04.063; and creating a new section.

Referred to Committee on Labor & Workforce Development.

ESSB 5242 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Litzow, Dammeier, Tom, Hobbs, Hatfield, Delvin, Hewitt, Padden and Schoesler)

AN ACT Relating to principal empowerment; adding a new section to chapter 28A.657 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 41.59 RCW; and providing for submission of this act to a vote of the people.

Referred to Committee on Education.

2ESSB 5895 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to education funding; amending RCW 43.135.025; creating a new section; and providing for a submission of this act to a vote of the people.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

FIRST SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

HB 2074 by Representatives Sawyer, Rodne, Jinkins, Pedersen, Kirby, Cody, Hansen and Hargrove

AN ACT Relating to fees for health records; amending RCW 70.02.010, 70.02.030, and 70.02.080; and adding a new section to chapter 70.02 RCW.

Referred to Committee on Health Care & Wellness.

Hunter G. Goodman, Secretary

HCR 4408 by Representatives Sullivan and Kretz

June 11, 2013

Returning bills to their house of origin.

HCR 4409 by Representatives Sullivan and Kretz

Adjourning sine die.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business are referred to the committee so designated, with the exception of HCR 4408 and HCR 4409 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING**HOUSE CONCURRENT RESOLUTION NO. 4408, by Representatives Sullivan and Kretz****Returning bills to their house of origin.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4408.

HOUSE CONCURRENT RESOLUTION NO. 4408 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Sullivan and Kretz**Adjourning sine die.**

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4409.

HOUSE CONCURRENT RESOLUTION NO. 4409 was adopted.

MESSAGES FROM THE SENATE

June 11, 2013

MR. SPEAKER:

The Senate has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4408
and the same is herewith transmitted.

MR. SPEAKER:

The Senate has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4409
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4408
HOUSE CONCURRENT RESOLUTION NO. 4409

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

June 11, 2013

MR. SPEAKER:

The President has signed:
HOUSE CONCURRENT RESOLUTION NO. 4408
HOUSE CONCURRENT RESOLUTION NO. 4409
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 11, 2013

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4408, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1057
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1089
SUBSTITUTE HOUSE BILL NO. 1961
SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2034
ENGROSSED HOUSE BILL NO. 2036
HOUSE BILL NO. 2042
SUBSTITUTE HOUSE BILL NO. 2064
ENGROSSED HOUSE BILL NO. 2068
SUBSTITUTE HOUSE BILL NO. 2069

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 11, 2013

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4408, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 30th Day of the 2013 1st Special Session of the 63rd Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2013 1st Special Session of the 63rd Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIRST DAY

House Chamber, Olympia, Wednesday, June 12, 2013

The House was called to order at 9:00 a.m. by the Speaker (Representative Sullivan presiding).

MESSAGE FROM THE GOVERNOR**STATE OF WASHINGTON****PROCLAMATION BY THE GOVERNOR
13-05**

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2013 regular session on April 28, 2013, the 105th day of the session; and

WHEREAS, the Legislature reconvened on May 13, 2013, to continue work on the 2013-2015 operating budget, 2013-2015 capital budget, 2013-2015 transportation budget, and related bills; and

WHEREAS, the Legislature has failed to approved a 2013-2015 operating budget, a 2013-2015 capital budget, and the bills necessary to implement those budgets; and

WHEREAS, the State enters a new fiscal biennium on July 1, 2013; and

WHEREAS, State law requires the adoption of a budget providing appropriations for the operation of state government prior to the beginning of the fiscal biennium; and

WHEREAS, work remains to be done with respect to the 2013-2015 biennial operating and capital budgets and bills necessary to implement those budgets; and

WHEREAS, work remains to be done with respect to approving critical transportation infrastructure projects; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Majority Coalition Caucus Leader, Senate Democratic Leader, and Senate Republican Leader working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Wednesday, June 12, 2013, at 9:00 a.m. for the purpose of enacting legislation addressing the 2013-2015 operating and capital budgets, and critical transportation infrastructure projects.

Signed and sealed with the official seal of the state of Washington this 11th day of June, A.D. Two-thousand and Thirteen at Olympia, Washington.

By: Jay Inslee, Governor

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

EHB 2075 by Representatives Carlyle and Roberts

AN ACT Relating to preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers while modifying the estate and transfer tax to provide tax relief for certain estates; amending RCW 83.100.020, 83.100.040, 83.100.047, 83.100.047, 83.100.120, and 83.100.210; adding a new section to chapter 83.100 RCW; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

HCR 4410 by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4410, by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Sullivan presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4410.

HOUSE CONCURRENT RESOLUTION NO. 4410 was adopted.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:00 a.m., June 13, 2013, the 2nd Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SECOND DAY

House Chamber, Olympia, Thursday, June 13, 2013

The House was called to order at 9:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Garrett Cooper and Thomas Rhoads. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Mark Hargrove, 47th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

June 12, 2013

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4410
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2075, by Representatives Carlyle and Roberts

Preserving funding deposited into the education legacy trust account used to support common schools and access to higher education by restoring the application of the Washington estate and transfer tax to certain property transfers while modifying the estate and transfer tax to provide tax relief for certain estates.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (523).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) In 2005, to address an unexpected significant loss of tax revenue resulting from the *Estate of Hemphill* decision and to provide additional funding for public education, the legislature enacted a stand-alone estate and transfer tax, effective May 17, 2005. The stand-alone estate and transfer tax applies to the transfer of property at death. By defining the term "transfer" to mean a "transfer as used in section 2001 of the internal revenue code," the legislature clearly expressed its intent that a "transfer" for purposes of determining the federal taxable estate is also a "transfer" for purposes of determining the Washington taxable estate.

(2) In *In re Estate of Bracken*, Docket No. 84114-4, the Washington supreme court narrowly construed the term "transfer" as defined in the Washington estate tax code.

(3) The legislature finds that it is well established that the term "transfer" as used in the federal estate tax code is construed broadly and extends to the "shifting from one to another of any power or privilege incidental to the ownership or enjoyment of property" that occurs at death. *Fernandez v. Wiener*, 326 U.S. 340, 352 (1945).

(4) The legislature further finds that: The Bracken decision held certain qualified terminable interest property (QTIP) of married couples was transferred without incurring Washington state estate tax liability, which: (a) Creates an inequity never intended by the legislature because unmarried individuals did not enjoy any similar opportunities to avoid or greatly reduce their potential Washington estate tax liability; and (b) may create disparate treatment between QTIP property and other property transferred between spouses that is eligible for the marital deduction.

(5) Therefore, the legislature finds that it is necessary to reinstate the legislature's intended meaning when it enacted the estate tax, restore parity between married couples and unmarried individuals, restore parity between QTIP property and other property eligible for the marital deduction, and prevent the adverse fiscal impacts of the Bracken decision by reaffirming its intent that the term "transfer" as used in the Washington estate and transfer tax is to be given its broadest possible meaning consistent with established United States supreme court precedents, subject only to the limits and exceptions expressly provided by the legislature.

(6) As curative, clarifying, and remedial, the legislature intends for this act to apply both prospectively and retroactively to estates of decedents dying on or after May 17, 2005.

Sec. 2. RCW 83.100.020 and 2013 c 23 s 341 are each amended to read as follows:

~~(As used in this chapter.)~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Applicable exclusion amount" means:

(i) One million five hundred thousand dollars for decedents dying before January 1, 2006;

(ii) Two million dollars for estates of decedents dying on or after January 2006, and before January 1, 2014; and

(iii) For estates of decedents dying in calendar year 2014 and each calendar year thereafter, the amount in (a)(ii) of this subsection must be adjusted annually, except as otherwise provided in this subsection (1)(a)(iii). The annual adjustment is determined by multiplying two million dollars by one plus the percentage by which the most recent October consumer price index exceeds the consumer price index for October 2012, and rounding the result to the nearest one thousand dollars. No adjustment is made for a calendar year if the adjustment would result in the same or a lesser applicable exclusion amount than the applicable exclusion amount for the immediately preceding calendar year. The applicable exclusion amount under this subsection (1)(a)(iii) for the decedent's estate is the applicable exclusion amount in effect as of the date of the decedent's death.

(b) For purposes of this subsection, "consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle-Tacoma-Bremerton metropolitan area as calculated by

the United States bureau of labor statistics.

~~((2))~~ (2) "Decedent" means a deceased individual((§)).

~~((2))~~ (3) "Department" means the department of revenue, the director of that department, or any employee of the department exercising authority lawfully delegated to him or her by the director((§)).

~~((3))~~ (4) "Federal return" means any tax return required by chapter 11 of the internal revenue code((§)).

~~((4))~~ (5) "Federal tax" means a tax under chapter 11 of the internal revenue code((§)).

~~((5))~~ (6) "Gross estate" means "gross estate" as defined and used in section 2031 of the internal revenue code((§)).

~~((6))~~ (7) "Person" means any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate, or other entity and, to the extent permitted by law, any federal, state, or other governmental unit or subdivision or agency, department, or instrumentality thereof((§)).

~~((7))~~ (8) "Person required to file the federal return" means any person required to file a return required by chapter 11 of the internal revenue code, such as the personal representative of an estate((§)).

~~((8))~~ (9) "Property" means property included in the gross estate((§)).

~~((9))~~ (10) "Resident" means a decedent who was domiciled in Washington at time of death((§)).

~~((10))~~ (11) "Taxpayer" means a person upon whom tax is imposed under this chapter, including an estate or a person liable for tax under RCW 83.100.120((§)).

~~((11))~~ (12) "Transfer" means "transfer" as used in section 2001 of the internal revenue code and includes any shifting upon death of the economic benefit in property or any power or legal privilege incidental to the ownership or enjoyment of property. However, "transfer" does not include a qualified heir disposing of an interest in property qualifying for a deduction under RCW 83.100.046 or ceasing to use the property for farming purposes((§)).

~~((12))~~ (13) "Internal revenue code" means ~~(for the purposes of this chapter and RCW 83.110.010,)~~ the United States internal revenue code of 1986, as amended or renumbered as of January 1, 2005((§)).

~~((13))~~ (14) "Washington taxable estate" means the federal taxable estate ~~(less: (a) One million five hundred thousand dollars for decedents dying before January 1, 2006; and (b) two million dollars for decedents dying on or after January 1, 2006; and (c) the amount of any deduction allowed under RCW 83.100.046; and (d) and~~ includes, but is not limited to, the value of any property included in the gross estate under section 2044 of the internal revenue code, regardless of whether the decedent's interest in such property was acquired before May 17, 2005, (a) plus amounts required to be added to the Washington taxable estate under RCW 83.100.047, (b) less: (i) The applicable exclusion amount; (ii) the amount of any deduction allowed under RCW 83.100.046; (iii) amounts allowed to be deducted from the Washington taxable estate under RCW 83.100.047; and (iv) the amount of any deduction allowed under section 3 of this act.

~~((14))~~ (15) "Federal taxable estate" means the taxable estate as determined under chapter 11 of the internal revenue code without regard to: (a) The termination of the federal estate tax under section 2210 of the internal revenue code or any other provision of law, and (b) the deduction for state estate, inheritance, legacy, or succession taxes allowable under section 2058 of the internal revenue code.

NEW SECTION. Sec. 3. A new section is added to chapter 83.100 RCW to read as follows:

(1) For the purposes of determining the tax due under this chapter, a deduction is allowed for the value of the decedent's qualified family-owned business interests, not to exceed two million five hundred thousand dollars, if:

(a) The value of the decedent's qualified family-owned business interests exceed fifty percent of the decedent's Washington taxable estate determined without regard to the deduction for the applicable exclusion amount;

(b) During the eight-year period ending on the date of the decedent's death, there have been periods aggregating five years or more during which:

(i) Such interests were owned by the decedent or a member of the decedent's family;

(ii) There was material participation, within the meaning of section 2032A(e)(6) of the internal revenue code, by the decedent or a member of the decedent's family in the operation of the trade or business to which such interests relate;

(c) The qualified family-owned business interests are acquired by any qualified heir from, or passed to any qualified heir from, the decedent, within the meaning of RCW 83.100.046(2), and the decedent was at the time of his or her death a citizen or resident of the United States; and

(d) The value of the decedent's qualified family-owned business interests is not more than six million dollars.

(2)(a) Only amounts included in the decedent's federal taxable estate may be deducted under this subsection.

(b) Amounts deductible under RCW 83.100.046 may not be deducted under this section.

(3)(a) There is imposed an additional estate tax on a qualified heir if, within three years of the decedent's death and before the date of the qualified heir's death:

(i) The material participation requirements described in section 2032A(c)(6)(b)(ii) of the internal revenue code are not met with respect to the qualified family-owned business interest which was acquired or passed from the decedent;

(ii) The qualified heir disposes of any portion of a qualified family-owned business interest, other than by a disposition to a member of the qualified heir's family or a person with an ownership interest in the qualified family-owned business or through a qualified conservation contribution under section 170(h) of the internal revenue code;

(iii) The qualified heir loses United States citizenship within the meaning of section 877 of the internal revenue code or with respect to whom section 877(e)(1) applies, and such heir does not comply with the requirements of section 877(g) of the internal revenue code; or

(iv) The principal place of business of a trade or business of the qualified family-owned business interest ceases to be located in the United States.

(b) The amount of the additional estate tax imposed under this subsection is equal to the amount of tax savings under this section with respect to the qualified family-owned business interest acquired or passed from the decedent.

(c) Interest applies to the tax due under this subsection for the period beginning on the date that the estate tax liability was due under this chapter and ending on the date the additional estate tax due under this subsection is paid. Interest under this subsection must be computed as provided in RCW 83.100.070(2).

(d) The tax imposed by this subsection is due the day that is six months after any taxable event described in (a) of this subsection occurred and must be reported on a return as provided by the department.

(e) The qualified heir is personally liable for the additional tax imposed by this subsection unless he or she has furnished a bond in favor of the department for such amount and for such time as the department determines necessary to secure the payment of amounts due under this subsection. The qualified heir, on furnishing a bond satisfactory to the department, is discharged from personal liability for any additional tax and interest under this subsection and is entitled to a receipt or writing showing such discharge.

(f) Amounts due under this subsection attributable to any qualified family-owned business interest are secured by a lien in favor of the state on the property in respect to which such interest relates. The lien under this subsection (3)(f) arises at the time the Washington return is filed on which a deduction under this section is taken and continues in effect until: (i) The tax liability under this subsection has been satisfied or has become unenforceable by reason of lapse of time; or (ii) the department is satisfied that no further tax liability will arise under this subsection.

(g) Security acceptable to the department may be substituted for the lien imposed by (f) of this subsection.

(h) For purposes of the assessment or correction of an assessment for additional taxes and interest imposed under this subsection, the limitations period in RCW 83.100.095 begins to run on the due date of the return required under (d) of this subsection.

(i) For purposes of this subsection, a qualified heir may not be treated as disposing of an interest described in section 2057(e)(1)(A) of the internal revenue code by reason of ceasing to be engaged in a trade or business so long as the property to which such interest relates is used in a trade or business by any member of the qualified heir's family.

(4)(a) The department may require a taxpayer claiming a deduction under this section to provide the department with the names and contact information of all qualified heirs.

(b) The department may also require any qualified heir to submit to the department on an ongoing basis such information as the department determines necessary or useful in determining whether the qualified heir is subject to the additional tax imposed in subsection (3) of this section. The department may not require such information more frequently than twice per year. The department may impose a penalty on a qualified heir who fails to provide the information requested within thirty days of the date the department's written request for the information was sent to the qualified heir. The amount of the penalty under this subsection is five hundred dollars and may be collected in the same manner as the tax imposed under subsection (3) of this section.

(5) For purposes of this section, references to section 2057 of the internal revenue code refer to section 2057 of the internal revenue code, as existing on December 31, 2003.

(6) For purposes of this section, the following definitions apply:

(a) "Member of the decedent's family" and "member of the qualified heir's family" have the same meaning as "member of the family" in RCW 83.100.046(10).

(b) "Qualified family-owned business interest" has the same meaning as provided in section 2057(e) of the internal revenue code of 1986.

(c) "Qualified heir" has the same meaning as provided in section 2057(i) of the internal revenue code of 1986.

(7) This section applies to the estates of decedents dying on or after January 1, 2014.

Sec. 4. RCW 83.100.040 and 2010 c 106 s 234 are each amended to read as follows:

(1) A tax in an amount computed as provided in this section is imposed on every transfer of property located in Washington. For the purposes of this section, any intangible property owned by a resident is located in Washington.

(2)(a) Except as provided in (b) of this subsection, the amount of tax is the amount provided in the following table:

If Washington Taxable Estate is at least	But Less Than	The amount of Initial Tax	Tax Equals Plus Tax Rate %	Of Washington Taxable Estate Value Greater
\$0	\$1,000.00	\$0	10.00%	\$0
\$1,000.00	\$2,000.00	\$100,000	14.00%	\$1,000,000
0	0	0		
\$2,000.00	\$3,000.00	\$240,000	15.00%	\$2,000,000
0	0	0		
\$3,000.00	\$4,000.00	\$390,000	16.00%	\$3,000,000
0	0	0		
\$4,000.00	\$6,000.00	\$550,000	((17.00%))	\$4,000,000
0	0	0)	
			<u>18.00%</u>	
\$6,000.00	\$7,000.00	((890,000))	((18.00%))	\$6,000,000
0	0	<u>\$910,000</u>)	
			<u>19.00%</u>	
\$7,000.00	\$9,000.00	((1,070,000))	((18.50%))	\$7,000,000
0	0))	
		<u>\$1,100,000</u>	<u>19.50%</u>	
\$9,000.00		((1,440,000))	((19.00%))	\$9,000,000
0))	
		<u>\$1,490,000</u>	<u>20.00%</u>	

If Washington Taxable Estate is at least	But Less Than	The amount of Initial Tax	Tax Equals Plus Tax Rate %	Of Washington Taxable Estate Value Greater
\$0	\$1,000.00	\$0	10.00%	\$0
\$1,000.00	\$2,000.00	\$100,000	14.00%	\$1,000,000
0	0	0		
\$2,000.00	\$3,000.00	\$240,000	15.00%	\$2,000,000
0	0	0		
\$3,000.00	\$4,000.00	\$390,000	16.00%	\$3,000,000
0	0	0		
\$4,000.00	\$6,000.00	\$550,000	((17.00%))	\$4,000,000
0	0	0)	
			<u>18.00%</u>	
\$6,000.00	\$7,000.00	((890,000))	((18.00%))	\$6,000,000
0	0	<u>\$910,000</u>)	
			<u>19.00%</u>	
\$7,000.00	\$9,000.00	((1,070,000))	((18.50%))	\$7,000,000
0	0))	
		<u>\$1,100,000</u>	<u>19.50%</u>	
\$9,000.00		((1,440,000))	((19.00%))	\$9,000,000
0))	
		<u>\$1,490,000</u>	<u>20.00%</u>	

(b) If any property in the decedent's estate is located outside of Washington, the amount of tax is the amount determined in (a) of this subsection multiplied by a fraction. The numerator of the fraction is the value of the property located in Washington. The denominator of the fraction is the value of the decedent's gross estate. Property qualifying for a deduction under RCW 83.100.046 must be excluded from the numerator and denominator of the fraction.

(3) The tax imposed under this section is a stand-alone estate tax that incorporates only those provisions of the internal revenue code as amended or renumbered as of January 1, 2005, that do not conflict with the provisions of this chapter. The tax imposed under this chapter is independent of any federal estate tax obligation and is not affected by termination of the federal estate tax.

Sec. 5. RCW 83.100.047 and 2005 c 516 s 13 are each amended to read as follows:

(1) If the federal taxable estate on the federal return is determined by making an election under section 2056 or 2056A of the internal revenue code, or if no federal return is required to be filed, the department may provide by rule for a separate election on the Washington return, consistent with section 2056 or 2056A of the internal revenue code, for the purpose of determining the amount of tax due under this chapter. The election ~~((shall be))~~ is binding on the estate and the beneficiaries, consistent with the internal revenue code. All other elections or valuations on the Washington return ~~((shall))~~ must be made in a manner consistent with the federal return, if a federal return is required, and such rules as the department may provide.

(2) Amounts deducted for federal income tax purposes under section 642(g) of the internal revenue code of 1986 ~~((, shall))~~ are not ~~((be))~~ allowed as deductions in computing the amount of tax due under this chapter.

(3) Notwithstanding any department rule, if a taxpayer makes an election consistent with section 2056 of the internal revenue code as permitted under this section, the taxpayer's Washington taxable estate, and the surviving spouse's Washington taxable estate, must be adjusted as follows:

(a) For the taxpayer that made the election, any amount deducted by reason of section 2056(b)(7) of the internal revenue code is added to, and the value of property for which a Washington election under this section was made is deducted from, the Washington taxable estate.

(b) For the estate of the surviving spouse, the amount included in the estate's gross estate pursuant to section 2044 (a) and (b)(1)(A) of

the internal revenue code is deducted from, and the value of any property for which an election under this section was previously made is added to, the Washington taxable estate.

Sec. 6. RCW 83.100.047 and 2009 c 521 s 192 are each amended to read as follows:

(1)(a) If the federal taxable estate on the federal return is determined by making an election under section 2056 or 2056A of the internal revenue code, or if no federal return is required to be filed, the department may provide by rule for a separate election on the Washington return, consistent with section 2056 or 2056A of the internal revenue code and (b) of this subsection, for the purpose of determining the amount of tax due under this chapter. The election (~~(shall be)~~) is binding on the estate and the beneficiaries, consistent with the internal revenue code and (b) of this subsection. All other elections or valuations on the Washington return (~~(shall)~~) must be made in a manner consistent with the federal return, if a federal return is required, and such rules as the department may provide.

(b) The department (~~(shall)~~) must provide by rule that a state registered domestic partner is deemed to be a surviving spouse and entitled to a deduction from the Washington taxable estate for any interest passing from the decedent to his or her domestic partner, consistent with section 2056 or 2056A of the internal revenue code but regardless of whether such interest would be deductible from the federal gross estate under section 2056 or 2056A of the internal revenue code.

(2) Amounts deducted for federal income tax purposes under section 642(g) of the internal revenue code of 1986 (~~(shall)~~) are not (~~(be)~~) allowed as deductions in computing the amount of tax due under this chapter.

(3) Notwithstanding any department rule, if a taxpayer makes an election consistent with section 2056 of the internal revenue code as permitted under this section, the taxpayer's Washington taxable estate, and the surviving spouse's Washington taxable estate, must be adjusted as follows:

(a) For the taxpayer that made the election, any amount deducted by reason of section 2056(b)(7) of the internal revenue code is added to, and the value of property for which a Washington election under this section was made is deducted from, the Washington taxable estate.

(b) For the estate of the surviving spouse, the amount included in the estate's gross estate pursuant to section 2044 (a) and (b)(1)(A) of the internal revenue code is deducted from, and the value of any property for which an election under this section was previously made is added to, the Washington taxable estate.

Sec. 7. RCW 83.100.120 and 1981 2nd ex.s. c 7 s 83.100.120 are each amended to read as follows:

(1)(a) Except as otherwise provided in this subsection, any personal representative who distributes any property without first paying, securing another's payment of, or furnishing security for payment of the taxes due under this chapter is personally liable for the taxes due to the extent of the value of any property that may come or may have come into the possession of the personal representative. Security for payment of the taxes due under this chapter (~~(shall)~~) must be in an amount equal to or greater than the value of all property that is or has come into the possession of the personal representative, as of the time the security is furnished.

(b) For the estates of decedents dying prior to April 9, 2006, a personal representative is not personally liable for taxes due on the value of any property included in the gross estate and the Washington taxable estate as a result of section 2044 of the internal revenue code unless the property is located in the state of Washington or the property has or will come into the possession or control of the personal representative.

(2) Any person who has the control, custody, or possession of any property and who delivers any of the property to the personal representative or legal representative of the decedent outside

Washington without first paying, securing another's payment of, or furnishing security for payment of the taxes due under this chapter is liable for the taxes due under this chapter to the extent of the value of the property delivered. Security for payment of the taxes due under this chapter (~~(shall)~~) must be in an amount equal to or greater than the value of all property delivered to the personal representative or legal representative of the decedent outside Washington by such a person.

(3) For the purposes of this section, persons who do not have possession of a decedent's property include anyone not responsible primarily for paying the tax due under this section or their transferees, which includes but is not limited to mortgagees or pledgees, stockbrokers or stock transfer agents, banks and other depositories of checking and savings accounts, safe-deposit companies, and life insurance companies.

(4) For the purposes of this section, any person who has the control, custody, or possession of any property and who delivers any of the property to the personal representative or legal representative of the decedent may rely upon the release certificate or the release of nonliability certificate, furnished by the department to the personal representative, as evidence of compliance with the requirements of this chapter, and make such deliveries and transfers as the personal representative may direct without being liable for any taxes due under this chapter.

NEW SECTION. Sec. 8. Sections 2 and 5 of this act apply both prospectively and retroactively to all estates of decedents dying on or after May 17, 2005.

NEW SECTION. Sec. 9. This act does not affect any final judgment, no longer subject to appeal, entered by a court of competent jurisdiction before the effective date of this section.

NEW SECTION. Sec. 10. Section 4 of this act applies to estates of decedents dying on or after January 1, 2014.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Section 5 of this act expires January 1, 2014.

NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately, except for sections 3, 4, and 6 of this act which take effect January 1, 2014."

Correct the title.

Representative Carlyle moved the adoption of amendment (525) to the striking amendment (523).

On page 2, at the beginning of line 22 of the amendment, after "January" and before "2006" insert "1."

On page 12, after line 3 of the amendment, insert the following:
"**Sec. 8.** RCW 83.100.210 and 2010 c 106 s 111 are each amended to read as follows:

(1) The following provisions of chapter 82.32 RCW have full force and application with respect to the taxes imposed under this chapter unless the context clearly requires otherwise: RCW 82.32.110, 82.32.120, 82.32.130, 82.32.320, 82.32.330, and 82.32.340. The definitions in this chapter have full force and application with respect to the application of chapter 82.32 RCW to this chapter unless the context clearly requires otherwise.

(2) In addition to the provisions stated in subsection (1) of this section, the following provisions of chapter 82.32 RCW have full force and application with respect to the taxes, penalties, and interest imposed under section 3 of this act: RCW 82.32.090, 82.32.117,

82.32.135, 82.32.210, 82.32.220, 82.32.230, 82.32.235, 82.32.237, 82.32.245, and 82.32.265.

(3) The department may enter into closing agreements as provided in RCW 82.32.350 and 82.32.360."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Carlyle and Nealey spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (525) to the striking amendment was adopted.

Representatives Carlyle and Nealey spoke in favor of the adoption of the striking amendment.

Amendment (523) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Alexander and Pedersen spoke in favor of the passage of the bill.

Representatives Nealey, Walsh and Shea spoke against the passage of the bill.

MOTIONS

On motion of Representative Van De Wege, Representatives Farrell, Hudgins and Santos were excused. On motion of Representative MacEwen, Representatives Condotta, Crouse, Harris, Holy, Parker and Pike were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2075.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2075, and the bill passed the House by the following vote: Yeas, 53; Nays, 33; Absent, 0; Excused, 11.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Hawkins, Hayes, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Orcutt, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Condotta, Crouse, Farrell, Harris, Holy, Hudgins, Overstreet, Parker, Pike, Rodne and Santos.

ENGROSSED HOUSE BILL NO. 2075, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

June 12, 2013

MR. SPEAKER:

The Senate has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4410
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 13, 2013

MR. SPEAKER:

The Senate has passed:
SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 5296

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

2E2SSB 5296 by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Baumgartner, Rivers, Bailey, Delvin and Honeyford)

AN ACT Relating to the model toxics control act; amending RCW 70.105D.020, 70.105D.030, 70.105D.040, 70.105D.050, and 70.105.280; reenacting and amending RCW 70.105D.070, 43.84.092, and 43.84.092; adding new sections to chapter 70.105D RCW; adding a new section to chapter 70.105 RCW; creating new sections; providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Environment.

There being no objection, SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5296 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5296, by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Baumgartner, Rivers, Bailey, Delvin and Honeyford)

Concerning the model toxics control act.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

June 13, 2013

Representatives Dunshee, Short and Taylor spoke in favor of the passage of the bill.

Representative Lias spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute Senate Bill No. 5296.

MOTIONS

On motion of Representative Van De Wege, Representative Moscoso was excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5296, and the bill passed the House by the following vote: Yeas, 67; Nays, 18; Absent, 0; Excused, 12.

Voting yea: Representatives Alexander, Angel, Appleton, Blake, Buys, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Hope, Hunter, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morris, Nealey, Orcutt, Ormsby, Orwall, Pettigrew, Riccelli, Roberts, Ross, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stonier, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Carlyle, Fey, Fitzgibbon, Hunt, Jinkins, Kagi, Lias, Maxwell, Morrell, Pedersen, Pollet, Reykdal, Ryu, Sawyer, Stanford, Tarleton and Tharinger.

Excused: Representatives Condotta, Crouse, Farrell, Harris, Holy, Hudgins, Moscoso, Overstreet, Parker, Pike, Rodne and Santos.

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5296, having received the necessary constitutional majority, was declared passed.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

MESSAGE FROM THE SENATE

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2075

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED HOUSE BILL NO. 2075

HOUSE CONCURRENT RESOLUTION NO. 4410

The Speaker called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

June 13, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 2075

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 13, 2013

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 5296

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 12:00 p.m., June 14, 2013, the 3rd Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

THIRD DAY

House Chamber, Olympia, Friday, June 14, 2013

The House was called to order at 12:00 p.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2076 by Representatives Reykdal and Orcutt

AN ACT Relating to affirming exclusions for payroll cost reimbursements within a centralized payroll reporting system; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Finance.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 17, 2013, the 6th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTH DAY

House Chamber, Olympia, Monday, June 17, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Sullivan presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

June 14, 2013

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4410
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2077 by Representatives Orcutt, Hurst, Klippert, Blake, Warnick, Haler, Hayes, Pike and Holy

AN ACT Relating to retail theft; amending RCW 9A.56.360; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2078 by Representatives Orcutt and DeBolt

AN ACT Relating to clarification of the requirements for payment of infrastructure for fully contained communities; and amending RCW 36.70A.350.

Referred to Committee on Local Government.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Representative Sullivan presiding) called upon Representative Ormsby to preside.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 18, 2013, the 7th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

SEVENTH DAY

House Chamber, Olympia, Tuesday, June 18, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Dunshee presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 19, 2013, the 8th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

JOURNAL OF THE HOUSE
SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

EIGHTH DAY

House Chamber, Olympia, Wednesday, June 19, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Chopp presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., June 21, 2013, the 10th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

TENTH DAY

House Chamber, Olympia, Friday, June 21, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Carlyle presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Education was relieved of the following bill and the bill was placed on the second reading calendar:

HOUSE BILL NO. 1450

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 2043
HOUSE BILL NO. 2051

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
SUBSTITUTE HOUSE BILL NO. 1961
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
2016
HOUSE BILL NO. 2042
SUBSTITUTE HOUSE BILL NO. 2069

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1 p.m., June 23, 2013, the 12th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

TWELFTH DAY

House Chamber, Olympia, Sunday, June 23, 2013

The House was called to order at 1:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, James Gallagher and Thomas Rhoads. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Drew MacEwen, 35th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, by House Committee on Appropriations (originally sponsored by Representatives Cody, Hunter, Jinkins and Harris).

Concerning the operating expenses of the Washington health benefit exchange.

The bill was read the third time.

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1947.

MOTIONS

On motion of Representative Van De Wege, Representatives Hudgins, Jinkins, Liias, Morris, Pedersen, Takko and Tharinger were excused. On motion of Representative Harris, Representatives Crouse, Hargrove, Johnson and Rodne were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1947, and the bill passed the House by the following vote: Yeas, 61; Nays, 25; Absent, 0; Excused, 11. Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hayes, Hunt, Hunter, Hurst, Kagi, Kirby, Kochmar, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Moscoso, Ormsby, Orwall, Parker, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, DeBolt, Haler, Hawkins, Holy, Hope, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Orcutt, Overstreet, Pike, Ross, Scott, Shea, Short, Taylor, Vick, Warnick and Zeiger.

Excused: Representatives Crouse, Hargrove, Hudgins, Jinkins, Johnson, Liias, Morris, Pedersen, Rodne, Takko and Tharinger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1961, by House Committee on Appropriations (originally sponsored by Representatives Pedersen, Rodne, Hudgins, Hunter and Ryu).

Extending the expiration date for judicial stabilization trust account surcharges.

The bill was read the third time.

Representatives Goodman and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1961.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1961, and the bill passed the House by the following vote: Yeas, 78; Nays, 8; Absent, 0; Excused, 11.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hunt, Hunter, Hurst, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Upthegrove, Van De Wege, Vick, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Hope, Overstreet, Scott, Shea, Taylor and Warnick.

Excused: Representatives Crouse, Hargrove, Hudgins, Jinkins, Johnson, Liias, Morris, Pedersen, Rodne, Takko and Tharinger.

SUBSTITUTE HOUSE BILL NO. 1961, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2042, by Representatives Cody, Hunter and Sullivan.

Modifying the nursing facility medicaid payment system by delaying the rebase of certain rate components and extending certain rate add-ons.

The bill was read the third time.

Representatives Cody and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2042, and the bill passed the House by the following vote: Yeas, 76; Nays, 10; Absent, 0; Excused, 11.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hunt, Hunter, Hurst, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, Ormsby, Orwall, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Holy, Hope, MacEwen, Orcutt, Overstreet, Parker, Pike, Scott, Shea and Taylor.

Excused: Representatives Crouse, Hargrove, Hudgins, Jinkins, Johnson, Lias, Morris, Pedersen, Rodne, Takko and Tharinger.

HOUSE BILL NO. 2042, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2069, by House Committee on Appropriations (originally sponsored by Representatives Hunter and Sullivan).

Concerning continuation of safety net benefits for persons with a physical or mental disability which makes them eligible for certain social services programs.

The bill was read the third time.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2069.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2069, and the bill passed the House by the following vote: Yeas, 78; Nays, 8; Absent, 0; Excused, 11.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz,

Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Kretz, Overstreet, Schmick, Scott, Shea, Short and Taylor.

Excused: Representatives Crouse, Hargrove, Hudgins, Jinkins, Johnson, Lias, Morris, Pedersen, Rodne, Takko and Tharinger.

SUBSTITUTE HOUSE BILL NO. 2069, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2079 by Representative Dunshee

AN ACT Relating to expenditures from the environmental legacy stewardship account; and amending RCW 70.105D.---

There being no objection, HOUSE BILL NO. 2079 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955
HOUSE BILL NO. 1956

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978
SUBSTITUTE HOUSE BILL NO. 1986
HOUSE BILL NO. 1988

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 1:00 p.m., June 24, 2013, the 13th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRTEENTH DAY

House Chamber, Olympia, Monday, June 24, 2013

The House was called to order at 1:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Jared Cunningham and Steven Traff. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Brad Klippert, 8th District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 23, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1961
HOUSE BILL NO. 2042

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 23, 2013

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892
ENGROSSED SUBSTITUTE SENATE BILL NO. 5897
SENATE BILL NO. 5910
SENATE BILL NO. 5948

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

2ESSB 5892 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Kline)

AN ACT Relating to reducing corrections costs; amending RCW 9.94A.517, 9.94A.729, and 9.92.151; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Public Safety.

ESSB 5897 by Senate Committee on Ways & Means (originally sponsored by Senator Pearson)

AN ACT Relating to state parks; amending RCW 79A.80.020, 79A.80.030, 79A.80.080, 82.19.040, 70.93.180,

and 79A.05.215; adding a new section to chapter 79A.80 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 5910 by Senators Hill, Murray, Nelson, Baumgartner and Hargrove

AN ACT Relating to providing that a quarterly revenue forecast is due on February 20th during both a long and short legislative session year; and reenacting and amending RCW 82.33.020.

Referred to Committee on Appropriations.

SB 5948 by Senators Braun, Chase, O'Ban, Keiser, Padden, Hill, Holmquist Newbry, Becker and Brown

AN ACT Relating to state procurement of goods and services; and amending RCW 39.26.200.

Referred to Committee on Ways & Means.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of 2ESSB 5892, ESSB 5897, and SB 5948 which were read the first time, and under suspension of the rules, were placed on the second reading calendar.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SUBSTITUTE HOUSE BILL NO. 1961
HOUSE BILL NO. 2042

The Speaker called upon Representative Moeller to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5897, by Senate Committee on Ways & Means (originally sponsored by Senator Pearson)

Concerning state parks.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Green and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5897.

MOTIONS

On motion of Representative Harris, Representatives Condotta, Crouse, Hope, Johnson and Rodne were excused. On motion of Representative FitzGibbon, Representatives Hudgins, Jinkins and Ryu were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5897, and the bill passed the House by the following vote: Yeas, 78; Nays, 7; Absent, 0; Excused, 12.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hunt, Hunter, Hurst, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Holy, McCoy, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Condotta, Crouse, Hope, Hudgins, Jinkins, Johnson, Lias, Rodne, Ryu, Takko, Van De Wege and Wylie.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5897, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 25, 2013, the 14th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FOURTEENTH DAY

House Chamber, Olympia, Tuesday, June 25, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Kyle Lynch, Tanya Carter and her service dog Patriot. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Drew Hansen, 23rd District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978, by House Committee on Transportation (originally sponsored by Representatives Zeiger, Clibborn, Orcutt, O'Ban, Hargrove, Liias, Fey, Moscoso and Morrell).

Addressing the permitting of certain transportation projects.

The bill was read the third time.

Representatives Zeiger and Fitzgibbon spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Harris, Representatives Crouse, Hope, Johnson, Rodne, Scott and Smith were excused. On motion of Representative Van De Wege, Representatives Farrell, Hurst, Jinkins, Stonier, Takko, Upthegrove and Wylie were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1978.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1978, and the bill passed the House by the following vote: Yeas, 82; Nays, 2; Absent, 0; Excused, 13.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Reykdal, Riccelli,

Roberts, Ross, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Springer, Stanford, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Pollet and Ryu.

Excused: Representatives Crouse, Farrell, Hope, Hurst, Jinkins, Johnson, Rodne, Scott, Smith, Stonier, Takko, Upthegrove and Wylie.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1986, by House Committee on Transportation (originally sponsored by Representatives O'Ban, Rodne, Magendanz, Zeiger, Kristiansen, Klippert and Hayes).

Requiring the reporting of highway construction project errors.

The bill was read the third time.

Representatives Fey, Hargrove and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1986.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1986, and the bill passed the House by the following vote: Yeas, 82; Nays, 3; Absent, 0; Excused, 12.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives McCoy, Ryu and Tarleton.

Excused: Representatives Crouse, Farrell, Hope, Hurst, Jinkins, Johnson, Rodne, Scott, Stonier, Takko, Upthegrove and Wylie.

SUBSTITUTE HOUSE BILL NO. 1986, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1988, by Representatives Rodne, Magendanz, Zeiger, Kristiansen, Hayes and O'Ban.

Concerning the application of right-sizing to transportation projects.

The bill was read the third time.

Representatives Orcutt and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1988.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1988, and the bill passed the House by the following vote: Yeas, 87; Nays, 0; Absent, 0; Excused, 10.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, Farrell, Hope, Hurst, Jinkins, Johnson, Rodne, Scott, Takko and Wylie.

HOUSE BILL NO. 1988, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1957, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Liias, Moscoso and Fey)

Concerning department of transportation project delivery.

The bill was read the second time.

Representative Clibborn moved the adoption of the striking amendment (545).

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 47.04 RCW to read as follows:

(1) The legislature intends the department to deliver the projects and activities listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013, as funded by new revenues provided in chapter . . . (Substitute House Bill No. 1954), Laws of 2013 2nd sp.

sess. or chapter . . . (Senate Bill No. 5920), Laws of 2013 2nd sp. sess., and for which appropriations of such funds are provided every two years in the omnibus transportation appropriations act, in a manner that exemplifies the stewardship goal in RCW 47.04.280.

(2) To allow the department the flexibility to deliver the projects in the most expeditious and efficient manner, while at the same time honoring the intent of the legislature under chapter . . . (Substitute House Bill No. 1955), Laws of 2013 2nd sp. sess. or chapter . . . (Senate Bill No. 5921), Laws of 2013 2nd sp. sess., the department's stewardship in delivering the projects and activities under this section is subject to the following limitations:

(a) The department must allocate funding to projects in a manner that optimizes efficient management of project spending and delivery. If the most recent engineer's estimate of a project cost differs from the most recent project budget approved by the legislature by ten percent or two hundred fifty thousand dollars, whichever is greater, the department must seek approval before proceeding as provided in this subsection (2).

(b) The legislative scope of a project may not be changed to a material degree except:

(i) By the legislature; or

(ii) When a more efficient, less expensive, or more expeditious scope would provide an equivalent functional outcome. If such an alternative scope is identified, the department must seek approval before proceeding as provided in this subsection (2).

(c)(i) To the extent possible within budgetary and financial planning constraints, the department must adhere to the capital delivery plan schedule adopted by the legislature and as referenced in the LEAP transportation document identified in subsection (1) of this section.

(ii) If adherence to the original capital delivery plan schedule would result in failure to substantively meet the stewardship, efficiency, and expediency objectives of this section, the department may seek approval of reasonable changes in project scheduling so as to meet the objectives as provided in this subsection (2).

(d) To seek approval of project changes under this subsection (2), the department must submit a request to the office of financial management. At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature. The office of financial management must work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(e) The department must develop by the end of each calendar quarter a report with updates of any changes under (a), (b), or (c) of this subsection. The report must be submitted to the office of financial management and the transportation committees of the legislature.

(3) The legislature intends for the department to utilize a design-build or similar alternative public works contracting procedure whenever appropriate in highway construction, ferry vessel, or ferry terminal construction contracts on projects and activities under this section.

(4) For the delivery of projects and activities under this section, the legislature intends for the department to develop a management approach that minimizes the need to add additional permanent engineering staff and other permanent professional staff in the highway construction and ferry vessel and terminal construction programs. The baseline for staffing levels should be:

(a) For highway construction, the full-time equivalent level for such positions outlined by the secretary in the business plan for the department at the end of fiscal year 2015; and

(b) For the ferry vessel and terminal construction program, the full-time equivalent level for such positions at the end of fiscal year 2012.

(5)(a) In January of each year that precedes the next fiscal biennium, beginning January 1, 2015, the department must submit a report to the governor and to the transportation committees of the legislature on progress made toward the delivery of all projects and activities subject to this section.

(b) The secretary must certify to the governor and the legislature the completion of the project package identified in the LEAP transportation document identified in subsection (1) of this section, or the most recent version approved by the legislature or the office of financial management under subsection (2)(d) of this section, on the date that the delivery of the projects and activities subject to this section is substantively complete.

(6) The changes for which the department may seek approval under subsection (2)(a), (b), or (c) of this section are changes to the cost, scope, or schedule of a project relative to the cost, scope, or schedule of the project in the LEAP transportation document identified in subsection (1) of this section or the most recent version approved by the legislature or the office of financial management under subsection (2)(d) of this section.

(7) This section expires June 30, 2023, or the date the secretary certifies that the delivery of the projects and activities listed in the LEAP transportation document identified in subsection (1) of this section, or the most recent version approved by the legislature or the office of financial management under subsection (2)(d) of this section, is substantively complete, whichever is later.

NEW SECTION. Sec. 2. A new section is added to chapter 47.01 RCW to read as follows:

(1) The department must convene three expert review panels of no more than three members to provide independent financial and technical review for the development of a finance plan and project implementation plan for the Columbia river crossing project, the state route number 520 bridge replacement and HOV project, and the Alaskan Way viaduct replacement project.

(2) The expert review panels must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor.

(3) The expert review panels must, with respect to completion of the project alternatives as described in the draft environmental impact statement of each project:

(a) Review the finance plan for the project to ensure that it clearly identifies secured and anticipated funding sources and is feasible and sufficient; and

(b) Review the project implementation plan covering all state and local permitting and mitigation approvals that ensure the most expeditious and cost-effective delivery of the project.

(4) The expert review panels must report their findings and recommendations on the items described under subsection (3) of this section to the transportation committees of the legislature by October 2013, and annually thereafter, until the projects are operationally complete.

(5) When convening the expert review panels, the department must be attentive to cost and consider ways to minimize expert review panel expenditures. Anticipated expenditures related to the expert review panels must be included in the panel's findings and recommendation reports.

Sec. 3. RCW 47.01.300 and 2012 c 62 s 1 are each amended to read as follows:

The department shall, in cooperation with environmental regulatory authorities:

(1) Identify and document environmental resources in the development of the statewide multimodal plan under RCW 47.06.040;

(2) Allow for public comment regarding changes to the criteria used for prioritizing projects under chapter 47.05 RCW before final adoption of the changes by the commission;

(3) Use an environmental review as part of the project prospectus identifying potential environmental impacts, mitigation, the utilization of the mitigation option available in RCW 90.74.040, and costs during the early project identification and selection phase, submit the prospectus to the relevant environmental regulatory authorities, and maintain a record of comments and proposed revisions received from the authorities;

(4) Actively work with the relevant environmental regulatory authorities during the design alternative analysis process and seek written concurrence from the authorities that they agree with the preferred design alternative selected;

(5) Develop a uniform methodology, in consultation with relevant environmental regulatory authorities, for submitting plans and specifications detailing project elements that impact environmental resources, and proposed mitigation measures including the mitigation option available in RCW 90.74.040, to the relevant environmental regulatory authorities during the preliminary specifications and engineering phase of project development;

(6) Use available technologies to minimize permit delays for, inform and interact with interested parties including relevant environmental regulatory authorities regarding, and optimize the effectiveness of proposed compensatory mitigation projects;

(7)(a) In addition to the mitigation programs specified in RCW 90.74.040(1)(a), the correction of fish passage barriers on city streets and county roads located within the same watershed as the proposed project must be considered for compensatory mitigation. The department shall consult with the department of fish and wildlife, the appropriate local government, and interested tribes to identify the existing fish passage barriers that, upon removal, will result in the greatest habitat benefit.

(b) The department shall submit a report to the transportation committees of the legislature by December 1, 2014, regarding the use and effectiveness of the mitigation option created in this subsection as well as recommendations for improvements;

(8) Screen construction projects to determine which projects will require complex or multiple permits. The permitting authorities shall develop methods for initiating review of the permit applications for the projects before the final design of the projects;

~~((7))~~ (9) Conduct special prebid meetings for those projects that are environmentally complex; and

~~((8))~~ (10) Review environmental considerations related to particular projects during the preconstruction meeting held with the contractor who is awarded the bid.

NEW SECTION. Sec. 4. This act takes effect if chapter . . . (Substitute House Bill No. 1954), Laws of 2013 2nd sp. sess. or chapter . . . (Senate Bill No. 5920), Laws of 2013 2nd sp. sess. is enacted by July 31, 2013."

Correct the title.

Representative Dahlquist moved the adoption of amendment (555) to the striking amendment (545).

On page 3, after line 31 of the striking amendment, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 47.56 RCW to read as follows:

After the effective date of this act, the department may not expend any resources to design, construct, or deliver high occupancy toll lanes or express toll lanes projects, including projects for which the department has received legislative authorization but has not yet begun collecting tolls on such lanes."

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Dahlquist, Orcutt, Magendanz, DeBolt, Wilcox and Shea spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Clibborn, Upthegrove and Liias spoke against the adoption of the amendment to the striking amendment.

Amendment (555) to the striking amendment (545) was not adopted.

Amendment (545) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1957.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1957, and the bill passed the House by the following vote: Yeas, 83; Nays, 5; Absent, 0; Excused, 9.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Overstreet, Shea and Taylor.

Excused: Representatives Crouse, Hope, Hurst, Jinkins, Johnson, Rodne, Scott, Takko and Wylie.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 25, 2013

MR. SPEAKER: The President has signed ENGROSSED SUBSTITUTE SENATE BILL NO. 5897 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 25, 2013

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1961
HOUSE BILL NO. 2042

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 1954, by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Liias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller

Concerning transportation revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1954 was substituted for House Bill No. 1954 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1954 was read the second time.

Representative Clibborn moved the adoption of the striking amendment (531).

Strike everything after the enacting clause and insert the following:

"MOTOR VEHICLE AND SPECIAL FUEL TAXES

Sec. 101. RCW 82.36.025 and 2007 c 515 s 3 are each amended to read as follows:

(1) A motor vehicle fuel tax rate of twenty-three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(2) Beginning July 1, 2003, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(4) Beginning July 1, 2006, an additional and cumulative motor vehicle fuel tax rate of three cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(5) Beginning July 1, 2007, an additional and cumulative motor vehicle fuel tax rate of two cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(6) Beginning July 1, 2008, an additional and cumulative motor vehicle fuel tax rate of one and one-half cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(7) Beginning August 1, 2013, an additional and cumulative motor vehicle fuel tax rate of six cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

(8) Beginning July 1, 2014, an additional and cumulative motor vehicle fuel tax rate of four and one-half cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.

Sec. 102. RCW 82.38.030 and 2007 c 515 s 21 are each amended to read as follows:

(1) Before July 1, 2015:

~~(a)~~ There is hereby levied and imposed upon special fuel licensees, other than special fuel distributors, a tax at the rate of twenty-three cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature.

~~((2))~~ ~~(b)~~ Beginning July 1, 2003, an additional and cumulative tax rate of five cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors. This subsection ~~((2))~~ ~~(1)(b)~~ expires when the bonds issued for transportation 2003 projects are retired.

~~((3))~~ ~~(c)~~ Beginning July 1, 2005, an additional and cumulative tax rate of three cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~((4))~~ ~~(d)~~ Beginning July 1, 2006, an additional and cumulative tax rate of three cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~((5))~~ ~~(e)~~ Beginning July 1, 2007, an additional and cumulative tax rate of two cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~((6))~~ ~~(f)~~ Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~((7))~~ ~~(g)~~ Beginning August 1, 2013, an additional and cumulative tax rate of six cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~(h)~~ Beginning July 1, 2014, an additional and cumulative tax rate of four and one-half cents per gallon of special fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature shall be imposed on special fuel licensees, other than special fuel distributors.

~~(i)~~ Taxes are imposed when:

~~((a))~~ ~~(i)~~ Special fuel is removed in this state from a terminal if the special fuel is removed at the rack unless the removal is to a licensed exporter for direct delivery to a destination outside of the state, or the removal is by a special fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

~~((b))~~ ~~(ii)~~ Special fuel is removed in this state from a refinery if either of the following applies:

~~((+))~~ ~~(A)~~ The removal is by bulk transfer and the refiner or the owner of the special fuel immediately before the removal is not a licensee; or

~~((+))~~ ~~(B)~~ The removal is at the refinery rack unless the removal is to a licensed exporter for direct delivery to a destination outside of the state, or the removal is to a special fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

~~((e))~~ ~~(iii)~~ Special fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

~~((+))~~ ~~(A)~~ The entry is by bulk transfer and the importer is not a licensee; or

~~((+))~~ ~~(B)~~ The entry is not by bulk transfer;

~~((+))~~ ~~(iv)~~ Special fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the special fuel;

~~((e))~~ ~~(v)~~ Blended special fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended special fuel subject to tax is the difference between the total number of gallons of blended special fuel removed or sold and the number of gallons of previously taxed special fuel used to produce the blended special fuel;

~~((+))~~ ~~(vi)~~ Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the special fuel tax;

~~((+))~~ ~~(vii)~~ Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

~~((+))~~ ~~(viii)~~ Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

~~((+))~~ ~~(ix)~~ Special fuel is sold by a licensed special fuel supplier to a special fuel distributor, special fuel importer, or special fuel blender and the special fuel is not removed from the bulk transfer-terminal system.

(2) Beginning July 1, 2015:

(a) There is levied and imposed upon fuel licensees a tax at the rate of twenty-three cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature.

(b) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees. This subsection (2)(b) expires when the bonds issued for transportation 2003 projects are retired.

(c) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(d) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(e) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(f) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(g) Beginning August 1, 2013, an additional and cumulative tax rate of six cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(h) Beginning July 1, 2014, an additional and cumulative tax rate of four and one-half cents per gallon of fuel, or each one hundred cubic feet of compressed natural gas, measured at standard pressure and temperature is imposed on fuel licensees.

(i) Taxes are imposed when:

(i) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(ii) Fuel is removed in this state from a refinery if either of the following applies:

(A) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier;

or

(B) The removal is at the refinery rack unless the removal is to a

licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(iii) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(A) The entry is by bulk transfer and the importer is not a licensed supplier; or

(B) The entry is not by bulk transfer;

(iv) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(v) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(vi) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(vii) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(viii) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(ix) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(x) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

NEW SECTION. Sec. 103. 2013 c 225 s 103 (uncodified) is repealed.

Sec. 104. RCW 46.68.090 and 2011 c 120 s 4 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax shall be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount shall be distributed monthly by the state treasurer in accordance with subsections (2) through ~~((7))~~ (8) of this section.

(a) For payment of refunds of motor vehicle fuel tax and special fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, which sums shall be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.36.025(1) and 82.38.030(1)(a) shall be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

The following criteria, listed in order of priority, shall be used in determining which special category C projects have the highest priority:

(i) Accident experience;

(ii) Fatal accident experience;

(iii) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(iv) Continuity of development of the highway transportation network.

Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there shall be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds shall be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and shall be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board shall adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.36.025(2) and 82.38.030(~~((2))~~) (1)(b) shall be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.36.025(3) and 82.38.030(~~((3))~~) (1)(c) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.36.025(4) and 82.38.030(~~((4))~~) (1)(d) shall be distributed as follows:

(a) 8.3333 percent shall be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent shall be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder shall be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.36.025 (5) and (6) and 82.38.030 (~~((5))~~) (1)(e) and (~~((6))~~) (f) shall be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.36.025 (7) and (8) and 82.38.030(1) (g) and (h) shall be distributed as follows:

(a) 5 percent shall be distributed to counties under RCW 46.68.122;

(b) 5 percent shall be distributed to cities under RCW 46.68.110;

(c) 5 percent shall be distributed to the Puget Sound ferry operations account created in RCW 47.60.530;

(d) 7.5 percent shall be distributed to the Puget Sound capital construction account created in RCW 47.60.505; and

(e) The remainder shall be distributed to the connecting Washington account created in section 106 of this act.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuel and special fuels.

Sec. 105. RCW 46.68.090 and 2013 c 225 s 645 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax and special fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through ~~((7))~~ (8) of this section.

(a) For payment of refunds of motor vehicle fuel tax and special fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the motor vehicle fuel tax and the special fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030~~((4))~~ (2)(a) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b)(i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030~~(2)(b)~~ must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030~~((3))~~ (2)(c) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030~~((4))~~ (2)(d) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 ~~((5))~~ (2)(e) and ~~((6))~~ (f) must be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.38.030(2) (g) and (h) must be distributed as follows:

(a) 5 percent must be distributed to counties under RCW 46.68.122;

(b) 5 percent must be distributed to cities under RCW 46.68.110;
(c) 5 percent must be distributed to the Puget Sound ferry operations account created in RCW 47.60.530;

(d) 7.5 percent must be distributed to the Puget Sound capital construction account created in RCW 47.60.505; and

(e) The remainder must be distributed to the connecting Washington account created in section 106 of this act.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuel and special fuels.

NEW SECTION. Sec. 106. A new section is added to chapter 46.68 RCW to read as follows:

The connecting Washington account is created in the motor vehicle fund. All receipts from RCW 46.68.090(7)(e), 46.17.355(7), and section 305 (1) and (2) of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements, and for the maintenance, operations, and preservation of the state highway system, which is defined for purposes of this section as activities undertaken to (1) provide, maintain, and operate serviceable roadways through planned strategies of cost-effective treatments to existing roadways and appurtenances that preserve the highway system, (2) retard future deterioration, (3) preserve or improve safety, and (4) maintain the functional condition of the existing highway system.

Sec. 107. RCW 43.84.092 and 2013 c 251 s 3 and 2013 c 96 s 3 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation

principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the

Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 108. RCW 43.84.092 and 2013 c 251 s 4 and 2013 c 96 s 4 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water

supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative

fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 109. RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c 161 s 222 are each reenacted and amended to read as follows:

(1) From time to time, but at least once each year, the state treasurer shall refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.36 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (~~and~~) (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (f) twenty-nine cents per gallon of motor vehicle fuel beginning August 1, 2013; (g) thirty-three and one-half cents per gallon of motor vehicle fuel beginning July 1, 2014; and (h) forty-eight cents per gallon of motor vehicle fuel beginning July 1, 2029, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer shall place these funds in the general fund as follows:

(a) Thirty-six percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent shall be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent shall be credited to the nonhighway and off-road vehicle activities program account to be

administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection shall be expended in accordance with the following limitations:

(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.68.045, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.68.045, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

Sec. 110. RCW 46.10.530 and 2003 c 361 s 408 are each amended to read as follows:

From time to time, but at least once each four years, the department shall determine the amount of moneys paid to it as motor vehicle fuel tax that is tax on snowmobile fuel. Such determination shall use one hundred thirty-five gallons as the average yearly fuel usage per snowmobile, the number of registered snowmobiles during the calendar year under determination, and a fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (~~and~~) (5) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (6) twenty-nine cents per gallon of motor vehicle fuel beginning August 1, 2013; (7) thirty-three and one-half cents per gallon of motor vehicle fuel beginning July 1, 2014; and (8) forty-eight cents per gallon of motor vehicle fuel beginning July 1, 2029, and thereafter.

Sec. 111. RCW 79A.25.070 and 2010 c 23 s 3 are each amended to read as follows:

Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel, the state of Washington shall succeed to the right to such refunds. The director of licensing,

after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account, shall request the state treasurer to transfer monthly from the marine fuel tax refund account an amount equal to the proportion of the moneys in the account representing a motor vehicle fuel tax rate of: (1) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ~~((and))~~ (5) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (6) twenty-nine cents per gallon of motor vehicle fuel beginning August 1, 2013; (7) thirty-three and one-half cents per gallon of motor vehicle fuel beginning July 1, 2014; and (8) forty-eight cents per gallon of motor vehicle fuel beginning July 1, 2029, and thereafter, to the recreation resource account and the remainder to the motor vehicle fund.

NEW SECTION. Sec. 112. The following acts or parts of acts are each repealed:

- (1) RCW 82.36.029 (Deductions--Handling losses--Reports) and 1998 c 176 s 10; and
- (2) RCW 82.38. . . . and 2013 c 225 s 205.

DISTRIBUTION OF EXISTING FEES

Sec. 201. RCW 46.17.100 and 2012 c 74 s 1 are each amended to read as follows:

Before accepting an application for a certificate of title as required in this title, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay a fifteen dollar application fee in addition to any other fees and taxes required by law.

~~((1) Five dollars of))~~ The certificate of title application fee must be distributed under RCW 46.68.020.

~~((2) Ten dollars of the certificate of title application fee must be credited to the transportation 2003 account (nickel account) created in RCW 46.68.280.))~~

Sec. 202. RCW 46.20.293 and 2012 c 74 s 4 are each amended to read as follows:

The department is authorized to provide juvenile courts with the department's record of traffic charges compiled under RCW 46.52.101 and 13.50.200, against any minor upon the request of any state juvenile court or duly authorized officer of any juvenile court of this state. Further, the department is authorized to provide any juvenile court with any requested service which the department can reasonably perform which is not inconsistent with its legal authority which substantially aids juvenile courts in handling traffic cases and which promotes highway safety.

The department is authorized to furnish to the parent, parents, or guardian of any person under eighteen years of age who is not emancipated from such parent, parents, or guardian, the department records of traffic charges compiled against the person and shall collect for the copy a fee of thirteen dollars, ~~((fifty))~~ thirty-eight and one-half percent of which must be deposited in the highway safety fund and ~~((fifty))~~ sixty-one and one-half percent of which must be deposited according to RCW 46.68.038.

Sec. 203. RCW 46.29.050 and 2012 c 74 s 5 are each amended to read as follows:

(1) The department shall upon request furnish any person or his or her attorney a certified abstract of his or her driving record, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved. Such abstract shall (a) indicate the total number of vehicles involved, whether the vehicles were

legally parked or moving, and whether the vehicles were occupied at the time of the accident; and (b) contain reference to any convictions of the person for violation of the motor vehicle laws as reported to the department, reference to any findings that the person has committed a traffic infraction which have been reported to the department, and a record of any vehicles registered in the name of the person. The department shall collect for each abstract the sum of thirteen dollars, ~~((fifty))~~ thirty-eight and one-half percent of which shall be deposited in the highway safety fund and ~~((fifty))~~ sixty-one and one-half percent of which must be deposited according to RCW 46.68.038.

(2) The department shall upon request furnish any person who may have been injured in person or property by any motor vehicle, with an abstract of all information of record in the department pertaining to the evidence of the ability of any driver or owner of any motor vehicle to respond in damages. The department shall collect for each abstract the sum of thirteen dollars, ~~((fifty))~~ thirty-eight and one-half percent of which shall be deposited in the highway safety fund and ~~((fifty))~~ sixty-one and one-half percent of which must be deposited according to RCW 46.68.038.

Sec. 204. RCW 46.52.130 and 2012 c 74 s 6 and 2012 c 73 s 1 are each reenacted and amended to read as follows:

Upon a proper request, the department may furnish an abstract of a person's driving record as permitted under this section.

(1) **Contents of abstract of driving record.** An abstract of a person's driving record, whenever possible, must include:

(a) An enumeration of motor vehicle accidents in which the person was driving, including:

- (i) The total number of vehicles involved;
- (ii) Whether the vehicles were legally parked or moving;
- (iii) Whether the vehicles were occupied at the time of the accident; and

(iv) Whether the accident resulted in a fatality;

(b) Any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law;

(c) The status of the person's driving privilege in this state; and

(d) Any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

(2) **Release of abstract of driving record.** An abstract of a person's driving record may be furnished to the following persons or entities:

(a) **Named individuals.** (i) An abstract of the full driving record maintained by the department may be furnished to the individual named in the abstract.

(ii) Nothing in this section prevents a court from providing a copy of the driver's abstract to the individual named in the abstract, provided that the named individual has a pending or open infraction or criminal case in that court. A pending case includes criminal cases that have not reached a disposition by plea, stipulation, trial, or amended charge. An open infraction or criminal case includes cases on probation, payment agreement or subject to, or in collections. Courts may charge a reasonable fee for the production and copying of the abstract for the individual.

(b) **Employers or prospective employers.** (i)(A) An abstract of the full driving record maintained by the department may be furnished to an employer or prospective employer or an agent acting on behalf of an employer or prospective employer of the named individual for purposes related to driving by the individual as a condition of employment or otherwise at the direction of the employer.

(B) Release of an abstract of the driving record of an employee or prospective employee requires a statement signed by: (I) The employee or prospective employee that authorizes the release of the record; and (II) the employer attesting that the information is necessary for employment purposes related to driving by the

individual as a condition of employment or otherwise at the direction of the employer. If the employer or prospective employer authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(C) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of court records ruling that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident.

(ii) In addition to the methods described in (b)(i) of this subsection, the director may enter into a contractual agreement with an employer or its agent for the purpose of reviewing the driving records of existing employees for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(c) **Volunteer organizations.** (i) An abstract of the full driving record maintained by the department may be furnished to a volunteer organization or an agent for a volunteer organization for which the named individual has submitted an application for a position that would require driving by the individual at the direction of the volunteer organization.

(ii) Release of an abstract of the driving record of a prospective volunteer requires a statement signed by: (A) The prospective volunteer that authorizes the release of the record; and (B) the volunteer organization attesting that the information is necessary for purposes related to driving by the individual at the direction of the volunteer organization. If the volunteer organization authorizes an agent to obtain this information on their behalf, this must be noted in the statement.

(d) **Transit authorities.** An abstract of the full driving record maintained by the department may be furnished to an employee or agent of a transit authority checking prospective volunteer vanpool drivers for insurance and risk management needs.

(e) **Insurance carriers.** (i) An abstract of the driving record maintained by the department covering the period of not more than the last three years may be furnished to an insurance company or its agent:

(A) That has motor vehicle or life insurance in effect covering the named individual;

(B) To which the named individual has applied; or

(C) That has insurance in effect covering the employer or a prospective employer of the named individual.

(ii) The abstract provided to the insurance company must:

(A) Not contain any information related to actions committed by law enforcement officers or firefighters, as both terms are defined in RCW 41.26.030, or by Washington state patrol officers, while driving official vehicles in the performance of their occupational duty. This does not apply to any situation where the vehicle was used in the commission of a misdemeanor or felony;

(B) Include convictions under RCW 46.61.5249 and 46.61.525, except that the abstract must report the convictions only as negligent driving without reference to whether they are for first or second degree negligent driving; and

(C) Exclude any deferred prosecution under RCW 10.05.060, except that if a person is removed from a deferred prosecution under RCW 10.05.090, the abstract must show the deferred prosecution as well as the removal.

(iii) Any policy of insurance may not be canceled, nonrenewed, denied, or have the rate increased on the basis of information regarding an accident included in the abstract of a driving record, unless the policyholder was determined to be at fault.

(iv) Any insurance company or its agent, for underwriting purposes relating to the operation of commercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment. Any insurance company or its agent, for underwriting purposes relating to the operation of noncommercial motor vehicles, may not use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

(v) The director may enter into a contractual agreement with an insurance company or its agent for the limited purpose of reviewing the driving records of existing policyholders for changes to the record during specified periods of time. The department shall establish a fee for this service, which must be deposited in the highway safety fund. The fee for this service must be set at a level that will not result in a net revenue loss to the state. Any information provided under this subsection must be treated in the same manner and is subject to the same restrictions as driving record abstracts.

(f) **Alcohol/drug assessment or treatment agencies.** An abstract of the driving record maintained by the department covering the period of not more than the last five years may be furnished to an alcohol/drug assessment or treatment agency approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment, for purposes of assisting employees in making a determination as to what level of treatment, if any, is appropriate, except that the abstract must:

(i) Also include records of alcohol-related offenses, as defined in RCW 46.01.260(2), covering a period of not more than the last ten years; and

(ii) Indicate whether an alcohol-related offense was originally charged as a violation of either RCW 46.61.502 or 46.61.504.

(g) **City attorneys and county prosecuting attorneys.** An abstract of the full driving record maintained by the department, including whether a recorded violation is an alcohol-related offense, as defined in RCW 46.01.260(2), that was originally charged as a violation of either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys or county prosecuting attorneys. City attorneys and county prosecuting attorneys may provide the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment.

(h) **State colleges, universities, or agencies, or units of local government.** An abstract of the full driving record maintained by the department may be furnished to (i) state colleges, universities, or agencies for employment and risk management purposes or (ii) units of local government authorized to self-insure under RCW 48.62.031 for employment and risk management purposes.

(i) **Superintendent of public instruction.** An abstract of the full driving record maintained by the department may be furnished to the superintendent of public instruction for review of public school bus driver records. The superintendent or superintendent's designee may discuss information on the driving record with an authorized representative of the employing school district for employment and risk management purposes.

(3) **Release to third parties prohibited.** Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (i) of this section shall use the abstract exclusively for his, her, or its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.

(4) **Fee.** The director shall collect a thirteen dollar fee for each abstract of a person's driving record furnished by the department. ~~((Fifty))~~ Thirty-eight and one-half percent of the fee must be deposited in the highway safety fund, and ~~((fifty))~~ sixty-one and one-half percent of the fee must be deposited according to RCW 46.68.038.

(5) **Violation.** (a) Any negligent violation of this section is a gross misdemeanor.

(b) Any intentional violation of this section is a class C felony.

Sec. 205. RCW 46.68.041 and 2004 c 95 s 15 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the department ~~((shall))~~ must forward all funds accruing under ~~((the provisions of))~~ chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who ~~((shall))~~ must deposit such moneys to the credit of the highway safety fund.

(2)(a) Sixty-three percent of each fee collected by the department under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) ~~((shall))~~ must be deposited in the impaired driving safety account.

(b)(i) Twenty-four dollars of each driver's license issuance fee paid under RCW 46.20.161 must be deposited in the Puget Sound ferry operations account.

(ii) If the driver's license issuance fee paid under RCW 46.20.161 is for a driver's license with a term of less than six years, the amount to be deposited in the Puget Sound ferry operations account is four dollars multiplied by the number of years in the term of the driver's license.

(c)(i)(A) Six dollars of each driver's license renewal fee paid under RCW 46.20.181(2) is for the sole use of the department of transportation for local programs.

(B)(I) Twenty-five percent of moneys received under this subsection (2)(c)(i) must be deposited in the freight mobility investment account for the freight mobility strategic investment board to meet urgent freight corridor improvement and preservation needs.

(II) Seventy-five percent of moneys received under this subsection (2)(c)(i) must be deposited in the pedestrian, bicycle, and safe routes to school account created in section 210 of this act for safe routes to school program projects.

(ii) Twelve dollars of each driver's license renewal fee paid under RCW 46.20.181(2) must be deposited in the Puget Sound ferry operations account.

(iii) Six dollars of each driver's license renewal fee paid under RCW 46.20.181(2) must be deposited in the county arterial preservation account for the county road administration board for the county arterial preservation program.

(d) Thirty dollars of each identicaid fee paid under RCW 46.20.117 must be deposited in the transportation improvement account for the transportation improvement board.

(e)(i) Two dollars and fifty cents of each driver's instruction permit fee paid under RCW 46.20.055 must be deposited in the state patrol highway account.

(ii) Two dollars and fifty cents of each driver's instruction permit fee paid under RCW 46.20.055 must be deposited in the small city pavement and sidewalk account for the transportation improvement board small city pavement and sidewalk program.

(f) Fifteen dollars of each driver's licensing examination fee paid under RCW 46.20.120(2) must be deposited in the state patrol highway account.

(g) Five dollars of each duplicate or replacement fee paid under RCW 46.20.200 must be deposited in the state patrol highway account.

(h) One hundred seventy-five dollars of each hearing request fee paid under RCW 46.20.308 must be deposited in the state patrol highway account.

Sec. 206. RCW 46.68.020 and 2011 c 171 s 84 are each amended to read as follows:

The director shall forward all fees for certificates of title or other moneys accruing under chapters 46.12 and 46.17 RCW to the state treasurer, together with a proper identifying detailed report. The state treasurer shall credit these moneys as follows:

FEE	REQUIRE	ESTABLISHE	DISTRIBUTIO
ORV certificate of title fee	RCW 46.09.320	D IN D IN RCW 46.17.100	N RCW 47.66.070
Original certificate of title	RCW 46.12.530	RCW 46.17.100	RCW 47.66.070
Penalty for late transfer	RCW 46.12.650	RCW 46.17.140	RCW 47.66.070
Motor change	RCW 46.12.590	RCW 46.17.100	RCW ((46.68.280)) 47.66.070
Transfer certificate of title	RCW 46.12.650	RCW 46.17.100	RCW ((46.68.280)) 47.66.070
Security interest changes	RCW 46.12.675	RCW 46.17.100	RCW ((46.68.280)) 47.66.070
Duplicate certificate of title	RCW 46.12.580	RCW 46.17.100	RCW ((46.68.280)) 47.66.070
Stolen vehicle check	RCW 46.12.570	RCW 46.17.120	RCW 46.68.070
Vehicle identification number assignment	RCW 46.12.560	RCW 46.17.135	RCW 46.68.070

Sec. 207. RCW 46.68.280 and 2003 c 361 s 601 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) The "nickel account" means the transportation 2003 account.

(3) Beginning September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer four million two hundred thousand dollars from the multimodal transportation account to the nickel account, for a total transfer of thirty-three million six hundred thousand dollars per biennium.

Sec. 208. RCW 46.68.390 and 2012 c 74 s 9 are each amended to read as follows:

(1) The public transportation grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for grants to aid transit authorities with operations.

(2) Beginning September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer three million two hundred fifty thousand dollars from the multimodal transportation account to the public transportation grant program account, for a total transfer of twenty-six million dollars per biennium.

NEW SECTION. Sec. 209. 2012 c 74 s 18 (uncodified) is repealed.

NEW SECTION. Sec. 210. A new section is added to chapter 46.68 RCW to read as follows:

(1) The pedestrian, bicycle, and safe routes to school account is created in the motor vehicle fund. All receipts from driver's license renewal fees collected under RCW 46.68.041(2)(c)(i)(B)(II) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for pedestrian, bicycle, and safe routes to school projects.

(2) Beginning September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer six hundred fifty thousand dollars from the motor vehicle account to the pedestrian, bicycle, and safe routes to school account, for a total transfer of five million two hundred thousand dollars per biennium.

(3) Beginning September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer two million dollars from the multimodal transportation account to the pedestrian, bicycle, and safe routes to school account, for a total transfer of sixteen million dollars per biennium.

Sec. 211. RCW 47.76.250 and 2009 c 160 s 1 are each amended to read as follows:

(1) The essential rail assistance account is created in the state treasury. Moneys in the account may be appropriated only for the purposes specified in this section.

(2) Moneys appropriated from the account to the department of transportation may be used by the department or distributed by the department to cities, county rail districts, counties, economic development councils, port districts, and privately or publicly owned railroads for the purpose of:

- (a) Acquiring, rebuilding, rehabilitating, or improving rail lines;
 - (b) Purchasing or rehabilitating railroad equipment necessary to maintain essential rail service;
 - (c) Constructing railroad improvements to mitigate port access or mainline congestion;
 - (d) Construction of loading facilities to increase business on light density lines or to mitigate the impacts of abandonment;
 - (e) Preservation, including operation, of light density lines, as identified by the Washington state department of transportation, in compliance with this chapter; or
 - (f) Preserving rail corridors for future rail purposes by purchase of rights-of-way. The department shall first pursue transportation enhancement program funds, available under the federal surface transportation program, to the greatest extent practicable to preserve rail corridors. Purchase of rights-of-way may include track, bridges, and associated elements, and must meet the following criteria:
 - (i) The right-of-way has been identified and evaluated in the state rail plan prepared under this chapter;
 - (ii) The right-of-way may be or has been abandoned; and
 - (iii) The right-of-way has potential for future rail service.
- (3) The department or the participating local jurisdiction is responsible for maintaining any right-of-way acquired under this chapter, including provisions for drainage management, fire and weed control, and liability associated with ownership.

(4) Nothing in this section impairs the reversionary rights of abutting landowners, if any, without just compensation.

(5) The department, cities, county rail districts, counties, and port districts may grant franchises to private railroads for the right to operate on lines acquired under this chapter.

(6) The department, cities, county rail districts, counties, and port districts may grant trackage rights over rail lines acquired under this chapter.

(7) If rail lines or rail rights-of-way are used by county rail districts, port districts, state agencies, or other public agencies for the purposes of rail operations and are later abandoned, the rail lines or

rail rights-of-way cannot be used for any other purposes without the consent of the underlying fee title holder or reversionary rights holder, or until compensation has been made to the underlying fee title holder or reversionary rights holder.

(8) The department of transportation shall develop criteria for prioritizing freight rail projects that meet the minimum eligibility requirements for state assistance under RCW 47.76.240. The department shall develop criteria in consultation with the Washington state freight rail policy advisory committee. Project criteria should consider the level of local financial commitment to the project as well as cost/benefit ratio. Counties, local communities, railroads, shippers, and others who benefit from the project should participate financially to the greatest extent practicable.

(9) Moneys received by the department from franchise fees, trackage rights fees, and loan payments shall be redeposited in the essential rail assistance account. Repayment of loans made under this section shall occur within a period not longer than fifteen years, as set by the department. The repayment schedule and rate of interest, if any, shall be determined before the distribution of the moneys.

(10) The state shall maintain a contingent interest in any equipment, property, rail line, or facility that has outstanding grants or loans. The owner may not use the line as collateral, remove track, bridges, or associated elements for salvage, or use it in any other manner subordinating the state's interest without permission from the department.

(11) Moneys may be granted for improvements to privately owned railroads, railroad property, or other private property under this chapter for freight rail projects that meet the minimum eligibility criteria for state assistance under RCW 47.76.240, and which are supported by contractual consideration. At a minimum, such contractual consideration shall consist of defined benefits to the public with a value equal to or greater than the grant amount, and where the grant recipient provides the state a contingent interest adequate to ensure that such public benefits are realized.

(12) Beginning September 2013, by the last day of September, December, March, and June of each year, the state treasurer shall transfer two hundred seventy-five thousand dollars from the multimodal transportation account to the essential rail assistance account, for a total transfer of two million two hundred thousand dollars per biennium.

FEES

Sec. 301. RCW 46.17.355 and 2011 c 171 s 61 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight:

	SCHEDULE A	SCHEDULE B
WEIGHT		
4,000 pounds	(\$ 38.00) <u>\$ 53.00</u>	(\$ 38.00) <u>\$ 53.00</u>
6,000 pounds	(\$ 48.00) <u>\$ 73.00</u>	(\$ 48.00) <u>\$ 73.00</u>
8,000 pounds	(\$ 58.00) <u>\$ 93.00</u>	(\$ 58.00) <u>\$ 93.00</u>
10,000 pounds	(\$ 60.00) <u>\$ 93.00</u>	(\$ 60.00) <u>\$ 93.00</u>

12,000 pounds	\$ 77.00	\$ 77.00	78,000 pounds	\$ 1,612.00	\$ 1,702.00
14,000 pounds	\$ 88.00	\$ 88.00	80,000 pounds	\$ 1,740.00	\$ 1,830.00
16,000 pounds	\$ 100.00	\$ 100.00	82,000 pounds	\$ 1,861.00	\$ 1,951.00
18,000 pounds	\$ 152.00	\$ 152.00	84,000 pounds	\$ 1,981.00	\$ 2,071.00
20,000 pounds	\$ 169.00	\$ 169.00	86,000 pounds	\$ 2,102.00	\$ 2,192.00
22,000 pounds	\$ 183.00	\$ 183.00	88,000 pounds	\$ 2,223.00	\$ 2,313.00
24,000 pounds	\$ 198.00	\$ 198.00	90,000 pounds	\$ 2,344.00	\$ 2,434.00
26,000 pounds	\$ 209.00	\$ 209.00	92,000 pounds	\$ 2,464.00	\$ 2,554.00
28,000 pounds	\$ 247.00	\$ 247.00	94,000 pounds	\$ 2,585.00	\$ 2,675.00
30,000 pounds	\$ 285.00	\$ 285.00	96,000 pounds	\$ 2,706.00	\$ 2,796.00
32,000 pounds	\$ 344.00	\$ 344.00	98,000 pounds	\$ 2,827.00	\$ 2,917.00
34,000 pounds	\$ 366.00	\$ 366.00	100,000 pounds	\$ 2,947.00	\$ 3,037.00
36,000 pounds	\$ 397.00	\$ 397.00	102,000 pounds	\$ 3,068.00	\$ 3,158.00
38,000 pounds	\$ 436.00	\$ 436.00	104,000 pounds	\$ 3,189.00	\$ 3,279.00
40,000 pounds	\$ 499.00	\$ 499.00	105,500 pounds	\$ 3,310.00	\$ 3,400.00
42,000 pounds	\$ 519.00	\$ 609.00			
44,000 pounds	\$ 530.00	\$ 620.00			
46,000 pounds	\$ 570.00	\$ 660.00			
48,000 pounds	\$ 594.00	\$ 684.00			
50,000 pounds	\$ 645.00	\$ 735.00			
52,000 pounds	\$ 678.00	\$ 768.00			
54,000 pounds	\$ 732.00	\$ 822.00			
56,000 pounds	\$ 773.00	\$ 863.00			
58,000 pounds	\$ 804.00	\$ 894.00			
60,000 pounds	\$ 857.00	\$ 947.00			
62,000 pounds	\$ 919.00	\$ 1,009.00			
64,000 pounds	\$ 939.00	\$ 1,029.00			
66,000 pounds	\$ 1,046.00	\$ 1,136.00			
68,000 pounds	\$ 1,091.00	\$ 1,181.00			
70,000 pounds	\$ 1,175.00	\$ 1,265.00			
72,000 pounds	\$ 1,257.00	\$ 1,347.00			
74,000 pounds	\$ 1,366.00	\$ 1,456.00			
76,000 pounds	\$ 1,476.00	\$ 1,566.00			

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section and the freight project fee provided in subsection (6) of this section are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law.

(5) Except as provided otherwise in this section, the license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

(6) In addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of more than 10,000 pounds, unless specifically exempt, to pay a freight project fee equal to fifteen percent of the license fee provided in subsection (1) of this section, rounded to the nearest whole dollar, which must be deposited in the connecting Washington account created in section 106 of this act to be used for major freight corridors.

(7)(a) Fifteen dollars of each license fee based on declared gross weight, as provided in subsection (1) of this section, paid by an applicant with a vehicle with a declared gross weight of 4,000 pounds or less must be deposited in the connecting Washington account created in section 106 of this act.

(b) Twenty-five dollars of each license fee based on declared gross weight, as provided in subsection (1) of this section, paid by an applicant with a vehicle with a declared gross weight of 6,000 pounds or less, but more than 4,000 pounds, must be deposited in the connecting Washington account created in section 106 of this act.

(c) Thirty-five dollars of each license fee based on declared gross

weight, as provided in subsection (1) of this section, paid by an applicant with a vehicle with a declared gross weight of 8,000 pounds or less, but more than 6,000 pounds, must be deposited in the connecting Washington account created in section 106 of this act.

(d) Thirty-three dollars of each license fee based on declared gross weight, as provided in subsection (1) of this section, paid by an applicant with a vehicle with a declared gross weight of 10,000 pounds or less, but more than 8,000 pounds, must be deposited in the connecting Washington account created in section 106 of this act.

NEW SECTION. Sec. 302. Section 301 of this act applies to vehicle registrations that are due or become due on or after February 1, 2014.

Sec. 303. RCW 46.68.035 and 2010 c 161 s 804 are each amended to read as follows:

Except as provided in RCW 46.17.355 (6) and (7), the director shall forward all proceeds from vehicle license fees received by the director for vehicles registered under RCW 46.17.350(1) (c) and (k), 46.17.355, and 46.17.400(1)(c) to the state treasurer to be distributed into accounts according to the following method:

- (1) 22.36 percent must be deposited into the state patrol highway account of the motor vehicle fund;
- (2) 1.375 percent must be deposited into the Puget Sound ferry operations account of the motor vehicle fund;
- (3) 5.237 percent must be deposited into the transportation 2003 account (nickel account);
- (4) 11.533 percent must be deposited into the transportation partnership account created in RCW 46.68.290; and
- (5) The remaining proceeds must be deposited into the motor vehicle fund.

Sec. 304. RCW 81.77.160 and 1997 c 434 s 1 are each amended to read as follows:

(1) The commission, in fixing and altering collection rates charged by every solid waste collection company under this section, shall include in the base for the collection rates:

- (a) All charges for the disposal of solid waste at the facility or facilities designated by a local jurisdiction under a local comprehensive solid waste management plan or ordinance; ~~((and))~~
- (b) All known and measurable costs related to implementation of the approved county or city comprehensive solid waste management plan; and
- (c) All taxes and fees imposed or increased under this act.

(2) If a solid waste collection company files a tariff to recover the costs specified under this section, and the commission suspends the tariff, the portion of the tariff covering costs specified in this section shall be placed in effect by the commission at the request of the company on an interim basis as of the originally filed effective date, subject to refund, pending the commission's final order. The commission may adopt rules to implement this section.

(3) This section applies to a solid waste collection company that has an affiliated interest under chapter 81.16 RCW with a facility, if the total cost of disposal, including waste transfer, transport, and disposal charges, at the facility is equal to or lower than any other reasonable and currently available option.

NEW SECTION. Sec. 305. A new section is added to chapter 46.17 RCW to read as follows:

(1) The department and a county auditor or other agent appointed by the director shall collect a service fee of five dollars for each vehicle registration renewal processed by the department or that county auditor's or other agent's office. The service fee must be deposited into the connecting Washington account created in section 106 of this act.

(2) The department and a county auditor or other agent appointed by the director shall collect a service fee of twelve dollars for each certificate of title transaction processed by the department or that county auditor's or other agent's office. The service fee must be

deposited into the connecting Washington account created in section 106 of this act.

NEW SECTION. Sec. 306. Section 305 of this act applies to vehicle registrations that are due or become due on or after June 1, 2014.

Sec. 307. RCW 46.17.323 and 2012 c 74 s 10 are each amended to read as follows:

(1) Before accepting an application for an annual vehicle registration renewal for ~~((an electric))~~ a vehicle that uses ~~((propulsion units powered solely by))~~ at least one method of propulsion that is capable of being reenergized by an external source of electricity, the department, county auditor or other agent, or subagent appointed by the director must require the applicant to pay a one hundred dollar fee in addition to any other fees and taxes required by law. The one hundred dollar fee is due only at the time of annual registration renewal.

(2) This section only applies to:

- (a) A vehicle that is designed to have the capability to drive at a speed of more than thirty-five miles per hour; and
- (b) An annual vehicle registration renewal that is due on or after February 1, 2013.

(3)(a) The fee under this section is imposed to provide funds to mitigate the impact of vehicles on state roads and highways and for the purpose of evaluating the feasibility of transitioning from a revenue collection system based on fuel taxes to a road user assessment system, and is separate and distinct from other vehicle license fees. Proceeds from the fee must be ~~((used for highway purposes, and))~~ deposited into the transportation innovative partnership account created in RCW 47.29.230 for the purpose of creating and funding the Washington electric vehicle infrastructure bank as provided in section 601 of this act. Once the total number of electric vehicles subject to this fee has reached one-half of one percent of the state's total registered vehicle fleet, proceeds must be deposited in the motor vehicle fund created in RCW 46.68.070(~~(, subject to))~~ and distributed in the manner provided in (b) of this subsection.

(b) ~~((If in any year the amount of proceeds from the fee collected under this section exceeds one million dollars, the excess amount over one million dollars must be deposited))~~ Any fee proceeds eligible for deposit in the motor vehicle fund must be distributed as follows:

- (i) Seventy percent to the motor vehicle fund created in RCW 46.68.070;
- (ii) Fifteen percent to the transportation improvement account created in RCW 47.26.084; and
- (iii) Fifteen percent to the rural arterial trust account created in RCW 36.79.020.

Sec. 308. RCW 46.17.050 and 2010 c 161 s 505 are each amended to read as follows:

Before accepting a report of sale filed under RCW 46.12.650(2), the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay(~~(=~~ ~~—(4))~~) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ~~((and))~~ the license service fee under RCW 46.17.025 ~~((to the county auditor or other agent; and~~ ~~—(2) The subagent)), and the service fee under RCW 46.17.040(2) ((to the subagent)). Any service fees collected by the department under this section must be deposited in the multimodal transportation account created in RCW 47.66.070.~~

Sec. 309. RCW 46.17.060 and 2010 c 161 s 507 are each amended to read as follows:

Before accepting a transitional ownership record filed under RCW 46.12.660, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant to pay(~~(=~~ ~~—(4))~~) the filing fee under RCW 46.17.005(1), the license plate technology fee under RCW 46.17.015, ~~((and))~~ the license service fee under RCW 46.17.025 ~~((to the county auditor or other agent; and~~

~~—(2) The subagent), and the service fee under RCW 46.17.040(2) ((to the subagent)). Any service fees collected by the department under this section must be deposited in the multimodal transportation account created in RCW 47.66.070.~~

Sec. 310. RCW 46.20.202 and 2007 c 7 s 1 are each amended to read as follows:

(1) The department may enter into a memorandum of understanding with any federal agency for the purposes of facilitating the crossing of the border between the state of Washington and the Canadian province of British Columbia.

(2) The department may enter into an agreement with the Canadian province of British Columbia for the purposes of implementing a border- crossing initiative.

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

(b) The department shall implement a one-to-many biometric matching system for the enhanced driver's license or identicard. An applicant for an enhanced driver's license or identicard shall submit a biometric identifier as designated by the department. The biometric identifier must be used solely for the purpose of verifying the identity of the holders and for any purpose set out in RCW 46.20.037. Applicants are required to sign a declaration acknowledging their understanding of the one-to-many biometric match.

(c) The enhanced driver's license or identicard must include reasonable security measures to protect the privacy of Washington state residents, including reasonable safeguards to protect against unauthorized disclosure of data about Washington state residents. If the enhanced driver's license or identicard includes a radio frequency identification chip, or similar technology, the department shall ensure that the technology is encrypted or otherwise secure from unauthorized data access.

(d) The requirements of this subsection are in addition to the requirements otherwise imposed on applicants for a driver's license or identicard. The department shall adopt such rules as necessary to meet the requirements of this subsection. From time to time the department shall review technological innovations related to the security of identity cards and amend the rules related to enhanced driver's licenses and identicards as the director deems consistent with this section and appropriate to protect the privacy of Washington state residents.

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

~~(4) ((The department may set a fee for the issuance of enhanced drivers' licenses and identicards under this section.))~~ (a) The fee for an enhanced driver's license or enhanced identicard is fifty-four dollars, which is in addition to the fees for any regular driver's license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is nine dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

(b) Thirty-six dollars of each enhanced driver's license or identicard fee, or six dollars of the fee for each class for each year if the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, must be deposited in the multimodal transportation account created in RCW 47.66.070.

LOCAL REVENUE OPTIONS

NEW SECTION. Sec. 401. (1) It is the intent of the legislature to provide diversified local revenue options that may be tailored to the needs of each jurisdiction, in addition to any increases in funding provided through already existing partnerships between the state and local communities, such as the motor vehicle fuel taxes. In the case of public transit systems in particular, there is a need for additional revenue sources beyond the current sales and use tax options, which may, on their own, not be sufficient to meet the funding challenges of a particular system.

(2) It is also the intent that local governments coordinate with other municipalities, transit systems, transportation benefit districts, planning organizations, and other transportation agencies. It is critical that all transportation infrastructure is well planned, coordinated, and maintained at the local levels to provide a seamless transportation infrastructure to enable people and goods to move safely and efficiently throughout the state and to bolster and improve the state's economy.

(3) The legislature finds that the purchasing power of funds to pay for local transportation needs continues to decline while costs have risen. Without additional funding, counties and cities will continue to struggle financially to preserve and maintain county roads, city streets, and bridges; pavement conditions will continue to decline; and public transit systems will be forced to cut services at a time when demand for transit services is increasing.

Sec. 402. RCW 36.73.015 and 2012 c 152 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "City" means a city or town.

(2) "District" means a transportation benefit district created under this chapter.

(3) "Low-income" means household income that is at or below forty- five percent of the median household income, adjusted for household size, for the district in which the fees, taxes, or tolls were imposed.

(4) "Rebate program" means an optional program established by a transportation benefit district that includes a city with a population of five hundred thousand persons or more for the purpose of providing rebates to low-income individuals for fees, taxes, and/or tolls imposed by such transportation benefit district for: (a) Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

(5) "Supplemental transportation improvement" or "supplemental improvement" means any project, work, or undertaking to provide public transportation service, in addition to a district's existing or planned voter-approved transportation improvements, proposed by a participating city member of the district under RCW 36.73.180.

(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include, but is not limited to, investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of local, regional, or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs.

Sec. 403. RCW 36.73.020 and 2010 c 250 s 1 are each amended to read as follows:

(1) The legislative authority of a county or city may establish a transportation benefit district within the county or city area or within the area specified in subsection (2) of this section, for the purpose of acquiring, constructing, improving, providing, and funding a transportation improvement within the district that is consistent with any existing state, regional, or local transportation plans and necessitated by existing or reasonably foreseeable congestion levels. The transportation improvements shall be owned by the county of jurisdiction if located in an unincorporated area, by the city of jurisdiction if located in an incorporated area, or by the state in cases where the transportation improvement is or becomes a state highway. However, if deemed appropriate by the governing body of the transportation benefit district, a transportation improvement may be owned by a participating port district or transit district, unless otherwise prohibited by law. Transportation improvements shall be administered and maintained as other public streets, roads, highways, and transportation improvements. To the extent practicable, the district shall consider the following criteria when selecting transportation improvements:

- (a) Reduced risk of transportation facility failure and improved safety;
- (b) Improved travel time;
- (c) Improved air quality;
- (d) Increases in daily and peak period trip capacity;
- (e) Improved modal connectivity;
- (f) Improved freight mobility;
- (g) Cost-effectiveness of the investment;
- (h) Optimal performance of the system through time;
- (i) Improved accessibility for, or other benefits to, persons with special transportation needs as defined in RCW 47.06B.012; and
- (j) Other criteria, as adopted by the governing body.

(2) Subject to subsection (6) of this section, the district may include area within more than one county, city, port district, county transportation authority, reservation of a federally recognized tribe, or public transportation benefit area, if the legislative authority of each participating jurisdiction has agreed to the inclusion as provided in an interlocal agreement adopted pursuant to chapter 39.34 RCW. However, the boundaries of the district need not include all territory within the boundaries of the participating jurisdictions comprising the district.

(3) The members of the legislative authority proposing to establish the district, acting ex officio and independently, shall constitute the governing body of the district: PROVIDED, That where a district includes area within more than one jurisdiction under subsection (2) of this section, the district shall be governed under an interlocal agreement adopted pursuant to chapter 39.34 RCW, with the governing body being composed of (a) at least five members including at least one elected official from the legislative authority of each participating jurisdiction or (b) the governing body of the metropolitan planning organization serving the district, but only if the district boundaries are identical to the boundaries of the metropolitan planning organization serving the district.

(4) The treasurer of the jurisdiction proposing to establish the district shall act as the ex officio treasurer of the district, unless an interlocal agreement states otherwise.

(5) The electors of the district shall all be registered voters residing within the district.

(6) Prior to December 1, 2007, the authority under this section, regarding the establishment of or the participation in a district, shall not apply to:

- (a) Counties with a population greater than one million five hundred thousand persons and any adjoining counties with a population greater than five hundred thousand persons;
- (b) Cities with any area within the counties under (a) of this subsection; and

(c) Other jurisdictions with any area within the counties under (a) of this subsection.

Sec. 404. RCW 36.73.065 and 2012 c 152 s 3 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, taxes, fees, charges, and tolls may not be imposed by a district without approval of a majority of the voters in the district voting on a proposition at a general or special election. The proposition must include a specific description of: (a) The transportation improvement or improvements proposed by the district; (b) any rebate program proposed to be established under RCW 36.73.067; and (c) the proposed taxes, fees, charges, and the range of tolls imposed by the district to raise revenue to fund the improvement or improvements or rebate program, as applicable.

(2) Voter approval under this section must be accorded substantial weight regarding the validity of a transportation improvement as defined in RCW 36.73.015.

(3) A district may not increase any taxes, fees, charges, or range of tolls imposed or change a rebate program under this chapter once the taxes, fees, charges, tolls, or rebate program takes effect, unless authorized by the district voters pursuant to RCW 36.73.160 or up to forty dollars of the vehicle fee authorized in RCW 82.80.140 by the governing board of the district.

(4)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district, but not including territory in which a fee is currently being collected under RCW 82.80.140, may impose by a majority vote of the governing board of the district the following fees and charges:

(i) Up to ~~((twenty))~~ forty dollars of the vehicle fee authorized in RCW 82.80.140; or

(ii) A fee or charge in accordance with RCW 36.73.120.

(b) The vehicle fee authorized in (a) of this subsection may only be imposed for a passenger-only ferry transportation improvement if the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district.

(c)(i) A district solely comprised of a city or cities ~~((shall))~~ may not impose the fees or charges identified in (a) of this subsection within one hundred eighty days after July 22, 2007, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection within the one hundred eighty-day period; or

(ii) A district solely comprised of a city or cities identified in RCW 36.73.020(6)(b) may not impose the fees or charges until after May 22, 2008, unless the county in which the city or cities reside, by resolution, declares that it will not impose the fees or charges identified in (a) of this subsection through May 22, 2008.

(5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be reached, a district that includes only the unincorporated territory of a county may impose by a majority vote of the governing body of the district up to ~~((twenty))~~ forty dollars of the vehicle fee authorized in RCW 82.80.140.

NEW SECTION. Sec. 405. A new section is added to chapter 82.80 RCW to read as follows:

(1) A county with a population of one million or more may impose, by approval of a majority of the registered voters of the county voting on the proposition at a general or special election, a local motor vehicle excise tax of up to one and one-half percent annually on the value of every motor vehicle registered to a person residing within the county based on any guidebook, report, or compendium of recognized standing in the automotive industry, such as the Kelley Blue Book or the National Automobile Dealers' Association Guide. A motor vehicle excise tax may not be imposed on vehicles licensed under RCW 46.17.355, except for motor vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425, 46.17.335, or 46.17.350(1)(c).

(2) A county imposing a tax under this section must contract, before the effective date of the resolution or ordinance imposing the local motor vehicle excise tax, administration and collection to the department of licensing, as appropriate, which must deduct an amount, as provided by contract, for administration and collection expenses incurred by the department.

(3) If the department of licensing determines a value for a vehicle pursuant to subsection (1) of this section, any person who pays a locally imposed motor vehicle excise tax for that vehicle may appeal the valuation to the department of licensing under chapter 34.05 RCW. If the taxpayer is successful on appeal, the department must refund the excess tax.

(4) The tax imposed under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(5)(a) A county imposing a tax under this section must use sixty percent of the net funds, after any deductions pursuant to subsection (2) of this section, for the operation, maintenance, or capital needs of public transportation systems.

(b) The remaining forty percent of the net funds, after any deductions pursuant to subsection (2) of this section, must be used for the operations and maintenance of local roads and must be distributed on a pro rata basis to the county imposing the local motor vehicle excise tax and to incorporated cities and towns within the county based upon the population of the unincorporated portion of the county, the population of an incorporated city, or the population of an incorporated town as a percentage of the total population of the county.

(6) For purposes of this section, the population of an incorporated city or town is the most recent population determined by the office of financial management.

Sec. 406. RCW 82.14.045 and 2008 c 86 s 102 are each amended to read as follows:

(1) The legislative body of any city pursuant to RCW 35.92.060, of any county which has created an unincorporated transportation benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090, of any county transportation authority established pursuant to chapter 36.57 RCW, ~~(and)~~ of any metropolitan municipal corporation within a county with a population of one million or more pursuant to chapter 35.58 RCW, and of any enhanced public transportation zone pursuant to section 408 of this act, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance, or capital needs of public transportation systems or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and in lieu of the excise taxes authorized by RCW 35.95.040, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of public transportation or public transportation limited to persons with special needs under RCW 36.57.130 and 36.57A.180, and if approved by a majority of persons voting thereon, impose a sales and use tax in accordance with the terms of this chapter. Where an authorizing proposition is submitted by a county on behalf of an unincorporated transportation benefit area, it shall be voted upon by the voters residing within the boundaries of such unincorporated transportation benefit area and, if approved, the sales and use tax shall be imposed only within such area. Notwithstanding any provisions of this section to the contrary, any county in which a county public transportation plan has been adopted pursuant to RCW 36.57.070 and the voters of such county have authorized the imposition of a sales and use tax pursuant to the provisions of section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be authorized to fix and impose a sales and use tax as provided in this section at not to exceed the rate so authorized without additional approval of the voters of such county as otherwise required by this section.

The tax authorized by this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, ~~((or))~~ metropolitan municipal corporation, or enhanced public transportation zone as the case may be. The rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths, seven-tenths, eight-tenths, or nine-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

(2)(a) In the event a metropolitan municipal corporation imposes a sales and use tax pursuant to this chapter no city, county which has created an unincorporated transportation benefit area, public transportation benefit area authority, or county transportation authority wholly within such metropolitan municipal corporation shall be empowered to impose and/or collect taxes under RCW 35.95.040 or this section, but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization.

(b) In the event a county transportation authority imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, public transportation benefit area, or metropolitan municipal corporation, located within the territory of the authority, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(c) In the event a public transportation benefit area imposes a sales and use tax under this section, no city, county which has created an unincorporated transportation benefit area, or metropolitan municipal corporation, located wholly or partly within the territory of the public transportation benefit area, shall be empowered to impose or collect taxes under RCW 35.95.040 or this section.

(3) The legislative body of a public transportation benefit area located in a county with a population of seven hundred thousand or more that also contains a city with a population of seventy-five thousand or more operating a transit system pursuant to chapter 35.95 RCW may submit an authorizing proposition to the voters and, if approved by a majority of persons voting on the proposition, impose a sales and use tax in accordance with the terms of this chapter of one-tenth, two-tenths, or three-tenths of one percent of the selling price, in the case of a sales tax, or value of the article used, in the case of a use tax, in addition to the rate in subsection (1) of this section.

Sec. 407. RCW 82.80.140 and 2010 c 161 s 917 are each amended to read as follows:

(1) Subject to the provisions of RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose an annual vehicle fee, not to exceed one hundred dollars per vehicle registered in the district, for each vehicle subject to vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with a scale weight of six thousand pounds or less.

(2)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district, but not including territory in which a fee is currently being collected under this section, may impose by a majority vote of the governing board of the district up to ~~((twenty))~~ forty dollars of the vehicle fee authorized in subsection (1) of this section.

(i) If the district is countywide, the revenues of the fee ((shall)) must be distributed to each city within the ((county)) district by interlocal agreement that must be effective prior to imposition of the fee. The interlocal agreement is effective when approved by the ((county)) district and sixty percent of the cities representing seventy-five percent of the population of the cities within the ((county)) district in which the countywide fee is collected.

(ii) If the district is less than countywide, the revenues of the fee must be distributed to each city within the district by interlocal agreement that must be effective prior to imposition of the fee.

(b) A district may not impose a fee under this subsection (2):

(i) For a passenger-only ferry transportation improvement unless the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district; or

(ii) That, if combined with the fees previously imposed by another district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds (~~twenty~~) forty dollars.

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds (~~twenty~~) forty dollars, the district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed (~~twenty~~) forty dollars.

(3) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by it. The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the district on a monthly basis.

(4) No fee under this section may be collected until six months after approval under RCW 36.73.065.

(5) The vehicle fee under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(6) The following vehicles are exempt from the fee under this section:

(a) Campers, as defined in RCW 46.04.085;

(b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;

(c) Mopeds, as defined in RCW 46.04.304;

(d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;

(e) Private use single-axle trailer, as defined in RCW 46.04.422;

(f) Snowmobiles, as defined in RCW 46.04.546; and

(g) Vehicles registered under chapter 46.87 RCW and the international registration plan.

NEW SECTION. Sec. 408. A new section is added to chapter 82.14 RCW to read as follows:

(1)(a) The tax authorized under RCW 82.14.045 may also be imposed by the legislative body of an enhanced public transportation zone established under subsection (2) of this section if approved by the voters in the enhanced public transportation zone in the manner provided for in this section. The establishing transit agency must consult with the department on sales tax collection methods when establishing the boundaries of the enhanced public transportation zone.

(b) A tax imposed under (a) of this subsection, when combined with the rate of tax imposed by the establishing transit agency under RCW 82.14.045, may not exceed the maximum rate allowed under RCW 82.14.045, and expires either (i) three years after imposition, unless reauthorized by the voters in the enhanced public transportation zone in the manner provided for in this section, or (ii) upon failure of a reauthorization. Prior to reauthorization, the enhanced public transportation zone boundaries must be readjusted, if necessary, to meet the provisions under subsection (2)(c) of this section. A tax imposed under (a) of this subsection must be imposed only in the territory of the enhanced public transportation zone. The revenue from the tax imposed under (a) of this subsection must be expended only for public transportation service within the enhanced public transportation zone and must not supplant existing revenues allocated to the enhanced public transportation zone.

(c) Six months prior to the voter authorization or reauthorization of the tax authorized under (a) of this subsection, the establishing

transit agency must determine a baseline level of fixed-route public transportation service. This baseline level of service must be publicly posted on the web site of the establishing transit agency. Upon the collection of the tax imposed under (a) of this subsection, fixed-route public transportation service within the enhanced public transportation zone must increase proportionally to additional revenue generated within the enhanced public transportation zone. Service hours within the enhanced public transportation zone must increase from the baseline level in accordance with the establishing transit agency's most recent cost of fixed-route public transportation per service hour, as approved by the national transit database. A report on the increase in public transportation service must be publicly posted annually on the establishing transit agency's web site.

(2)(a) The legislative body of a transit agency may establish an enhanced public transportation zone within a portion of the boundaries of the transit agency establishing the enhanced public transportation zone. An enhanced public transportation zone may include all or a portion of any county, city, or town as long as all or a portion of the county, city, or town is within the territory of the establishing transit agency. However, the legislative body of a city, town, or county may pass a resolution removing all or a portion of its jurisdiction from the enhanced public transportation zone, prior to creation of the zone, or at the time of reauthorization of the zone. The boundaries of any enhanced public transportation zone must follow election precinct lines as far as practicable. When creating the zone boundaries, the establishing transit agency must attempt to include a significant amount of the population that the establishing transit agency designated as low income or minority for purposes of Title VI of the federal civil rights act of 1964. An enhanced public transportation zone may not include more than forty-nine percent of the population of the establishing transit agency.

(b) The members of the legislative body of the transit agency proposing to establish the enhanced public transportation zone, acting ex officio and independently, constitutes the legislative body of the enhanced public transportation zone.

(c) An enhanced public transportation zone may establish, finance, and provide a public transportation system within its boundaries in the same manner as authorized for the transit agency establishing the enhanced public transportation zone. However, the establishing transit agency must adopt a resolution or ordinance finding that the enhanced public transportation zone warrants consistent and sustainable transportation service levels of passenger capacity, speed, and service frequency to serve persons within the enhanced public transportation zone that would otherwise be substantially disadvantaged if the enhanced public transportation zone were not created.

(d) An enhanced public transportation zone constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may be conferred by statute including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the transit agency that established the enhanced public transportation zone also apply to the enhanced public transportation zone.

(e) An enhanced public transportation zone may be dissolved by a majority vote of its legislative body when all contractual obligations of the enhanced public transportation zone have either been discharged or assumed by another governmental entity.

(3) For the purposes of this section:

(a) "Enhanced public transportation zone" means a quasi-municipal corporation and independent taxing authority within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, created by the legislative body of a transit agency.

(b) "Transit agency" means a city-owned transit system, an unincorporated transportation benefit area, a county transportation authority, a metropolitan municipal corporation within a county with a population of one million or more, and a public transportation benefit area.

NEW SECTION. Sec. 409. A new section is added to chapter 36.57A RCW to read as follows:

(1) A governing body of a public transportation benefit area may establish one or more passenger-only ferry service districts within all or a portion of the boundaries of the public transportation benefit area establishing the passenger-only ferry service district. A passenger-only ferry service district may include all or a portion of a city or town as long as all or a portion of the city or town boundaries are within the boundaries of the establishing public transportation benefit area. The members of the public transportation benefit area governing body proposing to establish the passenger-only ferry service district, acting ex officio and independently, shall constitute the governing body of the passenger-only ferry service district.

(2) A passenger-only ferry service district may establish, finance, and provide passenger-only ferry service, and associated services to support and augment passenger-only ferry service operation, within its boundaries in the same manner as authorized for public transportation benefit areas under this chapter.

(3) A passenger-only ferry service district constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may be conferred by statute including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the public transportation benefit area that established the passenger-only ferry service district apply to the area. For purposes of this section, "passenger-only ferry service district" means a quasi-municipal corporation and independent taxing authority within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, created by the legislative body of a public transportation benefit area.

(4) A passenger-only ferry service district may exercise the power of eminent domain to obtain property for its authorized purposes in the same manner as authorized for the public transportation benefit area that established the passenger-only ferry service district.

(5) Before a passenger-only ferry service district may provide passenger-only ferry service, it must develop a passenger-only ferry investment plan including elements: To operate or contract for the operation of passenger-only ferry services; to purchase, lease, or rent ferry vessels and dock facilities for the provision of transit service; and to identify other activities necessary to implement the plan. The plan must set forth terminal locations to be served, projected costs of providing services, and revenues to be generated from tolls, locally collected tax revenues, and other revenue sources. The plan must ensure that services provided under the plan are for the benefit of the residents of the passenger-only ferry service district. The passenger-only ferry service district may use any of its powers to carry out this purpose, unless otherwise prohibited by law. In addition, the passenger-only ferry service district may enter into contracts and agreements to operate passenger-only ferry service and public-private partnerships and design-build, general contractor/construction management, or other alternative procurement processes substantially consistent with chapter 39.10 RCW.

(6) A passenger-only ferry service district may be dissolved by a majority vote of the governing body when all obligations under any general obligation bonds issued by the passenger-only ferry service district have been discharged and any other contractual obligations of the passenger-only ferry service district have either been discharged or assumed by another governmental entity.

NEW SECTION. Sec. 410. A new section is added to chapter 36.57A RCW to read as follows:

(1) A passenger-only ferry service district may, as part of a passenger-only ferry investment plan, recommend some or all of the following revenue sources as provided in this chapter:

(a) A sales and use tax, as provided in section 411 of this act;

(b) A parking tax, as provided in RCW 82.80.030;

(c) Tolls for passengers and packages and, where applicable, parking; and

(d) Charges or licensing fees for advertising, leasing space for services to ferry passengers, and other revenue generating activities.

(2) Taxes may not be imposed without an affirmative vote of the majority of the voters within the boundaries of the passenger-only ferry service district voting on a single ballot proposition to both approve a passenger-only ferry investment plan and to approve taxes to implement the plan. Revenues from these taxes and fees may be used only to implement the plan and must be used for the benefit of the residents of the passenger-only ferry service district. A district may contract with the department of revenue or other appropriate entities for administration and collection of any of the taxes or charges authorized in this section.

NEW SECTION. Sec. 411. A new section is added to chapter 82.14 RCW to read as follows:

Passenger-only ferry service districts providing passenger-only ferry service as provided in section 409 of this act may submit an authorizing proposition to the voters and, if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing passenger-only ferry service and associated services to support and augment passenger-only ferry service operation.

The tax authorized under this section is in addition to other taxes authorized by law and must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of a taxable event within the taxing district. The maximum rate of the tax must be approved by the voters and may not exceed six-tenths of one percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

Sec. 412. RCW 82.80.005 and 2002 c 56 s 415 are each amended to read as follows:

For the purposes of this chapter, "district" means a regional transportation investment district created under chapter 36.120 RCW or a passenger-only ferry service district created under chapter 36.57A RCW.

NEW SECTION. Sec. 413. A new section is added to chapter 36.57A RCW to read as follows:

(1) A passenger-only ferry service district may form a local improvement district to provide any transportation improvement it has the authority to provide, impose special assessments on all property specially benefited by the transportation improvements, and issue special assessment bonds or revenue bonds to fund the costs of the transportation improvement. Local improvement districts must be created and assessments must be made and collected pursuant to chapters 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.

(2) The governing body of the passenger-only ferry service district shall by resolution establish for each special assessment bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued; or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and

any coupons. The maximum term of any special assessment bonds may not exceed thirty years beyond the date of issue. Special assessment bonds issued pursuant to this section may not be an indebtedness of the passenger-only ferry service district issuing the bonds, and the interest and principal on the bonds may only be payable from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund that the passenger-only ferry service district has created. The owner or bearer of a special assessment bond or any interest coupon issued pursuant to this section shall not have any claim against the passenger-only ferry service district arising from the bond or coupon except for the payment from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund the passenger-only ferry service district has created. The passenger-only ferry service district issuing the special assessment bonds is not liable to the owner or bearer of any special assessment bond or any interest coupon issued pursuant to this section for any loss occurring in the lawful operation of its local improvement guaranty fund. The substance of the limitations included in this subsection must be plainly printed, written, or engraved on each special assessment bond issued pursuant to this section.

(3) Assessments must reflect any credits given by the passenger-only ferry service district for real property or property right donations made pursuant to RCW 47.14.030.

(4) The governing body of the passenger-only ferry service district may establish and pay moneys into a local improvement guaranty fund to guarantee special assessment bonds issued by the passenger-only ferry service district.

NEW SECTION. Sec. 414. A new section is added to chapter 36.57A RCW to read as follows:

(1) To carry out the purposes of this chapter, a passenger-only ferry service district may issue general obligation bonds, not to exceed an amount, together with any other outstanding nonvoter-approved general obligation indebtedness, equal to one and one-half percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015. A passenger-only ferry service district may also issue general obligation bonds for capital purposes only, together with any outstanding general obligation indebtedness, not to exceed an amount equal to five percent of the value of the taxable property within the area, as the term "value of the taxable property" is defined in RCW 39.36.015, when authorized by the voters of the area pursuant to Article VIII, section 6 of the state Constitution.

(2) General obligation bonds with a maturity in excess of twenty-five years may not be issued. The governing body of the passenger-only ferry service district shall by resolution determine for each general obligation bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, callable provisions, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued; or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and any coupons. Refunding general obligation bonds may be issued in the same manner as general obligation bonds are issued.

(3) Whenever general obligation bonds are issued to fund specific projects or enterprises that generate revenues, charges, user fees, or special assessments, the passenger-only ferry service district may specifically pledge all or a portion of the revenues, charges, user fees,

or special assessments to refund the general obligation bonds. The passenger-only ferry service district may also pledge any other revenues that may be available to the area.

(4) In addition to general obligation bonds, a passenger-only ferry service district may issue revenue bonds to be issued and sold in accordance with chapter 39.46 RCW.

TOLLING

NEW SECTION. Sec. 501. In order to provide funds necessary for the location, design, right-of-way, and construction of the Columbia river crossing project, there shall be issued and sold upon the request of the department of transportation up to six hundred fifty million dollars of toll revenue bonds of the state of Washington in accordance with sections 502 through 505 of this act. Each such bond shall contain a recital that payment or redemption of the bond and payment of the interest and any premium thereon is payable solely from and secured solely by a direct pledge and charge upon toll revenue and is not a general obligation of the state to which the full faith and credit of the state is pledged.

Toll revenue is hereby pledged to the payment of any bonds and the interest thereon issued under the authority of this act, and the legislature agrees to continue to impose or cause to be imposed these toll charges on the Columbia river crossing project, in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the authority of this act.

NEW SECTION. Sec. 502. Upon the request of the department of transportation, and in consultation with the tolling authority, the state finance committee shall supervise and provide for the issuance, sale, and retirement of the bonds authorized by this act in accordance with chapter 39.42 RCW. Bonds authorized by this act shall be sold in the manner, at time or times, in amounts, and at the price as the state finance committee shall determine. No bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

NEW SECTION. Sec. 503. The proceeds from the sale of bonds authorized by this act shall be deposited in the Columbia river crossing project account created under RCW 47.56.894 and shall be available only for the purposes enumerated in section 501 of this act, for the payment of bond anticipation notes or other interim financing, if any, capitalizing interest on the bonds, and for the payment of bond issuance costs, including the costs of underwriting.

NEW SECTION. Sec. 504. The state finance committee may determine and include in any resolution authorizing the issuance of any bonds under this act such terms, provisions, covenants, and conditions as it may deem appropriate in order to assist with the marketing and sale of the bonds, confer rights upon the owners of bonds, and safeguard rights of the owners of bonds including, among other things:

- (1) Provisions regarding the maintenance and operation of eligible toll facilities;
- (2) The pledges, uses, and priorities of application of toll revenue;
- (3) Provisions that bonds shall be payable from and secured solely by toll revenue as provided by this act;
- (4) In consultation with the department of transportation and the tolling authority, financial covenants requiring that the eligible toll facilities must produce specified coverage ratios of toll revenue to debt service on bonds;
- (5) The purposes and conditions that must be satisfied prior to the issuance of any additional bonds that are to be payable from and secured by any toll revenue on an equal basis with previously issued and outstanding bonds payable from and secured by toll revenue;

(6) Provisions that bonds for which any toll revenue are pledged, or for which a pledge of any toll revenue may be reserved, may be structured on a senior, parity, subordinate, or special lien basis in relation to any other bonds for which toll revenue is pledged, with respect to toll revenue only; and

(7) Provisions regarding reserves, credit enhancement, liquidity facilities, and payment agreements with respect to bonds.

Notwithstanding the foregoing, covenants and conditions detailing the character of management, maintenance, and operation of eligible toll facilities, insurance for eligible toll facilities, financial management of toll revenue, and disposition of eligible toll facilities must first be approved by the department of transportation.

The owner of any bond may by mandamus or other appropriate proceeding require and compel performance of any duties imposed upon the tolling authority and the department of transportation and their respective officials, including any duties imposed upon or undertaken by them or by their respective officers, agents, and employees, in connection with the construction, maintenance, and operation of eligible toll facilities and in connection with the collection, deposit, investment, application, and disbursement of the proceeds of the bonds and toll revenue.

NEW SECTION. Sec. 505. For the purposes of this act, "toll revenue" means all toll receipts, all interest income derived from the investment of toll receipts, and any gifts, grants, or other funds received for the benefit of transportation facilities in the state, including eligible toll facilities. However, for the purpose of any pledge of toll revenue to the payment of particular bonds issued under this act, "toll revenue" means and includes only such toll revenue or portion thereof that is pledged to the payment of those bonds in the resolution authorizing the issuance of such bonds. Toll revenue constitutes "fees and revenues derived from the ownership or operation of any undertaking, facility, or project" as that phrase is used in Article VIII, section 1(c)(1) of the state Constitution.

For the purposes of this act, "tolling authority" has the same meaning as in RCW 47.56.810.

Sec. 506. RCW 47.10.882 and 2011 c 377 s 3 are each amended to read as follows:

The toll facility bond retirement account is created in the state treasury for the purpose of payment of the principal of and interest and premium on bonds. Both principal of and interest on the bonds issued for the purposes of chapter 498, Laws of 2009 (~~and~~), chapter 377, Laws of 2011, and this act shall be payable from the toll facility bond retirement account. The state finance committee may provide that special subaccounts be created in the account to facilitate payment of the principal of and interest on the bonds. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on the bonds in accordance with the bond proceedings.

Sec. 507. RCW 47.56.894 and 2012 c 36 s 3 are each amended to read as follows:

(1) A special account to be known as the Columbia river crossing project account is created in the state treasury.

(2) Deposits to the account must include:

(a) All proceeds of bonds and loans issued for the Columbia river crossing project, including any capitalized interest;

(b) All tolls and other revenues received from the operation of the Columbia river crossing project as a toll facility to be deposited at least monthly;

(c) Any interest that may be earned from the deposit or investment of those revenues;

(d) Notwithstanding RCW 47.12.063, proceeds from the sale of any surplus real property acquired for the Columbia river crossing project; and

(e) All damages, liquidated or otherwise, collected under any contract involving the Columbia river crossing project.

(3) Subject to the covenants made by the state in the bond proceedings authorizing the issuance and sale of bonds for the Columbia river crossing project, toll charges, other revenues, and interest received from the operation of the Columbia river crossing project as a toll facility may be used to pay any required costs allowed under RCW 47.56.820. The state treasurer may establish subaccounts for the purpose of segregating toll charges, bond sale proceeds, and other revenues.

Sec. 508. RCW 47.56.892 and 2012 c 36 s 4 are each amended to read as follows:

For the Columbia river crossing project, the tolling authority may set, adjust, and review toll rates and may enter into agreements with the Oregon state transportation commission regarding the mutual or joint setting, adjustment, and review of toll rates as the tolling authority may find necessary to carry out the purposes of this section. Any agreement between the tolling authority and the Oregon state transportation commission made pursuant to this section takes effect, and is not binding and enforceable until, thirty days after adjournment of the ~~((next ensuing))~~ 2013 regular legislative session. If the tolling authority has not entered into an agreement with the Oregon state transportation commission by December 31, 2015, this section expires.

NEW SECTION. Sec. 509. Sections 501 through 505 of this act are each added to chapter 47.10 RCW.

MISCELLANEOUS

NEW SECTION. Sec. 601. A new section is added to chapter 47.29 RCW to read as follows:

(1) A Washington electric vehicle infrastructure bank is hereby established. The Washington electric vehicle infrastructure bank shall provide financial assistance for the installation of publicly accessible electric vehicle charging stations within the state.

(2) Electric vehicle infrastructure receiving financial assistance must include both DC fast-charging stations and level 1 or 2 electric vehicle supply equipment. The department must confer with the Washington department of commerce, and seek input from experts representing local government, public utilities, electric vehicle manufacturer representatives, and current Washington state electric vehicle drivers to review information and advise the department on policies and priorities for deployment of public charging station locations.

(3) The department's public-private partnerships office must administer all funds dispersed and received, including any funds received under RCW 46.17.323 and deposited into the transportation innovative partnership account created under RCW 47.29.230. Prior to providing any financial assistance for electric vehicle infrastructure projects, the department must submit a business plan to the house of representatives and senate transportation committees of the legislature and to the governor's office.

(4) Annual progress reports must be transmitted to the legislature and governor as of December 1st of each year.

(5) This section expires July 1, 2023.

NEW SECTION. Sec. 602. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 603. Sections 101, 102 through 104, 106, 109 through 111, 210, 211, 301 through 306, 401 through 414, 501 through 506, and 508 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. Sec. 604. Sections 107 and 112 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect August 1, 2013.

NEW SECTION. Sec. 605. Sections 105 and 201 through 209 of this act take effect July 1, 2015.

NEW SECTION. Sec. 606. Section 307 of this act takes effect April 1, 2014.

NEW SECTION. Sec. 607. Sections 308 and 309 of this act take effect January 1, 2014.

NEW SECTION. Sec. 608. Section 310 of this act takes effect February 1, 2014.

NEW SECTION. Sec. 609. Section 507 of this act takes effect if the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 610. Section 107 of this act expires on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 611. Section 108 of this act takes effect on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 612. Sections 101 and 104 of this act expire July 1, 2015.

NEW SECTION. Sec. 613. Section 307 of this act expires on the effective date of legislation enacted by the legislature that imposes a vehicle miles traveled fee or tax."

Correct the title.

Representative Nealey moved the adoption of amendment (567) to the striking amendment (531).

On page 30, beginning on line 22 of the striking amendment, strike all of subsection (II)

On page 32, beginning on line 20 of the striking amendment, strike all of section 208

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 32, beginning on line 33 of the striking amendment, strike all of section 210

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Nealey and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Clibborn spoke against the adoption of the amendment to the striking amendment.

Amendment (567) to the striking amendment (531) was not adopted.

Representative Orcutt moved the adoption of amendment (558) to the striking amendment (531).

On page 48, after line 23 of the striking amendment, insert the following:

"(6) The proceeds of a vehicle fee imposed by a majority vote of the governing body of a district may only be spent for highway purposes consistent with Article II, section 40 of the state Constitution."

Representative Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Farrell spoke against the adoption of the amendment to the striking amendment.

Amendment (558) to the striking amendment (531) was not adopted.

Representative Orcutt moved the adoption of amendment (557) to the striking amendment (531).

On page 49, beginning on line 16 of the striking amendment, after "(5)" strike all material through "funds" on line 20, and insert "The net proceeds of a tax imposed under this section"

On page 49, line 22 of the striking amendment, after "roads" insert ", for highway purposes consistent with Article II, section 40 of the state Constitution,"

Representative Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Farrell spoke against the adoption of the amendment to the striking amendment.

Amendment (557) to the striking amendment (531) was not adopted.

Representative Sawyer moved the adoption of amendment (552) to the striking amendment (531).

On page 53, beginning on line 32 of the striking amendment, after "expires" strike all material through "section" on line 37 and insert "three years after imposition. An establishing transit agency may not reimpose a tax by means of an enhanced public transportation zone"

On page 54, line 7 of the striking amendment, after "authorization" strike "or reauthorization"

On page 54, beginning on line 28 of the striking amendment, after "agency." strike all material through "zone." on line 31

Representatives Sawyer and Clibborn spoke in favor of the adoption of the amendment to the striking amendment.

Representative Orcutt spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 46 - YEAS; 45 - NAYS; 6 EXCUSED.

Amendment (552) to the striking amendment (531) was adopted.

Representative Hansen moved the adoption of amendment (569) to the striking amendment (531).

On page 57, line 35 of the striking amendment, after "in" strike "RCW 82.80.030" and insert "section 412 of this act"

On page 58, beginning on line 29 of the striking amendment, strike all of section 412 and insert the following:

"NEW SECTION. Sec. 412. A new section is added to chapter 82.80 RCW to read as follows:

(1) Subject to the conditions of this section, a passenger-only ferry service district may fix and impose a parking tax on all persons engaged in a commercial parking business within its respective jurisdiction.

(2) In lieu of the tax in subsection (1) of this section, a passenger-only ferry service district may fix and impose a tax for the act or

privilege of parking a motor vehicle in a facility operated by a commercial parking business.

The passenger-only ferry service district may provide that:

(a) The tax is paid by the operator or owner of the motor vehicle;
 (b) The tax applies to all parking for which a fee is paid, whether paid or leased, including parking supplied with a lease of nonresidential space;

(c) The tax is collected by the operator of the facility and remitted to the city, county, or passenger-only ferry service district;

(d) The tax is a fee per vehicle or is measured by the parking charge;

(e) The tax rate varies with zoning or location of the facility, the duration of the parking, the time of entry or exit, the type or use of the vehicle, or other reasonable factors; and

(f) Tax exempt carpools, vehicles with handicapped decals, or government vehicles are exempt from the tax.

(3) "Commercial parking business" as used in this section, means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged. "Commercial parking lot" means a covered or uncovered area with stalls for the purpose of parking motor vehicles.

(4) The rate of the tax under subsection (1) of this section may be based either upon gross proceeds or the number of vehicle stalls available for commercial parking use. The rates charged must be uniform for the same class or type of commercial parking business.

(5) The passenger-only ferry service district levying the tax provided for in subsection (1) or (2) of this section may provide for its payment on a monthly, quarterly, or annual basis.

(6) The proceeds of the parking tax imposed by a passenger-only ferry service district under subsection (1) or (2) of this section must be used as provided in section 409 of this act."

Representative Hansen spoke in favor of the adoption of the amendment to the striking amendment.

Representative Orcutt spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested

ROLL CALL

The Clerk called the roll on the adoption of amendment (569) to the striking amendment (531), and the amendment was adopted by the following vote: 55 Nays: 36 Absent: 0 Excused: 6

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Orcutt moved the adoption of amendment (560) to the striking amendment (531).

On page 66, beginning on line 16 of the striking amendment, after "603." strike all material through "2013," on line 25 and insert "The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Orcutt, Klippert, Magendanz, Orcutt (again) and Chandler spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Lias and Morris spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested

ROLL CALL

The Clerk called the roll on the adoption of amendment (560) to the striking amendment (531), and the amendment was not adopted by the following vote: Yeas: 45 Nays: 46 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Blake, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morrell, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Orcutt moved the adoption of amendment (559) to the striking amendment (531).

On page 66, beginning on line 16 of the striking amendment, strike all of sections 603 and 604

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Orcutt, Wilcox and Shea spoke in favor of the adoption of the amendment to the striking amendment.

Representative Lias spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested

ROLL CALL

The Clerk called the roll on the adoption of amendment (559) to the striking amendment (531), and the amendment was not adopted by the following vote: Yeas: 44 Nays: 47 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Green,

Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morrell, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Amendment (531) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

There being no objection, the House deferred action on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954, and the bill held its place on the third reading calendar.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1955, by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Lias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller

Concerning additive transportation funding.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1955 was substituted for House Bill No. 1955 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1955 was read the second time.

Representative Clibborn moved the adoption of amendment (532).

FORMAT CHANGED TO ACCOMMODATE TEXT.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Additive transportation funding is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes for the period ending June 30, 2015.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act:

(a) "Lapse" means the amount shall return to unappropriated status.

(b) "LEAP" means the legislative evaluation and accountability program committee.

(c) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

TRANSPORTATION AGENCIES--OPERATING

Sec. 2. 2013 c 306 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account--State

Appropriation \$34,000

Motorcycle Safety Education Account--State

Appropriation \$4,409,000

State Wildlife Account--State Appropriation

\$885,000

Highway Safety Account--State Appropriation.....

(\$156,679,000)

\$156,817,000

Highway Safety Account--Federal Appropriation.....

\$4,392,000

Motor Vehicle Account--State Appropriation

(\$76,819,000)

\$88,947,000

Motor Vehicle Account--Federal Appropriation

\$467,000

Motor Vehicle Account--Private/Local Appropriation.....

\$1,544,000

Ignition Interlock Device Revolving Account--State

Appropriation \$2,656,000

Department of Licensing Services Account--State

Appropriation \$5,959,000

TOTAL APPROPRIATION..... (\$253,844,000)

\$266,110,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,235,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1752), Laws of 2013 (requirements for the operation of commercial motor vehicles in compliance with federal regulations). If chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(2) \$1,000,000 of the highway safety account--state appropriation is provided solely for information technology field system modernization.

(3) \$201,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(4) \$425,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(5) \$172,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . . (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(6) \$652,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013 (license plates). If chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(7) \$78,000 of the motor vehicle account--state appropriation and \$3,707,000 of the highway safety account--state appropriation are provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of 2013 (vehicle-related fees). If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of 2013 is not enacted by June 30, 2013, the amount provided in this subsection lapses.

(8) The appropriation in this section reflects the department charging an amount sufficient to cover the full cost of providing the data requested under RCW 46.12.630(1)(b).

(9)(a) The department must convene a work group to examine the use of parking placards and special license plates for persons with disabilities and develop a strategic plan for ending any abuse. In developing this plan, the department must work with the department of health, disabled citizen advocacy groups, and representatives from local government.

(b) The work group must be composed of no more than two representatives from each of the entities listed in (a) of this subsection. The work group may, when appropriate, consult with any other public or private entity in order to complete the strategic plan.

(c) The strategic plan must include:

(i) Oversight measures to ensure that parking placards and special license plates for persons with disabilities are being properly issued, including: (A) The entity responsible for coordinating a randomized review of applications for special parking privileges; (B) a volunteer panel of medical professionals to conduct such reviews; (C) a means to protect the anonymity of both the medical professional conducting a review and the medical professional under review; (D) a means to protect the privacy of applicants by removing any personally identifiable information; and (E) possible sanctions against a medical professional for repeated improper issuances of parking placards or special license plates for persons with disabilities, including those sanctions listed in chapter 18.130 RCW; and

(ii) The creation of a publicly accessible system in which the validity of parking placards and special license plates for persons with disabilities may be verified. This system must not allow the public to access any personally identifiable information or protected health information of a person who has been issued a parking placard or special license plate.

(d) The work group must convene by July 1, 2013, and terminate by December 1, 2013.

(e) By December 1, 2013, the work group must deliver to the legislature and the appropriate legislative committees the strategic plan required under this subsection, together with its findings, recommendations, and any necessary draft legislation in order to implement the strategic plan.

(10) \$3,082,000 of the highway safety account--state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(11) \$7,414,000 of the motor vehicle account--state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(12) \$4,714,000 of the motor vehicle account--state appropriation and \$138,000 of the highway safety account--state appropriation are provided solely for the administration of the tax and fee changes required by the enactment of either chapter . . . (Substitute House Bill No. 1954), Laws of 2013 2nd sp. sess. or chapter . . . (Senate Bill No. 5920), Laws of 2013 2nd sp. sess.

Sec. 3. 2013 c 306 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation	\$570,000
Connecting Washington Account--State Appropriation.....	\$6,000,000
TOTAL APPROPRIATION.....	\$6,570,000

The appropriations in this section ((§)) are subject to the following conditions and limitations:

(1) The legislature finds that the efforts started in the 2011-2013 fiscal biennium regarding the transition to a road usage charge system represent an important first step in the policy and conceptual development of potential alternative systems to fund transportation projects, but that the governance for the development needs clarification. The legislature also finds that significant amounts of research and public education are occurring in similar efforts in several states and that these efforts can and should be leveraged to advance the evaluation in Washington. The legislature intends, therefore, that the transportation commission and its staff lead the policy development of the business case for a road usage charge system, with the goal of providing the business case to the governor and the legislative committees of the legislature in time for inclusion in the 2014 supplemental omnibus transportation appropriations act. The legislature intends for additional oversight in the business case development, with guidance from a steering committee as provided in chapter 86, Laws of 2012 for the transportation commission, augmented with participation by the joint transportation committee. The legislature further intends that, through the economic partnerships program, the department continue to address administrative, technical, and conceptual operational issues related to road usage charge systems, and that the department serve as a resource for information gleaned from other states on this topic for the transportation commission's efforts.

(2) The economic partnerships program must continue to explore retail partnerships at state-owned park-and-ride facilities, as authorized in RCW 47.04.295.

(3)(a) \$6,000,000 of the connecting Washington account--state appropriation is provided solely to capitalize the Washington electric vehicle infrastructure bank for the purpose of providing revolving loans.

(b) Prior to providing any financial assistance for electric vehicle infrastructure projects, the department must submit a business plan to the house of representatives and senate transportation committees and to the governor's office. Expenditures for development of the business plan must not exceed thirty-five thousand dollars.

(c) Annual progress reports must be transmitted to the legislature and governor by December 1, 2013, and December 1, 2014.

Sec. 4. 2013 c 306 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M

Highway Safety Account--State Appropriation.....	\$10,000,000
Motor Vehicle Account--State Appropriation	\$390,040,000
Motor Vehicle Account--Federal Appropriation	\$7,000,000
Connecting Washington Account--State Appropriation.....	\$35,100,000
TOTAL APPROPRIATION.....	(\$407,040,000)
<u>\$442,140,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$377,779,000 of the motor vehicle account--state appropriation and \$10,000,000 of the highway safety account--state appropriation are provided solely for the maintenance program to achieve specific levels of service on the thirty maintenance targets listed by statewide priority in

LEAP Transportation Document 2013-4 as developed April 23, 2013. Beginning in February 2014, the department shall report to the legislature annually on its updated maintenance accountability process targets and whether or not the department was able to achieve its targets.

(2) \$8,450,000 of the motor vehicle account--state appropriation is provided solely for the department's compliance with its national pollution discharge elimination system permit.

(3) \$1,305,000 of the motor vehicle account--state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(4) The department shall submit a budget decision for the 2014 legislative session package that details all costs associated with utility fees assessed by local governments as authorized under RCW 90.03.525.

(5) \$50,000 of the motor vehicle account--state appropriation is provided solely for clearing and pruning dangerous trees along state route number 542 between mile markers 43 and 48 to prevent safety hazards and delays.

(6) \$2,277,000 of the motor vehicle account--state appropriation is provided solely to replace or rehabilitate critical equipment needed to perform snow and ice removal activities and roadway maintenance. These funds may not be used to purchase passenger cars as defined in RCW 46.04.382.

Sec. 5. 2013 c 306 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T

Motor Vehicle Account--State Appropriation		\$20,109,000
Motor Vehicle Account--Federal Appropriation		\$24,885,000
Multimodal Transportation Account--State		
Appropriation		\$662,000
Multimodal Transportation Account--Federal		
Appropriation		\$2,809,000
Multimodal Transportation Account--Private/Local		
Appropriation		\$100,000
<u>Connecting</u>	<u>Washington</u>	<u>Account--State</u>
<u>Appropriation</u>		<u>\$190,000</u>
TOTAL APPROPRIATION		(\$48,565,000)
<u>\$48,755,000</u>		

The appropriations in this section are subject to the following conditions and limitations:

(1) Within available resources, the department must collaborate with the affected metropolitan planning organizations, regional transportation planning organizations, transit agencies, and private transportation providers to develop a plan to reduce vehicle demand, increase public transportation options, and reduce vehicle miles traveled on corridors affected by growth at Joint Base Lewis-McChord.

(2) \$190,000 of the connecting Washington account--state appropriation is provided solely for the regional transportation planning organizations across the state to continue the implementation of forward Washington.

Sec. 6. 2013 c 306 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V

State Vehicle Parking Account--State Appropriation		\$452,000
Regional Mobility Grant Program Account--State		
Appropriation		\$49,948,000
Rural Mobility Grant Program Account--State		
Appropriation		\$17,000,000
Multimodal Transportation Account--State		
Appropriation		(\$39,057,000)
<u>\$89,057,000</u>		
Multimodal Transportation Account--Federal		
Appropriation		\$3,280,000
TOTAL APPROPRIATION		(\$109,737,000)
<u>\$159,737,000</u>		

The appropriations in this section are subject to the following conditions and limitations:

(1) \$25,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$5,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$19,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2011 as reported in the "Summary of Public Transportation - 2011" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$17,000,000 of the rural mobility grant program account--state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant

program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$520,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving soldiers and civilian employees at Joint Base Lewis-McChord.

(4) \$9,948,000 of the regional mobility grant program account-- state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed April 23, 2013.

(5)(a) \$40,000,000 of the regional mobility grant program account-- state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as developed April 23, 2013. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2013, and December 15, 2014, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty- five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2013-2015 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$6,122,000 of the total appropriation in this section is provided solely for CTR grants and activities. Of this amount:

(a) \$3,900,000 of the multimodal transportation account--state appropriation is provided solely for grants to local jurisdictions, selected by the CTR board, for the purpose of assisting employers meet CTR goals;

(b) \$1,770,000 of the multimodal transportation account--state appropriation is provided solely for state costs associated with CTR. The department shall develop more efficient methods of CTR assistance and survey procedures; and

(c) \$452,000 of the state vehicle parking account--state appropriation is provided solely for CTR-related expenditures, including all expenditures related to the guaranteed ride home program and the STAR pass program.

(8) An affected urban growth area that has not previously implemented a commute trip reduction program as of the effective date of this section is exempt from the requirements in RCW 70.94.527.

(9) \$200,000 of the multimodal transportation account--state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(10) \$50,000,000 of the multimodal transportation account--state appropriation is provided solely for, and is intended to continue to be used in future biennia for the purpose of completing, the projects listed in LEAP Transportation Document 2013-L2 TRANSIT PROJECTS, as developed June 23, 2013.

Sec. 7. 2013 c 306 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z-- OPERATING

Motor Vehicle Account--State Appropriation	((\$8,737,000))
<u>\$8,762,000</u>	
Motor Vehicle Account--Federal Appropriation	\$2,567,000
TOTAL APPROPRIATION	((\$11,304,000))
<u>\$11,329,000</u>	

The appropriations in this section are subject to the following conditions and limitations: \$25,000 of the motor vehicle account-- state appropriation is provided solely to Wahkiakum county for additional operating and maintenance costs of the Puget Island-Westport ferry.

TRANSPORTATION AGENCIES--CAPITAL

Sec. 8. 2013 c 306 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account--State	
Appropriation	\$11,794,000
Freight Mobility Multimodal Account--State	
Appropriation	\$9,736,000
Freight Mobility Multimodal Account--Private/Local	
Appropriation	\$1,320,000

Highway Safety Account--State Appropriation.....	\$2,450,000	
Motor Vehicle Account--State Appropriation	\$84,000	
Motor Vehicle Account--Federal Appropriation	\$3,250,000	
Multimodal	Transportation	Account--State
<u>Appropriation</u>	<u>\$6,500,000</u>	
TOTAL APPROPRIATION	(\$28,634,000)	
<u>\$35,134,000</u>		

The appropriations in this section are subject to the following conditions and limitations:

- (1) Except as provided otherwise in this section, the total appropriation in this section is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1256), Laws of 2013 (addressing project selection by the freight mobility strategic investment board). If chapter . . . (Substitute House Bill No. 1256), Laws of 2013 is not enacted by June 30, 2013, the amounts provided in this section lapse.
- (2) \$6,500,000 of the multimodal transportation account--state appropriation is provided solely to help address bottlenecks and for other roadway improvements that would benefit freight movement.

Sec. 9. 2013 c 306 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D-- (DEPARTMENT OF TRANSPORTATION--ONLY PROJECTS)--CAPITAL

Transportation Partnership Account--State	
Appropriation	\$13,425,000
Motor Vehicle Account--State Appropriation	(\$8,106,000)
<u>\$13,106,000</u>	
TOTAL APPROPRIATION	(\$21,531,000)
<u>\$26,531,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

- (1) The legislature recognizes that the Marginal Way site (King county parcel numbers 3024049182 & 5367202525) is surplus state-owned real property under the jurisdiction of the department and that the public would benefit significantly if this site is used to provide important social services. Therefore, the legislature declares that committing the Marginal Way site to this use is consistent with the public interest.

Pursuant to RCW 47.12.063, the department shall work with the owner of King county parcel number 7643400010, which abuts both parcels of the Marginal Way site, and shall convey the Marginal Way site to that abutting property owner for the appraised fair market value of the parcels, the proceeds of which must be deposited in the motor vehicle fund. The conveyance is conditional upon the purchaser's agreement to commit the use of the Marginal Way site to operations with the goal of ending hunger in western Washington. The department may not make this conveyance before September 1, 2013, and may not make this conveyance after January 15, 2014.

The Washington department of transportation is not responsible for any costs associated with the cleanup or transfer of the Marginal Way site.

- (2) \$13,425,000 of the transportation partnership account--state appropriation is provided solely for the construction of a new traffic management and emergency operations center on property owned by the department on Dayton Avenue in Shoreline (project 100010T). Consistent with the office of financial management's 2012 study, it is the intent of the legislature to appropriate no more than \$15,000,000 for the total construction costs. The department shall report to the transportation committees of the legislature and the office of financial management by June 30, 2014, on the progress of the construction of the traffic management and emergency operations center, including a schedule for terminating the current lease of the Goldsmith building in Seattle.

- (3) \$5,000,000 of the motor vehicle account--state appropriation is provided solely for the planning and design work necessary to consolidate and expand the existing maintenance facility at Corson Avenue South in Seattle, Washington. The office of financial management shall hold this amount in unallotted status until the transfer authorized in subsection (1) of this section is completed.

Sec. 10. 2013 c 306 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I

Multimodal Transportation Account--State	
Appropriation	\$1,000,000
Transportation Partnership Account--State	
Appropriation	\$1,536,032,000
Motor Vehicle Account--State Appropriation	\$61,508,000
Motor Vehicle Account--Federal Appropriation	\$473,359,000
Motor Vehicle Account--Private/Local Appropriation.....	\$208,452,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$242,253,000
State Route Number 520 Corridor Account--State	
Appropriation	\$737,205,000
State Route Number 520 Corridor Account--Federal	
Appropriation	\$300,000,000
Special Category C Account--State Appropriation	\$124,000
<u>Connecting Washington Account--State Appropriation</u>	<u>\$534,400,000</u>
<u>Connecting Washington Account--Federal Appropriation</u>	<u>\$101,400,000</u>
TOTAL APPROPRIATION	(\$3,559,933,000)
<u>\$4,195,733,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2013-1 as developed April 23, 2013, Program - Highway Improvement Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account--state appropriation and motor vehicle account--federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Improvement Program (I). It is the intent of the legislature to direct the department to give first priority of federal funds gained through efficiencies or the redistribution process to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)--state appropriation includes up to \$217,604,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account--state appropriation includes up to \$1,156,217,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) The motor vehicle account--state appropriation includes up to \$30,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(7) The connecting Washington account--state appropriation includes up to \$389,639,000 in proceeds from the sale of bonds authorized in chapter . . . (Substitute House Bill No. 1956), Laws of 2013 2nd sp. sess. or chapter . . . (Senate Bill No. 5922), Laws of 2013 2nd sp. sess. or other legislation authorizing the sale of bonds to be deposited in the connecting Washington account.

(8) (a) \$5,000,000 of the motor vehicle account--federal appropriation and \$200,000 of the motor vehicle account--state appropriation are provided solely for the I-90 Comprehensive Tolling Study and Environmental Review project (100067T). The department shall prepare a detailed environmental impact statement that complies with the national environmental policy act regarding tolling Interstate 90 between Interstate 5 and Interstate 405 for the purposes of both managing traffic and providing funding for the construction of the unfunded state route number 520 from Interstate 5 to Medina project. As part of the preparation of the statement, the department must review any impacts to the network of highways and roads surrounding Lake Washington. In developing this statement, the department must provide significant outreach to potential affected communities. The department may consider traffic management options that extend as far east as Issaquah.

(b)(i) As part of the project in this subsection (8), the department shall perform a study of all funding alternatives to tolling Interstate 90 to provide funding for construction of the unfunded state route number 520 and explore and evaluate options to mitigate the effect of tolling on affected residents and all other users of the network of highways and roads surrounding Lake Washington including, but not limited to:

(A) Allowing all Washington residents to traverse a portion of the tolled section of Interstate 90 without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island;

(B) Assessing a toll only when a driver traverses, in either direction, the entire portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing east of Mercer Island; and

(C) Allowing affected residents to choose one portion of the tolled section of Interstate 90 upon which they may travel without paying a toll. Residents may choose either (I) the portion of Interstate 90 between the easternmost landing west of Mercer Island and the westernmost landing on Mercer Island, or (II) the portion of Interstate 90 between the westernmost landing east of Mercer Island and the easternmost landing on Mercer Island.

(ii) The department may also consider any alternative mitigation options that conform to the purpose of this subsection (8) .

(iii) For the purposes of this subsection (8), "affected resident" means anyone who must use a portion of Interstate 90 west of Interstate 405 upon which tolling is considered in order to access necessary medical services, such as a hospital.

(9) \$541,901,000 of the transportation partnership account--state appropriation, \$144,954,000 of the motor vehicle account--federal appropriation, \$129,779,000 of the motor vehicle account--private/local appropriation, and \$78,004,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the SR 99/Alaskan Way Viaduct - Replacement project (809936Z).

(10) The department shall reconvene an expert review panel of no more than three members as described under RCW 47.01.400 for the purpose of updating the work that was previously completed by the panel on the Alaskan Way viaduct replacement project and to ensure that an appropriate and viable financial plan is created and regularly reviewed. The expert review panel must be selected cooperatively by the chairs of the senate and house of representatives transportation committees, the secretary of transportation, and the governor. The expert review panel must report findings and recommendations to the transportation committees of the legislature, the governor's Alaskan Way viaduct project oversight committee, and the transportation commission annually until the project is operationally complete. This subsection takes effect if chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess. is not enacted by June 30, 2013.

(11) \$7,408,000 of the transportation partnership account--state appropriation, \$14,594,000 of the transportation 2003 account (nickel account)--state appropriation, \$3,730,000 of the motor vehicle account--state appropriation, \$1,000,000 of the multimodal transportation account--state appropriation, and \$41,395,000 of the motor vehicle account--federal appropriation are provided solely for the US 395/North Spokane Corridor projects (600010A & 600003A). Any future savings on the projects must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor projects or any future phase of the projects.

(12) \$114,369,000 of the transportation partnership account--state appropriation and \$53,755,000 of the transportation 2003 account (nickel account)--state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project.

(13)(a) The SR 520 Bridge Replacement and HOV project (0BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$819,524,625 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account--state appropriation includes up to \$668,142,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account--federal appropriation includes up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) \$153,124,000 of the transportation partnership account--state appropriation, \$300,000,000 of the state route number 520 corridor account--federal appropriation, and \$737,205,000 of the state route number 520 corridor account--state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (0BII003). Of the amounts appropriated in this subsection (13)(d), \$105,085,000 of the state route number 520 corridor account--federal appropriation and \$227,415,000 of the state route number 520 corridor account--state appropriation must be put into unallotted status and are subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(14) \$1,100,000 of the motor vehicle account--federal appropriation is provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) \$22,602,000 of the motor vehicle account--state appropriation is provided solely to advance the design, preliminary engineering, and rights-of-way acquisition for the priority projects identified in LEAP Transportation Document 2013-3 as developed April 23, 2013. Funds must be used to advance the emergent, initial development of these projects for the purpose of expediting delivery of the associated major investments when funding for such investments becomes available. Funding may be reallocated between projects to maximize the accomplishment of design and preliminary engineering work and rights-of-way acquisition, provided that all projects are addressed. It is the intent of the legislature that, while seeking to maximize the outcomes in this section, the department shall provide for continuity of both the state and consulting engineer workforce, while strategically utilizing private sector involvement to ensure consistency with the department's business plan for staffing in the highway construction program in the current fiscal biennium.

(16) If a planned roundabout in the vicinity of state route number 526 and 84th Street SW would divert commercial traffic onto neighborhood streets, the department may not proceed with improvements at state route number 526 and 84th Street SW until the traffic impacts in the vicinity of state route number 526 and 40th Avenue West are addressed.

(17) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2015, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(18) The legislature finds that "right-sizing" is a lean, metric-based approach to determining project investments. This concept entails compromise between project cost and design, incorporating local community needs, desired outcomes, and available funding. Furthermore, the legislature finds that the concepts and principles the department has utilized in the safety analyst program have been effective tools to prioritize projects and reduce project costs. Therefore, the department shall establish a pilot project on the SR 3/Belfair Bypass - New Alignment (300344C) to begin implementing the concept of "right-sizing" in the highway construction program.

(19) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(20) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2014 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(21) \$28,963,000 of the motor vehicle account--state appropriation is provided solely for improvement program support activities (095901X). \$18,000,000 of this amount must be held in unallotted status until the office of financial management certifies that the department's 2014 supplemental budget request conforms to the terms of subsection (20) of this section.

~~((23))~~ (22) Any new advisory group that the department convenes during the 2013-2015 fiscal biennium must be representative of the interests of the entire state of Washington.

~~(23)(a) Except as otherwise provided in this section, the entire connecting Washington account--state appropriation is provided solely for the Program I projects and activities listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013, and is subject to the limitations in chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess.~~

~~(b) \$100,000,000 of the connecting Washington account--state appropriation is provided solely for the SR 509/I-5/SR 167 Freight Corridor project (M00600R). The secretary of transportation must work with the freight mobility strategic investment board to ensure that the project is a priority project within the state freight mobility plan required under the federal moving ahead for progress in the 21st century act.~~

~~(c) \$200,000 of the connecting Washington account--state appropriation is provided solely for the study of the state route number 162 and state route number 410 corridors (L1100068). The study must look at state route number 162 and state route number 410 and their relationship to state route number 167, corridor improvements to accommodate planned growth, and the identification of multimodal options to alleviate congestion and transit demands in eastern Pierce county communities.~~

~~(d) \$200,000 of the connecting Washington account--state appropriation is provided solely for the department to study the feasibility of added high occupancy vehicles lanes on Interstate 5 between Joint Base Lewis-McChord and South 38th Street in Tacoma (L1100069). The study must include a cost estimate and be submitted to the transportation committees of the legislature by January 2015.~~

~~(e) In the development of projects within the US 395/North Spokane corridor, the associated planning staff shall review the department's project design plans in any draft environmental impact statement for conformance with the following legislative goals regarding the final design for additional projects within the corridor:~~

~~(i) Minimization of the project impact on surrounding neighborhoods, including minimizing any increases in additional traffic volumes through such neighborhoods; and~~

~~(ii) Incorporation of the recommendations of a health impact assessment to calculate the project's impact on air quality, carbon emissions, and~~

other public health issues, conducted by the Spokane regional transportation council and the Spokane county public health department.

(24)(a) \$26,000,000 of the connecting Washington account--state appropriation is provided solely for storm water retrofits, including enhanced treatment retrofits, to build on and expand the department's storm water program. In completing storm water retrofits, the department shall use low-impact development (LID) techniques when feasible. Advance treatment and LID storm water retrofits shall be integrated with improvement project life-cycle, ranking, and construction, where such retrofits geographically coincide with planned improvement projects. To accomplish this directive, the department must develop LID retrofit project lists and incorporate project lists into relevant capital plans. The department must consult with the Washington state department of ecology to certify that the retrofit projects have high water quality and environmental benefits.

(b) The department, in consultation with the Washington state department of ecology, shall develop comprehensive criteria to coordinate, rate, and rank improvement projects and storm water retrofit projects. The system must be designed to provide a funding preference to LID retrofit projects that reduce water pollution from existing transportation infrastructure.

(c) The department must incorporate statewide storm water retrofit project lists into ten-year capital project plans and create a biennial project list for the design and construction of LID storm water retrofit projects. The department will coordinate the design and construction of improvement and storm water retrofit projects to ensure efficient and effective use of funds. By December 31, 2013, and biennially thereafter, the department shall provide to the legislature a storm water retrofit project list to maintain and enhance the capacity of the department's storm water program and construct LID retrofits. The department must also provide a report regarding how much funding is allocated to improvement and storm water retrofit projects, identifying the water quality and environmental benefits created from the storm water projects, and summarizing how improvement and storm water retrofit projects are coordinated and integrated.

(25) \$161,000,000 of the connecting Washington account--state appropriation and \$101,400,000 of the connecting Washington account--federal appropriation are provided solely for the I-5/Columbia River crossing project (M00200R). It is the intent of the legislature that no amounts other than the amounts provided in this subsection be expended for the I-5/Columbia River crossing project until the following requirements are met: (a) The United States coast guard approves the I-5/Columbia River crossing project's permit; and (b) C-TRAN and TriMet enter into the necessary agreement or agreements for the ownership, operations, and maintenance of the light rail service to be jointly provided by C-TRAN and TriMet upon the completion of the I-5/Columbia River crossing project, which agreement or agreements must ensure that C-TRAN is not responsible for any preexisting debt, pensions, or other obligations of TriMet and that C-TRAN only pays for the operations and maintenance of the light rail service from Vancouver, Washington to the Washington border.

(26) The department shall prioritize storm water retrofit projects based on the projected benefit for compliance with the department's national pollution discharge elimination system permit.

(27) \$20,000,000 of the connecting Washington account--state appropriation is provided solely for the purposes of removing fish passage barriers related to the transportation system that are identified by the department pursuant to any legal obligation.

Sec. 11. 2013 c 306 s 307 (unmodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P

Transportation Partnership Account--State

Appropriation.....	\$36,480,000
Highway Safety Account--State Appropriation.....	\$10,000,000
Motor Vehicle Account--State Appropriation.....	\$58,503,000
Motor Vehicle Account--Federal Appropriation.....	\$580,062,000
Motor Vehicle Account--Private/Local Appropriation.....	\$11,270,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation.....	\$2,285,000
Connecting Washington Account--State Appropriation.....	\$115,100,000
TOTAL APPROPRIATION.....	(\$698,600,000)
<u>\$813,700,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2013-1 as developed April 23, 2013, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 603 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account--state appropriation and motor vehicle account--federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). It is the intent of the legislature to direct the department to give first priority of federal funds gained through efficiencies or the redistribution process to the "Contingency (Unfunded) Highway Preservation Projects" as identified in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway Preservation Program (P). However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account--state appropriation and motor vehicle account--federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) \$27,278,000 of the motor vehicle account--federal appropriation and \$1,141,000 of the motor vehicle account--state appropriation are provided solely for the SR 167/Puyallup River Bridge Replacement project (316725A). This project must be completed as a design-build project. The department must work with local jurisdictions and the community during the environmental review process to develop appropriate esthetic design elements, at no additional cost to the department, and traffic management plans pertaining to this project. The department must report to the transportation committees of the legislature on estimated cost and/or time savings realized as a result of using the design-build process.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) It is the intent of the legislature that sufficient funds be spent on highway bridge preservation to achieve a statewide bridge condition in excess of ninety-seven percent fair and good.

(7) The entire connecting Washington account--state appropriation is provided solely for the Program P projects and activities listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013, and is subject to the limitations in chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess.

Sec. 12. 2013 c 306 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W

Puget Sound Capital Construction Account--State	
Appropriation	\$53,036,000
Puget Sound Capital Construction Account--Federal	
Appropriation	\$91,692,000
Puget Sound Capital Construction Account--Private/Local	
Appropriation	\$1,145,000
Multimodal Transportation Account--State Appropriation	\$1,534,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$143,941,000
<u>Connecting Washington Account--State Appropriation</u>	<u>\$132,200,000</u>
TOTAL APPROPRIATION	(\$291,348,000)
<u>\$423,548,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Washington State Ferries Capital Program (W).

(2) The Puget Sound capital construction account--state appropriation includes up to \$20,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(3) \$143,633,000 of the transportation 2003 account (nickel account)--state appropriation is provided solely for the acquisition of two 144-car vessels (projects L2200038 and L2200039). The department shall use as much already procured equipment as practicable on the 144- car vessels.

(4) \$8,270,000 of the Puget Sound capital construction account-- federal appropriation, \$3,935,000 of the Puget Sound capital construction account--state appropriation, and \$1,534,000 of the multimodal transportation account--state appropriation are provided solely for the Mukilteo ferry terminal (project 952515P). To the greatest extent practicable, the department shall seek additional federal funding for this project.

(5) \$4,000,000 of the Puget Sound capital construction account-- state appropriation is provided solely for emergency capital repair costs (project 999910K). Funds may only be spent after approval by the office of financial management.

(6) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future modifications at the terminal.

(7) \$3,800,000 of the Puget Sound capital construction account-- state appropriation is provided solely for the reservation and communications system projects (L200041 & L200042).

(8) \$4,210,000 of the Puget Sound capital construction account-- state appropriation is provided solely for the capital program share of \$7,259,000 in lease payments for the ferry division's headquarters building. Consistent with the 2012 facilities oversight plan, the department shall strive to consolidate office space in downtown Seattle by the end of 2015. The department shall consider renewing the lease for the ferry division's current headquarters building only if the lease rate is reduced at least fifty percent and analysis shows that this is the least cost and risk option for the department. Consolidation with other divisions or state agencies, or a reduction in leased space, must also be considered as part of any headquarters lease renewal analysis.

(9) \$21,950,000 of the total appropriation is for preservation work on the Hyak super class vessel (project 944431D), including installation of a power management system and more efficient propulsion systems, that in combination are anticipated to save up to twenty percent in fuel and reduce maintenance costs. Upon completion of this project, the department shall provide a report to the transportation committees of the legislature on the fuel and maintenance savings achieved for this vessel and the potential to save additional funds through other vessel conversions.

(10)(a) The entire connecting Washington account--state appropriation is provided solely for the Program W projects and activities listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013, and is subject to the limitations in chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess.

(b) \$110,300,000 of the connecting Washington account--state appropriation is provided solely for the purposes of constructing a ferry boat vessel with a carrying capacity of at least one hundred forty-four cars (ONRC017).

(c) \$21,900,000 of the connecting Washington account--state appropriation is provided solely for the Mukilteo and Seattle terminal replacement projects of the Washington state ferry system (NMUKTML and NSTMLRE). The amount provided in this subsection represents the first portion of a ten-year state funding plan as described in LEAP Transportation Document 2013-L1, as developed June 23, 2013. This LEAP transportation document identifies: (i) \$119,000,000 in state funds to be provided over ten years to complete the Mukilteo terminal replacement project; and (ii) \$278,200,000 in state funds to be provided over ten years for substantial advancement of the Seattle terminal replacement project, including: (A) Design work and selection of a preferred plan; (B) replacing timber pilings with pilings sufficient to support a selected terminal design; (C) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock; and (D) other staging and construction work as the amount allows.

Sec. 13. 2013 c 306 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL

Essential Rail Assistance Account--State

Appropriation ((~~\$861,000~~))
\$3,061,000

Transportation Infrastructure Account--State

Appropriation \$8,582,000

Multimodal Transportation Account--State

Appropriation ((~~\$33,156,000~~))
\$40,156,000

Multimodal Transportation Account--Federal

Appropriation \$333,881,000

TOTAL APPROPRIATION ((~~\$376,480,000~~))
\$385,680,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Rail Capital Program (Y).

(b) Within the amounts provided in this section, \$7,332,000 of the transportation infrastructure account--state appropriation is for low-interest loans through the freight rail investment bank program identified in the LEAP transportation document referenced in (a) of this subsection. The department shall issue freight rail investment bank program loans with a repayment period of no more than ten years, and only so much interest as is necessary to recoup the department's costs to administer the loans.

(c) Within the amounts provided in this section, \$2,439,000 of the multimodal transportation account--state appropriation, \$1,250,000 of the transportation infrastructure account--state appropriation, and \$311,000 of the essential rail assistance account--state appropriation are for statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in (a) of this subsection.

(2) Unsuccessful 2012 freight rail assistance program grant applicants may be awarded freight rail investment bank program loans, if eligible. If any funds remain in the freight rail investment bank or freight rail assistance program reserves (projects F01001A and F01000A), or any approved grants or loans are terminated, the department shall issue a call for projects for the freight rail investment bank loan program and the freight rail assistance grant program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 1, 2013, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(3) \$314,647,000 of the multimodal transportation account--federal appropriation and \$4,867,000 of the multimodal transportation account--state appropriation are provided solely for expenditures related to passenger high-speed rail grants. The multimodal transportation account--state appropriation funds reflect one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(4) As allowable under federal rail authority rules and existing competitive bidding practices, when purchasing new train sets, the department shall give preference to bidders that propose train sets with characteristics and maintenance requirements most similar to those currently owned by the department.

(5) The department shall provide quarterly reports to the office of financial management and the transportation committees of the legislature regarding applications that the department submits for federal funds and the status of such applications.

(6)(a) \$550,000 of the essential rail assistance account--state appropriation and \$1,893,000 of the multimodal transportation account-- state appropriation are provided solely for the purpose of rehabilitation and maintenance of the Palouse river and Coulee City railroad line. The department shall complete an evaluation and assessment of future maintenance needs on the line to ensure appropriate levels of state investment.

(b) Expenditures from the essential rail assistance account--state appropriation in this section may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad line.

(7) \$31,500,000 of the multimodal transportation account--federal appropriation is provided solely for the purchase of two new train sets for the state-supported intercity passenger rail service. The department must apply for any federal waivers required to purchase the new train sets, as allowable under existing competitive bidding practices, and seek federal funds in addition to those available from the high-speed rail grants.

(8)(a) \$7,000,000 of the multimodal transportation account--state appropriation is provided solely for reliability and slope stabilization projects on the Cascades passenger rail corridor (L1100070).

(b) \$2,200,000 of the essential rail assistance account--state appropriation is provided solely for newly selected projects for the freight rail assistance program (L1100072).

(c) The amounts provided in this subsection (8) are provided solely for the Program Y projects and activities listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013, and are subject to the limitations in chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess.

Sec. 14. 2013 c 306 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z-- CAPITAL

Highway Infrastructure Account--State Appropriation \$207,000

Highway Infrastructure Account--Federal

Appropriation \$1,602,000

Freight Mobility Investment Account--State

Appropriation \$11,794,000

Transportation Partnership Account--State

Appropriation.....	\$7,214,000
Highway Safety Account--State Appropriation.....	\$11,255,000
Motor Vehicle Account--State Appropriation.....	\$6,918,000
Motor Vehicle Account--Federal Appropriation.....	\$28,413,000
Freight Mobility Multimodal Account--State Appropriation.....	\$9,736,000
Freight Mobility Multimodal Account--Private/Local Appropriation.....	\$1,320,000
Multimodal Transportation Account--State Appropriation.....	(\$13,913,000)
<u>\$73,198,000</u>	
<u>Pedestrian, Bicycle, and Safe Routes to School Account--State Appropriation.....</u>	<u>\$21,000,000</u>
TOTAL APPROPRIATION.....	(\$92,372,000)
<u>\$172,657,000</u>	

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Local Programs (Z).

(2) With each department budget submittal, the department shall provide an update on the status of the repayment of the twenty million dollars of unobligated federal funds authority advanced by the department in September 2010 to the city of Tacoma for the Murray Morgan/11th Street bridge project. The department may negotiate with the city of Tacoma an agreement for repayment of the funds over a period of up to twenty-five years at terms agreed upon by the department and the city. The funds previously advanced by the department to the city are not to be considered a general obligation of the city but instead an obligation payable from identified revenues set aside for the repayment of the funds.

(3) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$12,160,000 of the multimodal transportation account--state appropriation, \$6,824,000 of the transportation partnership account-- state appropriation, and \$62,000 of the motor vehicle account--federal appropriation are provided solely for pedestrian and bicycle safety program projects.

(b) \$11,700,000 of the motor vehicle account--federal appropriation, \$5,200,000 of the motor vehicle account--state appropriation, and \$6,750,000 of the highway safety account--state appropriation are provided solely for newly selected safe routes to school projects, and \$3,400,000 of the motor vehicle account--federal appropriation and \$2,055,000 of the highway safety account--state appropriation are reappropriated for safe routes to school projects selected in the previous biennia. The amount provided for new projects is consistent with federal funding levels from the 2011-2013 omnibus transportation appropriations act and the intent of the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws of 2012. ~~((The motor vehicle account state appropriation in this subsection (3)(b) is the amount made available by the repeal of the deduction from motor vehicle fuel tax liability for handling losses of motor vehicle fuel, as identified in chapter . . . (Substitute House Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel). If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not enacted by June 30, 2013, the motor vehicle account state appropriation in this subsection (3)(b) lapses.))~~

(4) \$84,000 of the motor vehicle account--state appropriation, \$3,250,000 of the motor vehicle account--federal appropriation, \$2,450,000 of the highway safety account--state appropriation, \$11,794,000 of the freight mobility investment account--state appropriation, \$9,736,000 of the freight mobility multimodal account-- state appropriation, and \$1,320,000 of the freight mobility multimodal account--private/local appropriation are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2013-B as developed April 23, 2013. If chapter . . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June 30, 2013, the amounts provided in this subsection lapse.

(5) The department may enter into contracts and make expenditures for projects on behalf of and selected by the freight mobility strategic investment board from the amounts provided in section 301 of this act.

(6) The department shall submit a report to the transportation committees of the legislature by December 1, 2013, and December 1, 2014, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program (OLP600P). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(7) \$50,000 of the motor vehicle account--state appropriation is provided solely for the installation of a guard rail on Deer Harbor Road in San Juan county (L2220054).

(8) \$16,800,000 of the multimodal transportation account--state appropriation is provided solely for grants to local governments under the complete streets grant program (L1100073). Of the amounts provided in this subsection (8), \$3,300,000 is provided solely for the Mountlake Terrace main street project.

(9)(a) \$21,000,000 of the pedestrian, bicycle, and safe routes to school account--state appropriation is provided solely for, and is intended to continue to be used in future biennia for the purpose of, newly selected projects for the pedestrian and bicycle safety program (L1100074). The amount provided in this subsection (9)(a) is for the projects listed in LEAP Transportation Document 2013-L3, as developed June 23, 2013,

<u>Pedestrian</u>	<u>and</u>	<u>Bicycle</u>	<u>Safety</u>	<u>Projects.</u>
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(b) The amount appropriated in this subsection from the pedestrian, bicycle, and safe routes to school account--state appropriation for newly selected pedestrian and bicycle safety program projects is to be considered in addition to and is not intended to supplant the level of funding for the programs as was enacted in chapter 86, Laws of 2012.

(c) In addition to the amount provided in this subsection for newly selected pedestrian and bicycle safety program projects, it is the intent of the legislature that the \$5,200,000 of the motor vehicle account--state appropriation for newly selected safe routes to school projects in chapter 306, Laws of 2013 continue to be used in future biennia for the purpose of newly selected safe routes to school projects.

(10) The amounts provided in subsections (8) and (9) of this section are provided solely for the Program Z projects and activities listed in

LEAP Transportation Document 2013-L1, as developed June 23, 2013, and are subject to the limitations in chapter . . . (Substitute House Bill No. 1957), Laws of 2013 2nd sp. sess.

TRANSFERS AND DISTRIBUTIONS

Sec. 15. 2013 c 306 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account--State	
Appropriation	\$10,406,000
Motor Vehicle Account--State Appropriation	\$450,000
State Route Number 520 Corridor Account--State	
Appropriation	\$3,866,000
Highway Bond Retirement Account--State	
Appropriation	(\$1,074,580,000)
	<u>\$1,122,374,000</u>
Ferry Bond Retirement Account--State Appropriation	\$31,824,000
Transportation Improvement Board Bond Retirement	
Account--State Appropriation	\$16,267,000
Nondebt-Limit Reimbursable Bond Retirement Account--State	
Appropriation	\$25,825,000
Toll Facility Bond Retirement Account--State	
Appropriation	\$52,050,000
Toll Facility Bond Retirement Account--Federal	
Appropriation	\$64,982,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$1,958,000
Special Category C Account--State Appropriation	\$2,000
<u>Connecting Washington Account--State Appropriation</u>	<u>\$3,507,000</u>
TOTAL APPROPRIATION	(\$1,282,210,000)
	<u>\$1,333,511,000</u>

Sec. 16. 2013 c 306 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account--State	
Appropriation	\$1,156,000
Motor Vehicle Account--State Appropriation	\$50,000
State Route Number 520 Corridor Account--State	
Appropriation	\$531,000
Transportation 2003 Account (Nickel Account)--State	
Appropriation	\$218,000
<u>Connecting Washington Account--State Appropriation</u>	<u>\$389,000</u>
TOTAL APPROPRIATION	(\$1,955,000)
	<u>\$2,344,000</u>

Sec. 17. 2013 c 306 s 408 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES

Public Transportation Grant Program Account--State	
Appropriation	\$26,000,000
<u>Multimodal</u>	<u>Transportation</u>
Appropriation	<u>Account--State</u>
TOTAL	<u>\$20,000,000</u>
	<u>APPROPRIATION</u>
	<u>\$46,000,000</u>

The appropriations in this section ((4s)) are subject to the following conditions and limitations:

- (1) One-eighth of the appropriation in this section must be distributed quarterly to transit authorities according to the distribution formula in subsection (2) of this section. Funding must be used for operations.
- (2) Of the amounts provided in subsection (1) of this section:
 - (a) One-third must be distributed based on vehicle miles of service provided;
 - (b) One-third must be distributed based on the number of vehicle hours of service provided; and
 - (c) One-third must be distributed based on the number of passenger trips.
- (3) For the purposes of this section:
 - (a) "Transit authorities" has the same meaning as in RCW 9.91.025(2)(c).

(b) "Vehicle miles of service," "vehicle hours of service," and "passenger trips" are transit service metrics as reported by the public transportation program of the department of transportation in the annual report required in RCW 35.58.2796 for calendar year 2011.

MISCELLANEOUS

NEW SECTION. Sec. 18. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013.

NEW SECTION. Sec. 19. If neither chapter . . . (Substitute House Bill No. 1954), Laws of 2013 2nd sp. sess. nor chapter . . . (Senate Bill No. 5920), Laws of 2013 2nd sp. sess. is enacted by July 31, 2013, the appropriations in this act are null and void."

Correct the title.

Representative Nealey moved the adoption of amendment (566) to the striking amendment (532).

On page 8, beginning on line 13 of the striking amendment, strike all of section 6

Re-number the remaining sections consecutively and correct any internal references accordingly.

On page 23, line 25 of the striking amendment, increase the Motor Vehicle Account--State Appropriation by \$5,200,000

On page 23, after line 30 of the striking amendment, insert the following:

"Multimodal Transportation Account--State Appropriation \$82,800,000"

On page 23, line 32 of the striking amendment, correct the total

On page 25, after line 10 of the striking amendment, insert the following:

"(8) \$5,200,000 of the motor vehicle account--state appropriation and \$82,800,000 of the multimodal transportation account--state appropriation are provided solely for, and are intended to continue to be used in future biennia for the purpose of, highway preservation activities."

On page 30, beginning on line 23 of the striking amendment, strike all of section 14

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Nealey and Wilcox spoke in favor of the adoption of the amendment to the striking amendment.

Representative Liias spoke against the adoption of the amendment to the striking amendment.

Amendment (566) to the striking amendment (532) was not adopted.

Representative Habib moved the adoption of amendment (543) to the striking amendment (532).

On page 21, line 1 of the striking amendment, after "June 23, 2013" insert ", and for the SR 520/148th Avenue NE Overlake Access Ramp project and the SR 520 Regional Trail Grade Separation at NE 40th Street project"

Representative Habib spoke in favor of the adoption of the amendment to the striking amendment.

Representative Orcutt spoke against the adoption of the amendment to the striking amendment.

Amendment (543) to the striking amendment (532) was adopted.

Representative Hunt moved the adoption of amendment (554) to the striking amendment (532).

On page 21, line 1 of the striking amendment, after "June 23, 2013" insert ", and for the Interstate 5/Marvin Road/SR 510 Interchange project"

Representative Hunt and Hunt (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Orcutt spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 54 - YEAS; 37 - NAYS; 6 - EXCUSED.

Amendment (554) to the striking amendment (532) was adopted.

Representative Vick moved the adoption of amendment (547) to the striking amendment (532).

On page 22, line 37 of the striking amendment, after "(M00200R)," insert "The office of financial management shall place the amounts provided in this subsection in unallotted status. The office may allot the funds only if the bridge design is modified to include a clearance height between the bridge deck and the Columbia river that accommodates all current commercial river users."

Representatives Vick and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Clibborn spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (547) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 38 Nays: 53 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Harris moved the adoption of amendment (548) to the striking amendment (532).

On page 22, line 37 of the striking amendment, after "(M00200R)," insert "The office of financial management shall place the amounts provided in this subsection in unallotted status. The office may allot the funds only if a final design for the I-5/Columbia River crossing project has been approved by the secretary of transportation in Washington and the Oregon transportation commission, and the final design excludes any light rail facilities."

Representatives Harris and Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Wylie spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (548) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 38 Nays: 53 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Pike moved the adoption of amendment (549) to the striking amendment (532).

On page 22, line 37 of the striking amendment, after "(M00200R)," insert "The office of financial management shall place the amounts provided in this subsection in unallotted status. The office may allot the funds only if a plan for the funding and operation of any light rail facility that is part of the final design for the I-5/Columbia River crossing project has been adopted by the board of directors of the public transportation benefit area in Washington within which the project is located."

Representative Pike spoke in favor of the adoption of the amendment to the striking amendment.

Representative Clibborn spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (549) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 37 Nays: 54 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford,

Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Orcutt moved the adoption of amendment (556) to the striking amendment (532).

On page 22, beginning on line 37 of the striking amendment, after "(M00200R)," strike all material through "until" on page 23, line 1 and insert "The office of financial management shall place the amounts provided in this subsection in unallotted status. The office may allot the funds only if"

Representatives Orcutt and Wilcox spoke in favor of the adoption of the amendment to the striking amendment.

Representative Liias spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (556) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 38 Nays: 53 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Nealey moved the adoption of amendment (565) to the striking amendment (532).

On page 23, line 30 of the striking amendment, increase the Connecting Washington Account--State Appropriation by \$33,300,000

On page 23, line 32 of the striking amendment, correct the total

On page 25, after line 10 of the striking amendment, insert the following:

"(8) \$33,300,000 of the connecting Washington account--state appropriation is provided solely for, and is intended to continue to be used in future biennia for the purpose of, highway preservation activities in addition to those listed in LEAP Transportation Document 2013-L1, as developed June 23, 2013."

Representatives Nealey and Moscoso spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (565) was adopted.

Representative Fitzgibbon moved the adoption of amendment (553) to the striking amendment (532).

On page 31, line 6 of the striking amendment, increase the Multimodal Transportation Account--State Appropriation by \$16,075,000

On page 31, line 10 of the striking amendment, correct the total

On page 33, after line 32 of the striking amendment, insert the following:

"(11) \$1,000,000 of the multimodal transportation account--state appropriation is provided solely for the Northup way connection to the SR 520 trail project.

(12) \$150,000 of the multimodal transportation account--state appropriation is provided solely for the SR 99/SR 516 missing sidewalk project.

(13) \$1,115,000 of the multimodal transportation account--state appropriation is provided solely for the south 228th street roadway project.

(14) \$1,437,000 of the multimodal transportation account--state appropriation is provided solely for the Pacific highway east (SR 99) pedestrian and bicycle safety improvements project.

(15) \$1,197,000 of the multimodal transportation account--state appropriation is provided solely for the James street bicycle corridor project.

(16) \$176,000 of the multimodal transportation account--state appropriation is provided solely for the Kent regional trails connector project.

(17) \$1,000,000 of the multimodal transportation account--state appropriation is provided solely for the lake-to-sound trail, segment B construction project.

(18) \$1,297,000 of the multimodal transportation account--state appropriation is provided solely for the cross Kirkland corridor project.

(19) \$735,000 of the multimodal transportation account--state appropriation is provided solely for the 112th avenue southeast pedestrian improvements project.

(20) \$600,000 of the multimodal transportation account--state appropriation is provided solely for the 6th avenue south (multi-use trail) Spokane street to E-3 busway project.

(21) \$2,000,000 of the multimodal transportation account--state appropriation is provided solely for the center city cycle track project.

(22) \$500,000 of the multimodal transportation account--state appropriation is provided solely for the Elliott Bay trail emergency repair project.

(23) \$500,000 of the multimodal transportation account--state appropriation is provided solely for the Holgate bike and stairway safety improvement project.

(24) \$1,000,000 of the multimodal transportation account--state appropriation is provided solely for the Lake City way pedestrian safety improvements project.

(25) \$500,000 of the multimodal transportation account--state appropriation is provided solely for the Rainier avenue pedestrian safety improvements project.

(26) \$500,000 of the multimodal transportation account--state appropriation is provided solely for the west Seattle bridge trail upgrades, crossing, safety, surfacing project.

(27) \$635,000 of the multimodal transportation account--state appropriation is provided solely for the Westlake cycle track project.

(28) \$600,000 of the multimodal transportation account--state appropriation is provided solely for the 1st avenue northeast and 6th avenue northeast Shoreline project.

(29) \$638,000 of the multimodal transportation account--state appropriation is provided solely for the pedestrian-bicycle Snoqualmie river bridge project.

(30) \$195,000 of the multimodal transportation account--state appropriation is provided solely for the Boeing access road corridor study and Ryan way improvements project.

(31) \$300,000 of the multimodal transportation account--state appropriation is provided solely for the SR 900/68th avenue south sidewalk improvements project."

Representative Fitzgibbon spoke in favor of the adoption of the amendment to the striking amendment.

Representative Orcutt spoke against the adoption of the amendment to the striking amendment.

Amendment (553) was adopted.

Representative Orcutt moved the adoption of amendment (562) to the striking amendment (532).

On page 35, beginning on line 33 of the striking amendment, after "18." strike all material through "2013." on page 36, line 2 and insert "The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Representatives Orcutt, Shea and Orcutt (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Liias spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (562) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 44 Nays: 47 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Green, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morrell, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Representative Orcutt moved the adoption of amendment (561) to the striking amendment (532).

On page 35, beginning on line 33 of the striking amendment, strike all of section 18

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representative Orcutt spoke in favor of the adoption of the amendment to the striking amendment.

Representative Liias spoke against the adoption of the amendment to the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (561) to the striking amendment (532), and the amendment was not adopted by the following vote: Yeas: 43 Nays: 48 Absent: 0 Excused: 6

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Green, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Morrell, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Crouse, Hope, Johnson, Rodne, Scott, and Takko

Amendment (532) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

There being no objection, the House deferred action on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955, and the bill held its place on the third reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872 and the bill was placed on the third reading calendar.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2079, by Representative Dunshee

Concerning the environmental legacy stewardship account.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Dunshee spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2079.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2079, and the bill passed the House by the following vote: Yeas, 56; Nays, 34; Absent, 0; Excused, 7.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Haler, Harris, Hawkins, Hayes, Holy, Klippert, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Crouse, Hargrove, Hope, Johnson, Rodne, Scott and Takko.

HOUSE BILL NO. 2079, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872, by House Committee on Appropriations (originally sponsored by Representatives Maxwell, Dahlquist, Lytton, Sullivan, McCoy, Upthegrove, Bergquist, Seaquist, Morrell, Wylie, Goodman, Ryu, Tarleton, Tharinger, Springer, Stonier, Jinkins, Orwall, Pollet, Fey, Hansen, Liias and Freeman).

Establishing a comprehensive initiative to increase learning opportunities and improve educational outcomes in science, technology, engineering, and mathematics through multiple strategies and statewide partnerships.

The bill was read the third time.

Representative Maxwell spoke in favor of the passage of the bill.

Representative Dahlquist spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1872.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1872, and the bill passed the House by the following vote: Yeas, 58; Nays, 32; Absent, 0; Excused, 7.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Fagan, Harris, Hawkins, Hayes, Holy, Kochmar, Kretz, Kristiansen, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Hargrove, Hope, Johnson, Rodne, Scott and Takko.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2080 by Representatives Sawyer, Zeiger, Appleton, Angel, DeBolt, Blake, Haler, McCoy, Wilcox, Fitzgibbon, Hurst, Freeman, Hunt, Santos and Ryu

AN ACT Relating to vacating convictions for certain tribal fishing activities; and reenacting and amending RCW 9.96.060.

Referred to Committee on Community Development, Housing & Tribal Affairs.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 26, 2013, the 15th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

FIFTEENTH DAY

House Chamber, Olympia, Wednesday, June 26, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jaime Rowland and Kate Cooper. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor John Rosenberg, Lutheran Church of the Good Shepard, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1306
SUBSTITUTE HOUSE BILL NO. 1866
ENGROSSED HOUSE BILL NO. 2068

There being no objection, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306, by House Committee on Finance (originally sponsored by Representatives Wylie, Moeller, Harris, Pike, Johnson, Chandler, Sells, Pollet, Upthegrove and Moscoco).

Extending the expiration dates of the local infrastructure financing tool program.

The bill was read the third time.

Representatives Wylie, Smith, Orcutt, Carlyle and Kochmar spoke in favor of the passage of the bill.

Representative Reykdal spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1306.

MOTIONS

On motion of Representative Harris, Representatives Condotta, Crouse, Hargrove, Hope, Johnson, Overstreet and Rodne were excused. On motion of Representative Fitzgibbon, Representatives Liias, Morris and Takko were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1306, and the bill passed the House by the following vote: Yeas, 73; Nays, 14; Absent, 0; Excused, 10.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoco, Nealey, Orcutt, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Roberts, Ross, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Buys, Dahlquist, Fagan, Hawkins, Kristiansen, Ormsby, Reykdal, Riccelli, Ryu, Santos, Scott, Shea and Taylor.

Excused: Representatives Condotta, Crouse, Hargrove, Hope, Johnson, Liias, Morris, Overstreet, Rodne and Takko.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1866, by House Committee on Appropriations (originally sponsored by Representatives Morris, Smith, Liias, Maxwell, Morrell, Habib, Ryu, Sells, Hansen and Hudgins).

Concerning the joint center for aerospace technology innovation.

The bill was read the third time.

Representatives Habib and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1866.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1866, and the bill passed the House by the following vote: Yeas, 84; Nays, 3; Absent, 0; Excused, 10.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Scott and Taylor.

Excused: Representatives Condotta, Crouse, Hargrove, Hope, Johnson, Liias, Morris, Overstreet, Rodne and Takko.

SUBSTITUTE HOUSE BILL NO. 1866, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and HOUSE BILL NO. 2068 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2068, by Representative Takko

Concerning the annexation of unincorporated territory within a code city. (REVISED FOR PASSED LEGISLATURE: Concerning annexation of unincorporated territory within a city or town.)

The bill was read the second time.

Representative Bergquist moved the adoption of amendment (574).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35A.14.295 and 2013 c 333 s 1 are each amended to read as follows:

(1) The legislative body of a code city may resolve to annex territory to the city if there is within the city, unincorporated territory:

(a) Containing less than one hundred seventy-five acres and having all of the boundaries of such area contiguous to the code city; or

(b) Of any size containing residential property owners and having at least eighty percent of the boundaries of such area contiguous to the city(~~(, and is)~~). Territory annexed under this subsection (1)(b) must be within the same county and within the same urban growth area designated under RCW 36.70A.110, and the city (~~(is planning)~~) must plan under chapter 36.70A RCW.

(2) The resolution shall describe the boundaries of the area to be annexed, state the number of voters residing therein as nearly as may be, and set a date for a public hearing on such resolution for annexation. Notice of the hearing shall be given by publication of the resolution at least once a week for two weeks prior to the date of the hearing, in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the area to be annexed.

(3) For purposes of subsection (1)(b) of this section, territory bounded by a river, lake, or other body of water is considered contiguous to a city that is also bounded by the same river, lake, or other body of water.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the

state government and its existing public institutions, and takes effect July 28, 2013."

Correct the title.

Representatives Bergquist and Kochmar spoke in favor of the adoption of the amendment.

Amendment (574) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Kagi spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2068.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2068, and the bill passed the House by the following vote: Yeas, 80; Nays, 7; Absent, 0; Excused, 10.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Moscoso, Nealey, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, DeBolt, Kretz, Orcutt, Scott, Shea and Taylor.

Excused: Representatives Condotta, Crouse, Hargrove, Hope, Johnson, Liias, Morris, Overstreet, Rodne and Takko.

ENGROSSED HOUSE BILL NO. 2068, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Liias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller).

Concerning transportation revenue.

The bill was read the third time.

Representatives Clibborn, Fitzgibbon and Liias spoke in favor of the passage of the bill.

Representatives Orcutt, Hargrove, Manweller and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1954.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1954, and the bill failed to pass the House by the following vote: Yeas, 48; Nays, 42; Absent, 0; Excused, 7.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, Liias, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Van De Wege, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Condotta, Crouse, Hope, Johnson, Overstreet, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954, having failed to receive the necessary constitutional majority, was declared failed.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Representative Liias gave notice of his intent to move for reconsideration of the vote by which Engrossed Substitute House Bill No. 1954 failed to pass the House.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 27, 2013, the 16th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

SIXTEENTH DAY

House Chamber, Olympia, Thursday, June 27, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Leanne Horn and Maxima Patashnik. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt, 20th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

June 26, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912
ENGROSSED SUBSTITUTE SENATE BILL NO. 5913

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2081 by Representative Carlyle

AN ACT Relating to tax preferences; and creating a new section.

Referred to Committee on Finance.

ESSB 5891 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to state technology expenditures; amending RCW 43.41A.025, 39.26.100, 43.41A.010, 43.88.092, and 42.56.420; adding a new section to chapter 43.41 RCW; adding a new section to chapter 43.41A RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

E2SSB 5912 by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Kline and Conway)

AN ACT Relating to driving under the influence of intoxicating liquor or drugs; amending RCW 2.28.175, 3.66.067, 3.66.068, 3.50.320, 3.50.330, 35.20.255, 9.94A.525, 43.43.395, 46.25.090, 46.25.110, 46.25.120, 46.68.340,

9.94A.501, 46.61.5249, 46.20.270, 46.61.5058, 46.20.720, 46.20.385, 10.05.140, and 4.24.545; reenacting and amending RCW 46.61.5055, 10.31.100, 46.20.308, and 9.94A.535; adding a new section to chapter 10.21 RCW; adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.43 RCW; creating new sections; prescribing penalties; making appropriations; providing an effective date; and providing expiration dates.

ESSB 5913 by Senate Committee on Ways & Means (originally sponsored by Senator Becker)

AN ACT Relating to a hospital safety net assessment and quality incentive program for increased hospital payments to improve health care access for the citizens of Washington; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.070, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.09.522, 74.60.140, 74.60.150, 74.60.900, and 74.60.901; adding a new section to chapter 74.60 RCW; adding a new section to chapter 74.09 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, HOUSE BILL NO. 2081 was held on first reading, and ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, and ENGROSSED SUBSTITUTE SENATE BILL NO. 5913 were read the first time, and under suspension of the rules, were placed on the second reading calendar.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the third reading calendar:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1971
HOUSE BILL NO. 2044

MOTION

Having voted on the prevailing side, Representative Liias moved to reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954 failed to pass the House.

Representatives Liias spoke in favor of the adoption of the motion.

Representatives Wilcox spoke against the adoption of the motion.

MOTIONS

On motion of Representative Van De Wege, Representative Takko was excused. On motion of Representative Harris, Representatives Crouse, Hope, Johnson and Rodne were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the motion to reconsider the vote by which Engrossed Substitute House Bill No. 1954 failed to pass the House.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which Engrossed Substitute House Bill No. 1954 failed to pass the House, and the motion was adopted by the following vote: Yeas, 51; Nays, 41; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, and Zeiger

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, and Wilcox

Excused: Representatives Crouse, Hope, Johnson, Rodne, and Takko

There being no objection, the House advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Liias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller).

Concerning transportation revenue.

Representatives Habib and Fey spoke in favor of the passage of the bill.

Representatives Orcutt and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1954, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1954 on reconsideration, and the bill passed the House by the following vote: Yeas, 51; Nays, 41; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins,

Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954 on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971 was returned to second reading for the purpose of amendment.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, by House Committee on Appropriations (originally sponsored by Representatives Carlyle and Nealey)

Concerning communications services reform.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (577).

On page 29, beginning on line 28, after "**Sec. 301.**" strike all of subsection (1) and insert the following:
 "(1) Except as provided otherwise in this section, part I of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect August 1, 2013."

Correct the title.

Representative Carlyle spoke in favor of the adoption of the amendment.

Representative Nealey spoke against the adoption of the amendment.

Amendment (577) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, Nealey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Second Substitute House Bill No. 1971.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1971, and the bill passed the House by the following vote: Yeas, 77; Nays, 15; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Condotta, Hargrove, Harris, Hawkins, Hayes, Kristiansen, Overstreet, Parker, Pike, Ross, Scott, Shea, Stonier and Taylor.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

Concerning state technology expenditures.

The bill was read the second time.

Representative Hudgins moved the adoption of amendment (578).

On page 5, line 13, after "officer" strike "sufficient"

On page 7, line 19, after "model" insert "of the executive branch"

On page 7, line 25, after "legislature by" strike "September" and insert "December"

On page 7, line 31, after "legislature by" strike "September" and insert "December"

On page 8, line 15, after "be" strike "consistent with" and insert "comparable to"

Representatives Hudgins and Parker spoke in favor of the adoption of the amendment.

Amendment (578) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hudgins and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hunt and Reykdal.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Kline and Conway)

Modifying provisions that address impaired driving. Revised for 2nd Substitute: Concerning driving under the influence of intoxicating liquor or drugs.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morrell, Klippert, Kochmar, Stonier, Holy and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5912.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5912, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller,

Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

June 20, 2013

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157
 SUBSTITUTE SENATE BILL NO. 5679
 SUBSTITUTE SENATE BILL NO. 5718
 SUBSTITUTE SENATE BILL NO. 5804
 SENATE BILL NO. 5904

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
 5157
 SUBSTITUTE SENATE BILL NO. 5679
 SUBSTITUTE SENATE BILL NO. 5718
 SUBSTITUTE SENATE BILL NO. 5804
 SENATE BILL NO. 5904

There being no objection, the House reverted to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Lias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller).

Concerning additive transportation funding.

The bill was read the third time.

Representatives Clibborn, Farrell and Riccelli spoke in favor of the passage of the bill.

Representatives Orcutt, DeBolt, Shea and Kochmar spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1955.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1955, and the bill passed the House by the following vote: Yeas, 52; Nays, 40; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 27, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306
 SUBSTITUTE HOUSE BILL NO. 1866

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 1450, by Representatives Hunt and Pollet

Regarding assessments in public schools.

The bill was read the second time.

Representative Hunt moved the adoption of amendment (573).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the superintendent of public instruction was authorized to align the state essential academic learning requirements for mathematics, reading, writing, and communication with the common set of standards for students in grades kindergarten through twelve, known as the common core state standards, which were initiated by the governors and chief school officers of forty-five states, including Washington. The legislature further finds that Washington has joined one of two multistate consortia using a federal grant to develop new English language arts and mathematics assessments in grades three through eight and grade eleven that are, among other factors, aligned with the common core state standards and intended to demonstrate a student's career and college readiness. The legislature further finds that the assessments are required to be ready for use by the 2014-15 school year.

The legislature intends to reduce the overall costs of the state assessment system by implementing the eleventh grade English language arts and mathematics assessments being developed by a multistate consortium in which Washington is participating, maximize use of the consortium assessments by developing a tenth grade high school English language arts assessment and modifying the algebra I and geometry end-of-course assessment to be used only during the transition to the consortium-developed assessments, and reduce to three the number of assessments that will be required for students to graduate beginning with the class of 2019.

The legislature further intends that the eleventh grade consortium-developed assessments have two different student performance standards: One for the purposes of high school graduation that will be established by the state board of education and one that is intended to demonstrate a student's career and college readiness.

Sec. 2. RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each amended to read as follows:

(1) The high school assessment system shall include but need not be limited to the statewide student assessment, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and, if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained ~~((by most students at about the age of sixteen,))~~ and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3)(a) Beginning with the graduating class of 2008 through the graduating class of 2015, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics ~~((content areas of the))~~ high school statewide student assessment shall earn a certificate of academic achievement. The mathematics assessment shall be the end-of-course assessment for the first year of high school mathematics that assesses the standards common to algebra I and integrated mathematics I or the end-of-course assessment for the second year of high school mathematics that assesses standards common to geometry and integrated mathematics II.

(b) As the state transitions from reading and writing assessments to an English language arts assessment and from end-of-course

assessments to a comprehensive assessment for high school mathematics, a student in a graduating class of 2016 through 2018 shall earn a certificate of academic achievement if the student meets the state standard as follows:

(i) Students in the graduating class of 2016 may use the results from:

(A) The reading and writing assessment or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(ii) Students in the graduating classes of 2017 and 2018 may use the results from:

(A) The tenth grade English language arts assessment developed by the superintendent of public instruction using resources from the multistate consortium or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(c) Beginning with the graduating class of 2019, a student who meets the state standards on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area ~~((up to four times))~~ at least twice a year at no cost to the student. If the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has taken the statewide student assessment at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.

(4) Beginning with the graduating class of 2015, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the statewide student assessment, a retake, or the objective alternative assessments in order to earn a certificate of academic achievement.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

(7) School districts must make available to students the following options:

(a) To retake the statewide student assessment ~~((up to four times))~~ at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or

(b) To retake the statewide student assessment ~~((up to four times))~~ at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

(9) Opportunities to retake the assessment at least twice a year shall be available to each school district.

(10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process for students' scores, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b)(i) A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to identify reliable equivalent scores for the science content area of the statewide student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or

English language arts portions of the statewide student assessment. A score of four on the higher level IB examinations for any of the IB mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.

~~(11) ((By December 15, 2004, the house of representatives and senate education committees shall obtain information and conclusions from recognized, independent, national assessment experts regarding the validity and reliability of the high school Washington assessment of student learning for making individual student high school graduation determinations.~~

~~—(12))~~ To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for and notify students and their parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the primary language of the family. The plan shall include the following information as applicable:

- (a) The student's results on the state assessment;
- (b) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;
- (c) Any credit deficiencies;
- (d) The student's attendance rates over the previous two years;
- (e) The student's progress toward meeting state and local graduation requirements;
- (f) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;
- (g) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;
- (h) The alternative assessment options available to students under this section and RCW 28A.655.065;
- (i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and
- (j) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

Sec. 3. RCW 28A.655.066 and 2011 c 25 s 2 are each amended to read as follows:

(1)(a) In consultation with the state board of education, the superintendent of public instruction shall develop statewide end-of-course assessments for high school mathematics that measure student achievement of the state mathematics standards. The superintendent shall take steps to ensure that the language of the assessments is responsive to a diverse student population. The assessments shall be implemented statewide in the 2010-11 school year.

(b) The superintendent shall develop end-of-course assessments for the first year of high school mathematics that include the standards common to algebra I and integrated mathematics I and for the second year of high school mathematics that include the standards common to geometry and integrated mathematics II. The assessments under this subsection (1)(b) shall be used to demonstrate that a student meets the state standard on the mathematics content area of the high

school (~~(Washington)~~) statewide student assessment (~~(of student learning)~~) for purposes of RCW 28A.655.061.

(c) The superintendent of public instruction shall also develop subtests for the end-of-course assessments that measure standards for the first two years of high school mathematics that are unique to algebra I, integrated mathematics I, geometry, and integrated mathematics II. The results of the subtests shall be reported at the student, teacher, school, and district level.

~~(2) ((For the graduating classes of 2013 and 2014 and for purposes of the certificate of academic achievement under RCW 28A.655.061, a student may use: (a) Results from the end-of-course assessment for the first year of high school mathematics or the results from the end-of-course assessment for the second year of high school mathematics; or (b) results from a high school mathematics retake assessment.~~

~~— (3) Beginning with the graduating class of 2015 and for purposes of the certificate of academic achievement under RCW 28A.655.061, the mathematics content area of the Washington assessment of student learning shall be assessed using the end-of-course assessment for the first year of high school mathematics plus the end-of-course assessment for the second year of high school mathematics, or results from a high school mathematics retake assessment for the end-of-course assessments in which the student did not meet the standard.~~

~~— (4)) All of the objective alternative assessments available to students under RCW 28A.655.061 and 28A.655.065 shall be available to any student who has taken ((the sequence of) an end-of-course assessment((s)) once but does not meet the state mathematics standard on ((the sequence of) an end-of-course assessment((s)).~~

~~((5)) (3) The superintendent of public instruction shall report at least annually or more often if necessary to keep the education committees of the legislature informed on each step of the development and implementation process under this section.~~

Sec. 4. RCW 28A.655.068 and 2011 1st sp.s. c 22 s 3 are each amended to read as follows:

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2)(a) The superintendent of public instruction may develop or adopt science end-of-course assessments ((#)) or a comprehensive science assessment that includes subjects in addition to biology for purposes of RCW 28A.655.061, when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public

instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment for purposes of RCW 28A.655.061.

Sec. 5. RCW 28A.655.070 and 2008 c 163 s 2 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the ~~((Washington))~~ statewide student assessment (~~(of student learning)~~) and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the ~~((Washington))~~ statewide student assessment (~~(of student learning)~~).

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW 28A.655.061 and for assessing student career and college readiness.

(iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

NEW SECTION. Sec. 6. By December 1, 2013, the superintendent of public instruction shall report to the education committees of the house of representatives and the senate on the process that was used by the superintendent, the multistate consortium in which Washington is participating, and by other states, to prevent bias in the state assessments and assure fairness to students who take the assessments.

Sec. 7. RCW 28A.305.130 and 2011 1st sp.s. c 6 s 1 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment and, for high school students, to obtain a certificate of academic achievement. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates. The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.

(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium- developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.

(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredited, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may

delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.320 RCW to read as follows:

(1) At the beginning of each school year, school districts must notify parents and guardians of enrolled students from eighth through twelfth grade about each student assessment required by the state, the minimum state-level graduation requirements, and any additional school district graduation requirements. The information may be provided when the student is enrolled, contained in the student or parent handbook, or posted on the school district's web site. The notification must include the following:

(a) When each assessment will be administered;

(b) Which assessments will be required for graduation and what options students have to meet graduation requirements if they do not pass a given assessment;

(c) Whether the results of the assessment will be used for program placement or grade-level advancement;

(d) When the assessment results will be released to parents or guardians and whether there will be an opportunity for parents and teachers to discuss strategic adjustments; and

(e) Whether the assessment is required by the school district, state, federal government, or more than one of these entities.

(2) The office of the superintendent of public instruction shall provide information to the school districts to enable the districts to provide the information to the parents and guardians in accordance with subsection (1) of this section.

Sec. 9. RCW 28A.655.185 and 2005 c 495 s 1 are each amended to read as follows:

(1) It is the intent of the legislature, through the creation of the apple award, to honor and reward students in Washington's public elementary schools who have shown significant improvement in their school's results on the ~~((Washington))~~ statewide student assessment ~~((of student learning))~~.

(2) The apple award program is created to honor and reward public elementary schools that have the greatest combined average increase in the percentage of students meeting the fourth grade reading, mathematics, and writing standards on the ~~((Washington))~~ statewide student assessment ~~((of student learning))~~ each school year. Beginning in the 2014-15 school year, the award shall be based on the percentage of students meeting the fourth grade English language arts and mathematics standards. The program shall be administered by the ~~((state board of education))~~ superintendent of public instruction.

(3) Within the amounts appropriated for this purpose, each school that receives an apple award shall be provided with a twenty-five thousand dollar grant to be used for capital construction purposes that have been selected by students in the school and approved by the district's school directors. The funds may be used exclusively for capital construction projects on school property or on other public property in the community, city, or county in which the school is located.

Sec. 10. RCW 28B.105.010 and 2007 c 214 s 1 are each amended to read as follows:

(1) The GET ready for math and science scholarship program is established. The purpose of the program is to provide scholarships to students who achieve level four on the mathematics or science portions of the ~~((tenth grade Washington))~~ high school statewide student assessment ~~((of student learning))~~ or achieve a score in the

math section of the SAT or the math section of the ACT that is above the ninety-fifth percentile, major in a mathematics, science, or related field in college, and commit to working in mathematics, science, or a related field for at least three years in Washington following completion of their bachelor's degree. The program shall be administered by the nonprofit organization selected as the private partner in the public-private partnership.

(2) The total annual amount of each GET ready for math and science scholarship may vary, but shall not exceed the annual cost of resident undergraduate tuition fees and mandatory fees at the University of Washington. An eligible recipient may receive a GET ready for math and science scholarship for up to one hundred quarter credits, or the semester equivalent, or for up to five y whichever comes first.

(3) Scholarships shall be awarded only to the extent that state funds and private matching funds are available for that purpose in the GET ready for math and science (~~(scholarship)~~) scholarship account established in RCW 28B.105.110.

Sec. 11. RCW 28B.105.030 and 2007 c 214 s 3 are each amended to read as follows:

(1) An eligible student is a student who:

(a) Is eligible for resident tuition and fee rates as defined in RCW 28B.15.012;

(b) Achieved level four on the mathematics or science portion of the (~~(tenth-grade Washington)~~) high school statewide student assessment (~~(of student learning)~~) or achieved a score in the math section of the SAT or the math section of the ACT that is above the ninety-fifth percentile;

(c) Has a family income at or below one hundred twenty-five percent of the state median family income at the time the student applies for a GET ready for math and science scholarship and for up to the two previous years;

(d) Has declared an intention to complete a qualified program or qualified major or has entered a qualified program or declared a qualified major at an institution of higher education;

(e) Has declared an intention to work in a mathematics, science, or related field in Washington for at least three years immediately following completion of a bachelor's degree or higher degree.

(2) An eligible recipient is an eligible student who:

(a) Has been awarded a scholarship in accordance with the selection criteria and process established by the (~~(board)~~) student achievement council and the program administrator;

(b) Enrolls at an institution of higher education within one year of graduating from high school;

(c) Maintains satisfactory academic progress, as defined by the institution of higher education where the student is enrolled;

(d) Takes at least one college-level mathematics or science course each term since enrolling in an institution of higher education; and

(e) Enters a qualified program or qualified major no later than the end of the first term in which the student has junior level standing.

Sec. 12. RCW 28B.105.060 and 2007 c 214 s 6 are each amended to read as follows:

The office of the superintendent of public instruction shall:

(1) Notify elementary, middle, junior high, high school, and school district staff and administrators, and the children's administration of the department of social and health services about the GET ready for math and science scholarship program using methods in place for communicating with schools and school districts; and

(2) Provide data showing the race, ethnicity, income, and other available demographic information of students who achieve level four (~~(of)~~) on the math and science (~~(Washington)~~) high school statewide student assessment (~~(of student learning in the tenth grade)~~); compare those data with comparable information on the (~~(tenth grade)~~) student population as a whole(~~(-)~~); and submit a report with the analysis to the

committees responsible for education and higher education in the legislature on December 1st of even-numbered years.

NEW SECTION. Sec. 13. RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics--Use for Washington assessment of student learning), as now existing or hereafter amended, and 2013 2nd sp. s. c . . . s 3 (section 3 of this act), 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3 are each repealed, effective September 1, 2019."

Correct the title.

Representatives Hunt and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (573) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stonier, Magendanz, Pollet, Orcutt, and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1450.

MOTIONS

On motion of Representative Harris, Representatives Alexander, DeBolt and Hargrove were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 81; Nays, 8; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Buys, Harris, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

ENGROSSED HOUSE BILL NO. 1450, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1450.

Representative Kristiansen, 39 District

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Schoesler, Hill and Fain)

Regulating provision of child care. Revised for 1st Substitute: Regulating provision of child care. (REVISED FOR ENGROSSED: Regulating child care subsidies.) (REVISED FOR SECOND ENGROSSED: Concerning child care subsidy fraud.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5157.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5157, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5679, by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon and Tom)

Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5679.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5679, and the bill passed the House by the following vote: Yeas, 87; Nays, 2; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Pollet and Reykdal.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5679, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5718, by Senate Committee on Trade & Economic Development (originally sponsored by Senators Brown, Chase, Smith, Braun, Carrell, Schlicher and Frockt)

Providing monitoring of the development of a one-stop portal for Washington businesses.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morris and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5718.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5718, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall,

Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5718, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5804, by Senate Committee on Ways & Means (originally sponsored by Senators Baumgartner and Hill)

Addressing federal receipts reporting requirements.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5804.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5804, and the bill passed the House by the following vote: Yeas, 86; Nays, 4; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Reykdal, Roberts and Upthegrove.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5804, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5904, by Senators Hill, Hargrove, Litzow and Billig

Concerning high quality early learning.

The bill was read the second time.

Representative Kagi moved the adoption of amendment (576).

On page 2, beginning on line 21, strike all of section 3 and insert the following:

"NEW SECTION. Sec. 3. (1) During the 2013-2015 biennium, the Washington state institute for public policy shall conduct a comprehensive retrospective outcome evaluation and return on investment analysis of the early childhood program established in RCW 43.215.400. To the extent possible based on data availability, the evaluation must:

(a) Assess both short-term and long-term outcomes for participants in the program, including educational and social outcomes;

(b) Examine the impact of variables including, but not limited to, program fiscal support, staff salaries, staff retention, education level of staff, full-day programming, half-day programming, and classroom size on short-term and long-term outcomes for program participants;

(c) Report findings from a review of the research evidence on components of successful early education program strategies;

(d) Examine characteristics of parents participating in the early childhood and education assistance program; and

(e) Examine family support services provided through early childhood programs.

(2) The institute shall submit a report to the appropriate committees of the legislature by December 15, 2014.

(3) This section expires on December 31, 2014."

On page 3, line 3, after "act," insert "43.215.143 (as recodified by this act)"

On page 4, line 1, after "43.215.141" strike "and 43.215.142" and insert ", 43.215.142, and 43.215.143"

Correct the title.

Representatives Kagi and Parker spoke in favor of the adoption of the amendment.

Amendment (576) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Kagi and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5904, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5904, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 10; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Holy, Klippert, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SENATE BILL NO. 5904, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892, by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Kline)

Reducing corrections costs.

The bill was read the second time.

Representative Hunter moved the adoption of the striking amendment (537).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.94A.517 and 2002 c 290 s 8 are each amended to read as follows:

(1)

TABLE 3

DRUG OFFENSE SENTENCING GRID

Seriousness Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9 or more
III	51 to 68 months	68+ to 100 months	100+ to 120 months
II	12+ to 20 months	20+ to 60 months	60+ to 120 months
I	0 to 6 months	6+ to (18) 12 months	12+ to 24 months

References to months represent the standard sentence ranges. 12+ equals one year and one day.

(2) The court may utilize any other sanctions or alternatives as authorized by law, including but not limited to the special drug offender sentencing alternative under RCW 9.94A.660 or drug court under RCW 2.28.170.

(3) Nothing in this section creates an entitlement for a criminal defendant to any specific sanction, alternative, sentence option, or substance abuse treatment.

Sec. 2. RCW 9.94A.729 and 2011 1st sp.s. c 40 s 4 are each amended to read as follows:

(1)(a) The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction. The correctional agency shall not credit the offender with earned release credits in advance of the offender actually earning the credits.

(b) Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the ~~(amount)~~ number of days of ~~(time)~~ earned early release ~~(time)~~ credits lost or not

earned. The department may approve a jail certification from a correctional agency that calculates ~~(earned)~~ early release time based on the actual amount of confinement time served by the offender before sentencing when an erroneous calculation of confinement time served by the offender before sentencing appears on the judgment and sentence. The department must adjust an offender's rate of early release listed on the jail certification to be consistent with the rate applicable to offenders in the department's facilities. However, the department is not authorized to adjust the number of presentence early release days that the jail has certified as lost or not earned.

(2) An offender who has been convicted of a felony committed after July 23, 1995, that involves any applicable deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both, shall not receive any good time credits or earned release time for that portion of his or her sentence that results from any deadly weapon enhancements.

(3) An offender may earn early release time as follows:

(a) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence.

(b) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

(c) An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:

(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;

(ii) Is not confined pursuant to a sentence for:

(A) A sex offense;

(B) A violent offense;

(C) A crime against persons as defined in RCW 9.94A.411;

(D) A felony that is domestic violence as defined in RCW 10.99.020;

(E) A violation of RCW 9A.52.025 (residential burglary);

(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or

(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(iii) Has no prior conviction for the offenses listed in (c)(ii) of this subsection;

(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and

(v) Has not committed a new felony after July 22, 2007, while under community custody.

(d) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

(4) The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(c) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(c) of this section does not apply to offenders convicted after July 1, 2010.

(5)(a) A person who is eligible for earned early release as provided in this section and who will be supervised by the department pursuant to RCW 9.94A.501 or 9.94A.5011, shall be transferred to community custody in lieu of earned release time;

(b) The department shall, as a part of its program for release to the community in lieu of earned release, require the offender to propose a release plan that includes an approved residence and living arrangement. All offenders with community custody terms eligible

for release to community custody in lieu of earned release shall provide an approved residence and living arrangement prior to release to the community;

(c) The department may deny transfer to community custody in lieu of earned release time if the department determines an offender's release plan, including proposed residence location and living arrangements, may violate the conditions of the sentence or conditions of supervision, place the offender at risk to violate the conditions of the sentence, place the offender at risk to reoffend, or present a risk to victim safety or community safety. The department's authority under this section is independent of any court-ordered condition of sentence or statutory provision regarding conditions for community custody;

(d) If the department is unable to approve the offender's release plan, the department may do one or more of the following:

(i) Transfer an offender to partial confinement in lieu of earned early release for a period not to exceed three months. The three months in partial confinement is in addition to that portion of the offender's term of confinement that may be served in partial confinement as provided in RCW 9.94A.728(5);

(ii) Provide rental vouchers to the offender for a period not to exceed three months if rental assistance will result in an approved release plan. The voucher must be provided in conjunction with additional transition support programming or services that offender to participate in services including, but not li substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming;

(e) For each offender who is the recipient of a rental voucher, the department shall include, concurrent with the data that the department otherwise obtains and records, the housing status of the offender for the duration of the offender's supervision.

(6) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

Sec. 3. RCW 9.92.151 and 2009 c 28 s 3 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the sentence of a prisoner confined in a county jail facility for a felony, gross misdemeanor, or misdemeanor conviction may be reduced by earned release credits in accordance with procedures that shall be developed and promulgated by the correctional agency having jurisdiction. The earned early release time shall be for good behavior and good performance as determined by the correctional agency having jurisdiction. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

(2) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

(3) If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the number of days of early release credits lost or not earned.

NEW SECTION. Sec. 4. Pursuant to RCW 9.94A.729, the department shall recalculate the earned release date for any offender currently serving a term in a facility or institution either operated by the state or utilized under contract. The earned release date shall be recalculated whether the offender is currently incarcerated or is sentenced after the effective date of this section, and regardless of the

offender's date of offense. For offenders whose offense was committed prior to the effective date of this section, the recalculation shall not extend a term of incarceration beyond that to which an offender is currently subject.

NEW SECTION. Sec. 5. The legislature declares that section 4 of this act does not create any liberty interest. The department is authorized to take the time reasonably necessary to complete the recalculations of section 4 of this act after the effective date of this section.

NEW SECTION. Sec. 6. Section 1 of this act applies to sentences imposed on or after July 1, 2013, regardless of the date of offense.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."

Correct the title.

Representative Alexander moved the adoption of amendment (570) to the striking amendment (537).

On page 5, after line 31 of the amendment, insert the following:

"NEW SECTION. Sec. 5. (1)(a) The department must, in consultation with the caseload forecast council, compile the following information in summary form for the two years prior to and after the effective date of this section: For offenders sentenced under RCW 9.94A.517 for a seriousness level I offense where the offender score is three to five: (A) The total number of sentences and the average length of sentence imposed, sorted by sentences served in state versus local correctional facilities; (B) the number of current and prior felony convictions for each offender; (C) the estimated cost or cost savings, total and per offender, to the state and local governments from the change to the maximum sentence pursuant to RCW 9.94A.517(1); and (D) the number of offenders who were sentenced to community custody, the number of violations committed on community custody, and any sanctions imposed for such violations.

(b) The department must submit a report with its findings to the office of financial management and the appropriate fiscal and policy committees of the house of representatives and the senate by January 1, 2015, and January 1, 2018.

(2) For purposes of this section, "department" means the department of corrections."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 6, after line 10 of the amendment, insert the following:

"NEW SECTION. Sec. 10. Sections 1 and 5 of this act expire July 1, 2018."

Representatives Alexander and Hunter spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (570) to amendment (537) was adopted.

With the consent of the house, amendments 544 and 546 to the striking amendment (537) were withdrawn.

Amendment (537) was adopted as amended.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5892, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5892, as amended by the House, and the bill passed the House by the following vote: Yeas, 55; Nays, 36; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Bergquist, Carlyle, Chandler, Clibborn, Cody, Farrell, Fitzgibbon, Goodman, Habib, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Appleton, Blake, Buys, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Freeman, Green, Haigh, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, MacEwen, Morrell, Orcutt, Overstreet, Parker, Pike, Schmick, Scott, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick and Zeiger.

Excused: Representatives Crouse, Hargrove, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2043, by Representatives Hunter and Sullivan

Temporarily suspending inflationary increases in educational employee compensation.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Reykdal, Appleton and Dahlquist spoke in favor of the passage of the bill.

Representatives Liias and Manweller spoke against the passage of the bill.

POINT OF PARLIAMENTARY INQUIRY

Representative Stonier: "Apart from my duties as a legislator, I am a certificated educational instructor employed by the Evergreen School District. House Bill 2043 affects compensation for educational staff, including certificated K-12 instructors. Do I

have a private interest in the proposed legislation which requires my recusal from voting?"

SPEAKER'S RULING

Mr. Speaker: "Thank you Representative Stonier for bringing this question to the body. House Rule 19 (D), which is based on article 2, section 30 of our state constitution, states that "no member shall vote on any question which affects that member privately or particularly." The Washington Legislature is, by constitutional design, a citizen legislature.

The design is based on the premise that the people of our state are best represented by legislators who are currently engaged in outside employment and activities, and can bring real-world experience and expertise to bear on the issues before this body.

The question as to whether outside employment and activities require recusal from voting turns on whether a legislator is affected privately or particularly, or as a member of a class.

House Bill 2043 temporarily suspends the state's obligation to provide cost of living increases to K-12 and higher education staff as required by Initiative 732. According to the Office of Superintendent of Public Instruction, there are more than 60,000 certified K-12 instructional staff in Washington. Representative Stonier, given the size of the class of persons affected, the Speaker finds that the interest you have is neither private nor particular, and does not warrant your recusal under House Rules of the State Constitution."

POINT OF PARLIAMENTARY INQUIRY

Representative Bergquist "Apart from my duties as a legislator, I am a certificated teacher employed by the Renton School District. House Bill 2043 affects compensation for educational staff, including certificated K-12 instructors. Do I have a private interest in the proposed legislation which requires my recusal from voting?"

SPEAKER'S RULING

Mr. Speaker: "Thank you Representative Bergquist for bringing this question to the body. The Speaker finds that the interest you have is neither private nor particular, and does not warrant your recusal under House Rules or the State Constitution, for the same reasons as expressed in response to the question posed by Representative Stonier."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2043.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2043, and the bill passed the House by the following vote: Yeas, 54; Nays, 36; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Appleton, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hawkins, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Sawyer, Seaquist, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Bergquist, Buys, Condotta, DeBolt, Fagan, Freeman, Habib, Haler, Harris, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, Liias, MacEwen, Manweller, Overstreet, Parker, Ryu, Santos, Schmick, Scott, Sells, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Dahlquist, Hargrove, Hope, Johnson, Rodne and Takko.

HOUSE BILL NO. 2043, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2043.
Representative Morrell, 25 District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2043.
Representative Orwall, 33 District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2043.
Representative Goodman, 45 District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2043.
Representative Appleton, 23 District

The Speaker (Representative Moeller presiding) called upon Representative Chopp to preside.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

MESSAGE FROM THE SENATE

June 13, 2013

MR. SPEAKER:

The Senate has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5946
and the same is herewith transmitted.
Hunter G. Goodman, Secretary

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., June 28, 2013, the 17th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

SEVENTEENTH DAY

House Chamber, Olympia, Friday, June 28, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Joe DePinto and Andy Aboen. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Cindy Ryu, 32nd District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1089 and the bill was placed on the third reading calendar.

There being no objection, the House reverted to the seventh order of business.

MESSAGE FROM THE SENATE

6/27/2013

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2068 with the following amendment:

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2068 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representative Fitzgibbon spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2068, as amended by the Senate.

MOTIONS

On motion of Representative Van De Wege, Representatives Hurst, Liias, Stanford and Takko were excused. On motion of Representative Harris, Representatives Crouse, Hope, Johnson and Rodne were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2068, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; Nays, 15; Absent, 0; Excused, 8.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Kagi, Kirby, Klippert, Kochmar, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Schmick, Scott, Seaquist, Sells, Smith, Springer, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, DeBolt, Fey, Jinkins, Kretz, Kristiansen, MacEwen, Orcutt, Overstreet, Pike, Sawyer, Shea, Short and Taylor.

Excused: Representatives Crouse, Hope, Hurst, Johnson, Liias, Rodne, Stanford and Takko.

ENGROSSED HOUSE BILL NO. 2068, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2044, by Representatives Hunter and Sullivan.

Delaying the implementation of the family leave insurance program until funding and payment of benefits are authorized in law.

The bill was read the third time.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2044.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2044, and the bill passed the House by the following vote: Yeas, 70; Nays, 19; Absent, 0; Excused, 8.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Lytton, Magendanz, Manweller, Maxwell, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Ross, Ryu, Santos, Schmick, Scott, Seaquist, Sells, Short, Smith, Springer, Sullivan,

Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, DeBolt, Farrell, Goodman, Harris, Hudgins, Kristiansen, MacEwen, McCoy, Morrell, Overstreet, Pike, Reykdal, Sawyer, Shea, Stonier, Tarleton, Taylor and Tharinger.

Excused: Representatives Crouse, Hope, Hurst, Johnson, Liias, Rodne, Stanford and Takko.

HOUSE BILL NO. 2044, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2051, by Representatives Lytton, Hunter, Sullivan, Maxwell and Pollet

Implementing basic education expenditures.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2051 was substituted for House Bill No. 2051 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2051 was read the second time.

Representative Hunter moved the adoption of amendment (580).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature intends to fund a plan to carry out the reforms enacted in chapter 548, Laws of 2009, and chapter 236, Laws of 2010, and to make the statutory changes necessary to support this plan.

Sec. 2. RCW 28A.150.220 and 2013 c 323 s 2 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased to at least one thousand eighty instructional hours for students enrolled in each of grades seven through twelve and at least one thousand instructional hours for students in each of grades one through six according to an implementation schedule adopted by the legislature, but not before the 2014-15 school year; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, subject to a phased-in implementation of the twenty-four credits as established by the legislature. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315. However, schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory. In addition, effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

Sec. 3. RCW 28A.180.030 and 2001 1st sp.s. c 6 s 3 are each amended to read as follows:

As used throughout this chapter, unless the context clearly indicates otherwise:

(1) "Transitional bilingual instruction" means:

(a) A system of instruction which uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable the pupil to achieve competency in English. Concepts and information are introduced in the primary language and reinforced in the second language: PROVIDED, That the program shall include testing in the subject matter in English; or

(b) In those cases in which the use of two languages is not practicable as established by the superintendent of public instruction and unless otherwise prohibited by law, an alternative system of instruction which may include English as a second language and is designed to enable the pupil to achieve competency in English.

(2) "Primary language" means the language most often used by the student for communication in his/her home.

(3) "Eligible pupil" means any enrollee of the school district whose primary language is other than English and whose English language skills are sufficiently deficient or absent to impair learning.

(4) "Exited pupil" means a student previously enrolled in the transitional bilingual instruction program who is no longer eligible for the program based on his or her performance on an English proficiency assessment approved by the superintendent of public instruction.

Sec. 4. RCW 28A.180.040 and 2009 c 380 s 5 are each amended to read as follows:

(1) Every school district board of directors shall:

(a) Make available to each eligible pupil transitional bilingual instruction to achieve competency in English, in accord with rules of the superintendent of public instruction;

(b) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program;

(c) Determine, by administration of an English test approved by the superintendent of public instruction the number of eligible pupils enrolled in the school district at the beginning of a school year and thereafter during the year as necessary in individual cases;

(d) Ensure that a student who is a child of a military family in transition and who has been assessed as in need of, or enrolled in, a bilingual instruction program, the receiving school shall initially honor placement of the student into a like program.

(i) The receiving school shall determine whether the district's program is a like program when compared to the sending school's program; and

(ii) The receiving school may conduct subsequent assessments pursuant to RCW 28A.180.090 to determine appropriate placement and continued enrollment in the program;

(e) Before the conclusion of each school year, measure each eligible pupil's improvement in learning the English language by means of a test approved by the superintendent of public instruction; ~~((and))~~

(f) Provide in-service training for teachers, counselors, and other staff, who are involved in the district's transitional bilingual program. Such training shall include appropriate instructional strategies for children of culturally different backgrounds, use of curriculum materials, and program models; and

(g) Make available a program of instructional support for up to two years immediately after pupils exit from the program, for exited pupils who need assistance in reaching grade-level performance in academic subjects even though they have achieved English proficiency for purposes of the transitional bilingual instructional program.

(2) The definitions in Article II of RCW 28A.705.010 apply to subsection (1)(d) of this section.

Sec. 5. RCW 43.135.045 and 2012 2nd sp.s. c 5 s 1 and 2012 1st sp.s. c 10 s 5 are each reenacted and amended to read as follows:

The education construction fund is hereby created in the state treasury.

(1) Funds may be appropriated from the education construction fund exclusively for common school construction or higher education construction. ~~((During the 2007-2009 fiscal biennium, funds may also be used for higher education facilities preservation and maintenance. During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the education construction fund to the state general fund such amounts as reflect the excess fund balance of the fund.))~~

(2) Funds may be appropriated for any other purpose only if approved by a two-thirds vote of each house of the legislature and if approved by a vote of the people at the next general election. An appropriation approved by the people under this subsection must result in an adjustment to the state expenditure limit only for the fiscal period for which the appropriation is made and does not affect any subsequent fiscal period.

~~((3) After July 1, 2010, the state treasurer must transfer one hundred two million dollars from the general fund to the education construction fund by June 30th of each year. However, the transfers may not take place in the fiscal biennium ending June 30, 2015.))~~

Sec. 6. RCW 82.45.060 and 2011 1st sp.s. c 50 s 975 and 2011 1st sp.s. c 48 s 7035 are each reenacted and amended to read as follows:

There is imposed an excise tax upon each sale of real property at the rate of one and twenty-eight one-hundredths percent of the selling price. Beginning July 1, 2013, and ending June 30, 2019, an amount equal to two percent of the proceeds of this tax must be deposited in the public works assistance account created in RCW 43.155.050, and an amount equal to four and one-tenth percent must be deposited in the education legacy trust account created in RCW 83.100.230. Thereafter, an amount equal to six and one-tenth percent of the proceeds of this tax to the state treasurer must be deposited in the public works assistance account created in RCW 43.155.050(= PROVIDED, That during the fiscal year 2011, six and one-tenth percent of the proceeds of this tax must be deposited in the general fund for general purpose expenditures)). Except as otherwise provided in this section, an amount equal to one and six-tenths percent of the proceeds of this tax to the state treasurer must be deposited in the city-county assistance account created in RCW 43.08.290. ~~((During the 2011-2013 fiscal biennium, 1.546 percent of the proceeds of this tax to the state treasurer must be deposited in the city-county assistance account.))~~

Sec. 7. RCW 82.16.020 and 2011 1st sp.s. c 48 s 7033 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Express, sewerage collection, and telegraph businesses: Three and six-tenths percent;

(b) Light and power business: Three and sixty-two one-hundredths percent;

(c) Gas distribution business: Three and six-tenths percent;

(d) Urban transportation business: Six-tenths of one percent;

(e) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(f) Motor transportation, railroad, railroad car, and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(g) Water distribution business: Four and seven-tenths percent.

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses and sixty percent of the moneys collected under subsection (1) of this section on sewerage

collection businesses shall be deposited in the education legacy trust account created in RCW 83.100.230 from July 1, 2013, through June 30, 2019, and thereafter in the public works assistance account created in RCW 43.155.050(~~(c) PROVIDED, That during the fiscal year 2011, twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses must be deposited in the general fund for general purpose expenditures~~)).

Sec. 8. RCW 82.18.040 and 2012 2nd sp.s. c 5 s 2 are each amended to read as follows:

(1) Taxes collected under this chapter must be held in trust until paid to the state. Except as otherwise provided in this subsection (1), taxes received by the state must be deposited in the public works assistance account created in RCW 43.155.050. For the period beginning July 1, 2011, and ending June 30, 2015, taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures. For fiscal years 2016, 2017, and 2018, one-half of the taxes received by the state under this chapter must be deposited in the general fund for general purpose expenditures and the remainder deposited in the ~~((public works assistance account))~~ education legacy trust account created in RCW 83.100.230. For fiscal year 2019, taxes received by the state under this chapter must be deposited in the education legacy trust account created in RCW 83.100.230. Any person collecting the tax who appropriates or converts the tax collected is guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. If a taxpayer fails to pay the tax imposed by this chapter to the person charged with collection of the tax and the person charged with collection fails to pay the tax to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the tax.

(2) The tax is due from the taxpayer within twenty-five days from the date the taxpayer is billed by the person collecting the tax.

(3) The tax is due from the person collecting the tax at the end of the tax period in which the tax is received from the taxpayer. If the taxpayer remits only a portion of the total amount billed for taxes, consideration, and related charges, the amount remitted must be applied first to payment of the solid waste collection tax and this tax has priority over all other claims to the amount remitted.

NEW SECTION. Sec. 9. (1) Sections 2 through 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2013.

(2) Section 7 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2013.

(3) Sections 5, 6, and 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

Correct the title.

Representatives Hunter and Dahlquist spoke in favor of the adoption of the amendment.

Amendment (580) was adopted.

With the consent of the house, amendment 506 was withdrawn.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Dahlquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2051.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2051, and the bill passed the House by the following vote: Yeas, 55; Nays, 34; Absent, 0; Excused, 8.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kristiansen, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stonier, Sullivan, Tarleton, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Buys, Chandler, Condotta, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Klippert, Kochmar, Kretz, MacEwen, Manweller, Nealey, Orcutt, Ormsby, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Tharinger, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Hope, Hurst, Johnson, Lias, Rodne, Stanford and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2051, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5913, by Senate Committee on Ways & Means (originally sponsored by Senator Becker)

Concerning a hospital safety net assessment and quality incentive program for increased hospital payments.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Jinkins and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5913.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5913, and the bill passed the House by the following vote: Yeas, 70; Nays, 22; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Fagan,

Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Dahlquist, DeBolt, Hargrove, Harris, Hawkins, Hayes, Holy, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Smith, Taylor, Vick and Zeiger.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5913, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5946, by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier and Frockt)

Strengthening student educational outcomes.

The bill was read the second time.

Representative Sullivan moved the adoption of amendment (581).

Strike everything after the enacting clause and insert the following:

"PART I

LEARNING TO READ, READING TO LEARN

NEW SECTION. Sec. 101. A new section is added to chapter 28A.300 RCW to read as follows:

In support of reading and early literacy, the office of the superintendent of public instruction is responsible for:

(1) Continuing to work collaboratively with state and regional partners such as the department of early learning and the educational service districts to establish early literacy benchmarks and standards and to implement the Washington state comprehensive literacy plan;

(2) Disseminating research and information to school districts about evidence-based programs and practices in reading readiness skills, early literacy, and reading instruction;

(3) Providing statewide models to support school districts that are implementing response to intervention initiatives, positive behavior intervention support systems, or other similar comprehensive models of data-based identification and early intervention; and

(4) Within available funds and in partnership with the educational service districts, providing technical assistance and professional development opportunities for school districts.

NEW SECTION. Sec. 102. A new section is added to chapter 28A.320 RCW to read as follows:

School districts are responsible for providing a comprehensive system of instruction and services in reading and early literacy to kindergarten through fourth grade students that is based on the degree

of student need for additional support. Reading and early literacy systems provided by school districts must include:

(1) Annual use of screening assessments and other tools to identify at-risk readers in kindergarten through fourth grade, such as the Washington kindergarten inventory of developing skills, the Washington state early learning and development guidelines for birth through third grade, the second grade reading assessment under RCW 28A.300.310, and locally used assessments and other tools; and

(2) Research-based family involvement and engagement strategies, including strategies to help families and guardians assist in improving students' reading and early literacy skills at home.

NEW SECTION. Sec. 103. A new section is added to chapter 28A.415 RCW to read as follows:

(1) High-quality professional development is essential for educators to keep abreast of the important advances in research that are occurring regarding instructional strategies and curriculum. Professional development in early literacy is especially important to support the instruction of young readers since reading proficiency is a crucial element for student academic success.

(2) Subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction shall create partnerships with the educational service districts and public or private institutions of higher education with approved educator preparation programs to develop and deliver research-based professional development learning opportunities in reading instruction and early literacy for teachers of kindergarten through fourth grade students.

NEW SECTION. Sec. 104. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Each school district shall require that report cards for students in kindergarten through fourth grade include information regarding how the student is progressing on acquiring reading skills and whether the student is at grade level in reading.

(2) If a student is not reading at or above grade level, the teacher, with the support of other school personnel as appropriate, must explain to the parent or guardian which interventions and strategies will be used to help improve the student's reading skills and must provide strategies for parents or guardians to assist with improving the student's reading skills at home.

(3) Each school shall report to the school district the number of students in grades kindergarten through four who are reading below grade level and the interventions that are being provided to improve the reading skills of the students, with the information disaggregated by subgroups of students. The school district shall aggregate the reports from the schools and provide the reports to the office of the superintendent of public instruction. The office of the superintendent of public instruction shall submit a statewide report annually to the education committees of the legislature and the educational opportunity gap oversight and accountability committee.

NEW SECTION. Sec. 105. A new section is added to chapter 28A.655 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section and section 106 of this act unless the context clearly requires otherwise.

(a) "Basic" means a score on the statewide student assessment at a level two in a four-level scoring system.

(b) "Below basic" means a score on the statewide student assessment at a level one in a four-level scoring system.

(c) "Not meet the state standard" means a score on the statewide student assessment at either a level one or a level two in a four-level scoring system.

(2) Beginning in the 2014-15 school year, for any student who receives a score of below basic on the third grade statewide student assessment in English language arts, a meeting must be scheduled before the end of the school year between the student's parent or guardian, teacher, and the principal of the school the student attends

or the principal's designee to discuss appropriate grade placement and recommended intensive strategies to improve the student's reading skills. For students to be placed in fourth grade, the strategies discussed must include an intensive improvement strategy provided, supported, or contracted by the school district that includes a summer program or other option identified by the parents, teacher, principal, or principal's designee as appropriately meeting the student's need to prepare for fourth grade. The parents or guardians must be fully informed about the strategies and the parent's or guardian's consent must be obtained regarding the appropriate grade placement and the intensive improvement strategy to be implemented. The school district must implement the strategy selected in consultation with the student's parents or guardians.

(3) If a student does not have a score in English language arts on the third grade statewide student assessment but the district determines, using district or classroom-based diagnostic assessments or another standardized assessment, that the student's performance is equivalent to below basic in English language arts, the policy in subsection (2) of this section applies.

(4) Students participating in the transitional bilingual instruction program are exempt from the policy in subsection (2) of this section, unless the student has participated in the transitional bilingual instruction program for three school years and receives a score of below basic on the third grade statewide student assessment in English language arts.

(5) Students with disabilities whose individualized education program includes specially designed instruction in reading or English language arts are exempt from subsections (2), (3), and (4) of this section. Communication and consultation with parents or guardians of such students shall occur through the individualized education program process required under chapter 28A.155 RCW and associated administrative rules.

NEW SECTION. Sec. 106. A new section is added to chapter 28A.655 RCW to read as follows:

(1)(a) Beginning in the 2015-16 school year, except as otherwise provided in this subsection (1), for any student who received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section.

(b) Reading and literacy improvement strategies for students with disabilities whose individualized education program includes specially designed instruction in reading or English language arts shall be as provided in the individualized education program.

(2)(a) Also beginning in the 2015-16 school year, in any school where more than forty percent of the tested students received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, as calculated under this subsection (2), the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section for all students in grades kindergarten through four at the school.

(b) For the purposes of this subsection (2), the office of the superintendent of public instruction shall exclude the following from the calculation of a school's percentage of tested students receiving a score of basic or below basic on the third grade statewide student assessment:

(i) Students enrolled in the transitional bilingual instruction program unless the student has participated in the transitional bilingual instruction program for three school years;

(ii) Students with disabilities whose individualized education program specifies a different standard to measure reading

performance than is required for the statewide student assessment; and

(iii) Schools with fewer than ten students in third grade.

(3) The office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop a state menu of best practices and strategies for intensive reading and literacy improvement designed to assist struggling students in reaching grade level in reading by the end of fourth grade. The state menu must also include best practices and strategies to improve the reading and literacy of students who are English language learners and for system improvements that schools and school districts can implement to improve reading instruction for all students. The office of the superintendent of public instruction shall publish the state menu by July 1, 2014, and update the state menu by each July 1st thereafter.

(4) School districts may use an alternative practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction must approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate an increase in improved outcomes for participating students.

PART II

REQUIRING THE LEARNING ASSISTANCE PROGRAM TO BE EVIDENCE-BASED

Sec. 201. RCW 28A.165.005 and 2009 c 548 s 701 are each amended to read as follows:

~~(1)~~ This chapter is designed to: ~~((+))~~ (a) Promote the use of ((assessment)) data when developing programs to assist underachieving students and reduce disruptive behaviors in the classroom; and ((2)) (b) guide school districts in providing the most effective and efficient practices when implementing supplemental instruction and services to assist underachieving students and reduce disruptive behaviors in the classroom.

(2) School districts implementing a learning assistance program shall focus first on addressing the needs of students in grades kindergarten through four who are deficient in reading or reading readiness skills to improve reading literacy.

Sec. 202. RCW 28A.165.015 and 2009 c 548 s 702 are each amended to read as follows:

Unless the context clearly indicates otherwise the definitions in this section apply throughout this chapter.

~~(1) ("Approved program" means a program submitted to and approved by the office of the superintendent of public instruction and conducted pursuant to the plan that addresses the required elements as provided for in this chapter.~~

~~((2))~~ "Basic skills areas" means reading, writing, and mathematics as well as readiness associated with these skills.

~~((3))~~ (2) "Participating student" means a student in kindergarten through grade twelve who scores below standard for his or her grade level using multiple measures of performance, including on the statewide student assessments or other assessments and performance measurement tools administered by the school or district and who is identified ((#)) by the ((approved plan)) district to receive services.

~~((4))~~ (3) "Statewide student assessments" means one or more of the ~~((several basic skills assessments administered as part of the state's student assessment system, and assessments in the basic skills areas))~~ assessments administered by ~~((each))~~ school districts as required under RCW 28A.655.070.

~~((5))~~ (4) "Underachieving students" means students with the greatest academic deficits in basic skills as identified by ~~((the))~~ statewide, school, or district assessments or other performance measurement tools.

Sec. 203. RCW 28A.165.035 and 2008 c 321 s 4 are each amended to read as follows:

(1) Beginning in the 2015-16 school year, expenditure of funds from the learning assistance program must be consistent with the provisions of section 106 of this act.

(2) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or section 106 of this act, the following are services and activities that may be supported by the learning assistance program:

~~((4))~~ (a) Extended learning time opportunities occurring:

~~((a))~~ (i) Before or after the regular school day;

~~((b))~~ (ii) On Saturday; and

~~((c))~~ (iii) Beyond the regular school year;

~~((2))~~ (b) Services under RCW 28A.320.190;

~~((3))~~ (c) Professional development for certificated and classified staff that focuses on:

~~((a))~~ (i) The needs of a diverse student population;

~~((b))~~ (ii) Specific literacy and mathematics content and instructional strategies; and

~~((c))~~ (iii) The use of student work to guide effective instruction and appropriate assistance;

~~((4))~~ (d) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

~~((5))~~ (e) Tutoring support for participating students; ~~((and~~

~~((6))~~ (f) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

(g) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The office of the superintendent of public instruction must approve any community-based organization or local agency before learning assistance funds may be expended.

(3) In addition to the state menu developed under section 106 of this act, the office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics and reduce disruptive behaviors in the classroom. The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

(4)(a) Beginning in the 2016-17 school year, except as provided in (b) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection (3) of this section or section 106 of this act.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the

district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) Beginning in the 2016-17 school year, school districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and section 106 of this act.

(5) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and section 106 of this act before the use is required.

NEW SECTION. Sec. 204. A new section is added to chapter 28A.165 RCW to read as follows:

(1) Beginning with the 2014-15 school year, school districts shall record in the statewide individual student data system annual entrance and exit performance data for each student participating in the learning assistance program according to specifications established by the office of the superintendent of public instruction.

(2) By August 1, 2014, and each August 1st thereafter, school districts shall report to the office of the superintendent of public instruction, using a common format prepared by the office:

(a) The amount of academic growth gained by students participating in the learning assistance program;

(b) The number of students who gain at least one year of academic growth; and

(c) The specific practices, activities, and programs used by each school building that received learning assistance program funding.

(3) The office of the superintendent of public instruction shall compile the school district data and report annual and longitudinal gains for the specific practices, activities, and programs used by the school districts to show which are the most effective. The data must be disaggregated by student subgroups.

Sec. 205. RCW 28A.165.055 and 2009 c 548 s 703 are each amended to read as follows:

~~((Each school district with an approved program is eligible for state funds provided for the learning assistance program.))~~ The funds for the learning assistance program shall be appropriated ~~((for the learning assistance program))~~ in accordance with RCW 28A.150.260 and the omnibus appropriations act. The distribution formula is for school district allocation purposes only, but funds appropriated for the learning assistance program must be expended for the purposes of RCW 28A.165.005 through 28A.165.065 and section 106 of this act.

Sec. 206. RCW 28A.165.065 and 2004 c 20 s 7 are each amended to read as follows:

To ensure that school districts are meeting the requirements of ~~((an approved program))~~ this chapter, the superintendent of public instruction shall monitor ~~((such))~~ learning assistance programs no less than once every four years. ~~((Individual student records shall be maintained at the school district.))~~ The primary purpose of program monitoring is to evaluate the effectiveness of a district's allocation and expenditure of resources and monitor school district fidelity in implementing best practices. The office of the superintendent of public instruction may provide technical assistance to school districts to improve the effectiveness of a learning assistance program.

PART III

STUDENT DISCIPLINE

NEW SECTION. Sec. 301. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The office of the superintendent of public instruction shall convene a discipline task force to develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district. The task force must also develop data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school. The data collection standards must include data about education services provided while a student is subject to a disciplinary action, the status of petitions for readmission to the school district when a student has been excluded from school, credit retrieval during a period of exclusion, and school dropout as a result of disciplinary action.

(2) The discipline task force shall include representatives from the K-12 data governance group, the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of Indian affairs, the office of the education ombudsman, school districts, and other education and advocacy organizations.

(3) The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force, and begin collecting data based on the revised standards in the 2015-16 school year.

Sec. 302. RCW 28A.600.015 and 2006 c 263 s 701 are each amended to read as follows:

(1) The superintendent of public instruction shall adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural due process guarantees of pupils in the common schools. Such rules shall authorize a school district to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible: PROVIDED, That the superintendent of public instruction deems the interest of students to be adequately protected. When a student suspension or expulsion is appealed, the rules shall authorize a school district to impose the suspension or expulsion temporarily after an initial hearing for no more than ten consecutive school days or until the appeal is decided, whichever is earlier. Any days that the student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student suspension or expulsion. An expulsion or suspension of a student may not be for an indefinite period of time.

(2) Short-term suspension procedures may be used for suspensions of students up to and including, ten consecutive school days.

(3) Emergency expulsions must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided when an emergency expulsion is converted to another form of corrective action.

Sec. 303. RCW 28A.600.020 and 2006 c 263 s 706 are each amended to read as follows:

(1) The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere.

(2) Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first. Except in emergency

circumstances, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred.

(3) In order to preserve a beneficial learning environment for all students and to maintain good order and discipline in each classroom, every school district board of directors shall provide that written procedures are developed for administering discipline at each school within the district. Such procedures shall be developed with the participation of parents and the community, and shall provide that the teacher, principal or designee, and other authorities designated by the board of directors, make every reasonable attempt to involve the parent or guardian and the student in the resolution of student discipline problems. Such procedures shall provide that students may be excluded from their individual classes or activities for periods of time in excess of that provided in subsection (2) of this section if such students have repeatedly disrupted the learning of other students. The procedures must be consistent with the rules of the superintendent of public instruction and must provide for early involvement of parents in attempts to improve the student's behavior.

(4) The procedures shall assure, pursuant to RCW 28A.400.110, that all staff work cooperatively toward consistent enforcement of proper student behavior throughout each school as well as within each classroom.

(5)(a) A principal shall consider imposing long-term suspension or expulsion as a sanction when deciding the appropriate disciplinary action for a student who, after July 27, 1997:

((a)) (i) Engages in two or more violations within a three-year period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

((b)) (ii) Engages in one or more of the offenses listed in RCW 13.04.155.

(b) The principal shall communicate the disciplinary action taken by the principal to the school personnel who referred the student to the principal for disciplinary action.

(6) Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date of not more than one calendar year from the time of corrective action. Districts shall make reasonable efforts to assist students and parents in returning to an educational setting prior to and no later than the end date of the corrective action. Where warranted based on public health or safety, a school may petition the superintendent of the school district, pursuant to policies and procedures adopted by the office of the superintendent of public instruction, for authorization to exceed the one calendar year limitation provided in this subsection. The superintendent of public instruction shall adopt rules outlining the limited circumstances in which a school may petition to exceed the one calendar year limitation, including safeguards to ensure that the school district has made every effort to plan for the student's return to school. School districts shall report to the office of the superintendent of public instruction the number of petitions made to the school board and the number of petitions granted on an annual basis.

(7) Nothing in this section prevents a public school district, educational service district, the Washington state center for childhood deafness and hearing loss, or the state school for the blind if it has suspended or expelled a student from the student's regular school setting from providing educational services to the student in an alternative setting or modifying the suspension or expulsion on a case-by-case basis.

Sec. 304. RCW 28A.600.410 and 1992 c 155 s 1 are each amended to read as follows:

The state of Washington excludes tens of thousands of students from school each year due to out-of-school suspensions and expulsions. Out-of-school suspensions and expulsions contribute to poor

academic achievement, lower graduation rates, and higher dropout rates. It is the intent of the legislature to minimize the use of out-of-school suspension and expulsion and its impact on student achievement by reducing the number of days that students are excluded from school due to disciplinary action. Student behavior should not result in the loss of educational opportunity in the public school system.

School districts are encouraged to find alternatives to suspension including reducing the length of a student's suspension conditioned by the commencement of counseling or other treatment services. Consistent with current law, the conditioning of a student's suspension does not obligate the school district to pay for the counseling or other treatment services except for those stipulated and agreed to by the district at the inception of the suspension.

Sec. 305. RCW 28A.600.460 and 1997 c 266 s 9 are each amended to read as follows:

(1) School district boards of directors shall adopt policies that restore discipline to the classroom. Such policies must provide for at least the following: Allowing each teacher to take disciplinary action to correct a student who disrupts normal classroom activities, abuses or insults a teacher as prohibited by RCW 28A.635.010, willfully disobeys a teacher, uses abusive or foul language directed at a school district employee, school volunteer, or another student, violates school rules, or who interferes with an orderly education process. Disciplinary action may include but is not limited to: Oral or written reprimands; written notification to parents of disruptive behavior, a copy of which must be provided to the principal.

(2) A student committing an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

(3) A student who commits an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW, when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled. A student who commits an offense under one of the chapters enumerated in this section against a student or another school employee, may be expelled or suspended.

(4) Nothing in this section is intended to limit the authority of a school under existing law and rules to expel or suspend a student for misconduct or criminal behavior.

(5) All school districts must collect data on disciplinary actions taken in each school and must record these actions using the statewide student data system, based on the data collection standards established by the office of the superintendent of public instruction and the K-12 data governance group. The information shall be made available to the public (~~upon request. This collection of~~), but public release of the data shall not include personally identifiable information including, but not limited to, a student's social security number, name, or address.

Sec. 306. RCW 28A.300.046 and 2011 c 288 s 10 are each amended to read as follows:

(1)(a) The superintendent of public instruction shall adopt rules establishing a standard definition of student absence from school. In adopting the definition, the superintendent shall review current practices in Washington school districts, definitions used in other states, and any national standards or definitions used by the national center for education statistics or other national groups. The superintendent shall also consult with the building bridges work group established under RCW 28A.175.075.

(b) Using the definition of student absence adopted under this section, the superintendent shall establish an indicator for measuring student attendance in high schools for purposes of the PASS program under RCW 28A.175.130.

(2)(a) The K-12 data governance group under RCW 28A.300.507 shall establish the parameters and an implementation schedule for statewide collection through the comprehensive education and data research system of: (i) Student attendance data using the definitions of student absence adopted under this section; and (ii) student discipline data with a focus on suspensions and expulsions from school.

(b) (~~At a minimum,~~) Student suspension and expulsion data collected for the purposes of this subsection (2) must be:

(i) Made publicly available and easily accessible on the superintendent of public instruction's web site; and

(ii) Disaggregated and cross-tabulated as established under RCW 28A.300.042.

(c) School districts must collect and submit student attendance data and student discipline data for high school students through the comprehensive education and data research system for purposes of the PASS program under RCW 28A.175.130 beginning in the 2012-13 school year.

Sec. 307. RCW 28A.300.042 and 2009 c 468 s 4 are each amended to read as follows:

(1) All student data-related reports required of the superintendent of public instruction in this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

(2) All student data-related reports required of the superintendent of public instruction regarding student suspensions and expulsions as required in RCW 28A.300.046 are subject to disaggregation by subgroups including:

(a) Gender;

(b) Foster care;

(c) Homeless, if known;

(d) School district;

(e) School;

(f) Grade level;

(g) Behavior infraction code, including:

(i) Bullying;

(ii) Tobacco;

(iii) Alcohol;

(iv) Illicit drug;

(v) Fighting without major injury;

(vi) Violence without major injury;

(vii) Violence with major injury;

(viii) Possession of a weapon; and

(ix) Other behavior resulting from a short-term or long-term suspension, expulsion, or interim alternative education setting intervention;

(h) Intervention applied, including:

(i) Short-term suspension;

(ii) Long-term suspension;

(iii) Emergency expulsion;

(iv) Expulsion;

(v) Interim alternative education settings;

(vi) No intervention applied; and

(vii) Other intervention applied that is not described in this subsection (2)(h);

(i) Number of days a student is suspended or expelled, to be counted in half or full days; and

(j) Any other categories added at a future date by the data governance group.

(3) All student data-related reports required of the superintendent of public instruction regarding student suspensions and expulsions as required in RCW 28A.300.046 are subject to cross-tabulation at a minimum by the following:

(a) School and district;

(b) Race, low income, special education, transitional bilingual, migrant, foster care, homeless, students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794), and categories to be added in the future;

(c) Behavior infraction code; and

(d) Intervention applied.

NEW SECTION. Sec. 308. A new section is added to chapter 28A.600 RCW to read as follows:

(1) School districts should make efforts to have suspended or expelled students return to an educational setting as soon as possible. School districts should convene a meeting with the student and the student's parents or guardians within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's enrollment, to discuss a plan to reengage the student in a school program.

(2) In developing a reengagement plan, school districts should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate. School districts must create a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion.

(3) Any reengagement meetings conducted by the school district involving the suspended or expelled student and his or her parents or guardians are not intended to replace a petition for readmission.

NEW SECTION. Sec. 309. Nothing in chapter . . . , Laws of 2013 2nd sp. sess. (this act) prevents a public school district, law enforcement agencies, or law enforcement personnel from enforcing laws protecting health and human safety.

PART IV

EDUCATOR SUPPORT PROGRAM

NEW SECTION. Sec. 401. A new section is added to chapter 28A.415 RCW to read as follows:

(1) The educator support program is established to provide professional development and mentor support for beginning educators and educators on probation under RCW 28A.405.100, to be composed of the beginning educator support team for beginning educators and continuous improvement coaching for educators on probation, as provided in this section.

(2)(a) Subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds for the beginning educator support team on a competitive basis to individual school districts or consortia of districts. School districts are encouraged to include educational service districts in creating regional consortia. In allocating funds, the office of the superintendent of public instruction shall give priority to school districts with low-performing schools identified under RCW 28A.657.020 as being challenged schools in need of improvement. A portion of the appropriated funds may be used for program coordination and provision of statewide or regional professional development through the office of the superintendent of public instruction.

(b) A beginning educator support team must include the following components:

(i) A paid orientation or individualized assistance before the start of the school year for beginning educators;

(ii) Assignment of a trained and qualified mentor for the first three years for beginning educators, with intensive support in the first year and decreasing support over the following years depending on the needs of the beginning educator;

(iii) Professional development for beginning educators that is designed to meet their unique needs for supplemental training and skill development;

(iv) Professional development for mentors;

(v) Release time for mentors and their designated educators to work together, as well as time for educators to observe accomplished peers; and

(vi) A program evaluation using a standard evaluation tool provided from the office of the superintendent of public instruction that measures increased knowledge, skills, and positive impact on student learning for program participants.

(3) Subject to funds separately appropriated for this specific purpose, the beginning educator support team components under subsection (2) of this section may be provided for continuous improvement coaching to support educators on probation under RCW 28A.405.100.

Sec. 402. RCW 28A.415.010 and 2006 c 263 s 807 are each amended to read as follows:

It shall be the responsibility of each educational service district board to establish a center for the improvement of teaching. The center shall administer, coordinate, and act as fiscal agent for such programs related to the recruitment and training of certificated and classified K-12 education personnel as may be delegated to the center by the superintendent of public instruction under RCW 28A.310.470. To assist in these activities, each educational service district board shall establish an improvement of teaching coordinating council to include, at a minimum, representatives as specified in RCW 28A.415.040. An existing in-service training task force, established pursuant to RCW 28A.415.040, may serve as the improvement of teaching coordinating council. The educational service district board shall ensure coordination of programs established pursuant to RCW 28A.415.030, 28A.410.060, and (~~28A.415.250~~) section 401 of this act.

The educational service district board may arrange each year for the holding of one or more teachers' institutes and/or workshops for professional staff preparation and in-service training in such manner and at such time as the board believes will be of benefit to the teachers and other professional staff of school districts within the educational service district and shall comply with rules of the professional educator standards board pursuant to RCW 28A.410.060 or the superintendent of public instruction (~~pursuant to RCW 28A.415.250~~). The board may provide such additional means of teacher and other professional staff preparation and in-service training as it may deem necessary or appropriate and there shall be a proper charge against the educational service district general expense fund when approved by the educational service district board.

Educational service district boards of contiguous educational service districts, by mutual arrangements, may hold joint institutes and/or workshops, the expenses to be shared in proportion to the numbers of certificated personnel as shown by the last annual reports of the educational service districts holding such joint institutes or workshops.

In local school districts employing more than one hundred teachers and other professional staff, the school district superintendent may hold a teachers' institute of one or more days in such district, said institute when so held by the school district superintendent to be in all respects governed by the provisions of this title and rules relating to teachers' institutes held by educational service district superintendents.

PART V**ALTERNATIVE LEARNING EXPERIENCES**

Sec. 501. 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read as follows:

(1) Under Article IX of the Washington state Constitution, all children are entitled to an opportunity to receive a basic education. Although the state must assure that students in public schools have opportunities to participate in the instructional program of basic education, there is no obligation for either the state or school districts to provide that instruction using a particular delivery method or through a particular program.

(2) The legislature finds ample evidence of the need to examine and reconsider policies under which alternative learning that occurs outside the classroom using an individual student learning plan may be considered equivalent to full-time attendance in school, including for funding purposes. Previous legislative studies have raised questions about financial practices and accountability in alternative learning experience ~~((programs))~~ courses. Since 2005, there has been significant enrollment growth in alternative learning experience online ~~((programs))~~ courses, with evidence of unexpected financial impact when large numbers of nonresident students enroll in ~~((programs))~~ courses. Based on this evidence, there is a rational basis on which to conclude that there are different costs associated with providing ~~((a program))~~ courses not primarily based on full-time, daily contact between teachers and students and not primarily occurring on-site in a classroom.

(3) For these reasons, the legislature intends to allow for continuing review and revision of the way in which state funding allocations are used to support alternative learning experience ~~((programs))~~ courses.

Sec. 502. RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each amended to read as follows:

(1) ~~((For purposes of this chapter,))~~ The definitions in this subsection apply throughout this chapter unless the context clearly requires otherwise.

~~((a))~~ "Alternative learning experience ~~((program))~~ course" means a course ~~((or set of courses)), or for grades kindergarten through eight grade-level coursework, that is a delivery method for the program of basic education and is:~~

~~((a))~~ (i) Provided in whole or in part independently from a regular classroom setting or schedule, but may include some components of direct instruction;

~~((b))~~ (ii) Supervised, monitored, assessed, evaluated, and documented by a certificated teacher employed by the school district or under contract as permitted by applicable rules; and

~~((c))~~ (iii) Provided in accordance with a written student learning plan that is implemented pursuant to the school district's policy and rules adopted by the superintendent of public instruction for alternative learning experiences.

~~((b))~~ "In-person" means face-to-face instructional contact in a physical classroom environment.

~~((c))~~ "Instructional contact time" means instructional time with a certificated teacher. Instructional contact time must be for the purposes of actual instruction, review of assignments, testing, evaluation of student progress, or other learning activities or requirements identified in the student's written student learning plan. Instructional contact time must be related to an alternative learning experience course identified in the student's written student learning plan. Instructional contact time may occur in a group setting between the teacher and multiple students and may be delivered either in-person or remotely using technology.

~~((d))~~ "Online course" means an alternative learning experience

course that has the same meaning as provided in RCW 28A.250.010.

~~((e))~~ "Remote course" means an alternative learning experience course that is not an online course where the student has in-person instructional contact time for less than twenty percent of the total weekly time for the course. No minimum in-person instructional contact time is required.

~~((f))~~ "Site-based course" means an alternative learning experience course where the student has in-person instructional contact time for at least twenty percent of the total weekly time for the course.

~~((g))~~ "Total weekly time" means the estimated average hours per school week the student will engage in learning activities to meet the requirements of the written student learning plan.

~~((The broad categories of alternative learning experience programs include, but are not limited to:~~

~~((a))~~ Online programs as defined in RCW 28A.150.262;

~~((b))~~ Parent partnership programs that include significant participation and partnership by parents and families in the design and implementation of a student's learning experience; and

~~((c))~~ Contract-based learning programs)) School districts may claim state funding under section 503 of this act, to the extent otherwise allowed by state law including the provisions of RCW 28A.250.060, for students enrolled in remote, site-based, or online alternative learning experience courses. High school courses must meet district or state graduation requirements and be offered for high school credit.

(3) School districts that offer alternative learning experience ~~((programs))~~ courses may not provide any compensation, reimbursement, gift, reward, or gratuity to any parents, guardians, or students for participation in the courses. School district employees are prohibited from receiving any compensation or payment as an incentive to increase student enrollment of out-of-district students in ~~((an))~~ alternative learning experience ~~((program))~~ courses. This prohibition includes, but is not limited to, providing funds to parents, guardians, or students for the purchase of educational materials, supplies, experiences, services, or technological equipment. A district may purchase educational materials, equipment, or other nonconsumable supplies for students' use in alternative learning experience ~~((programs))~~ courses if the purchase is consistent with the district's approved curriculum, conforms to applicable laws and rules, and is made in the same manner as such purchases are made for students in the district's regular instructional program. Items so purchased remain the property of the school district upon program completion. School districts may not purchase or contract for instructional or cocurricular experiences and services that are included in an alternative learning experience written student learning plan, including but not limited to lessons, trips, and other activities, unless substantially similar experiences and services are available to students enrolled in the district's regular instructional program. School districts that purchase or contract for such experiences and services for students enrolled in an alternative learning experience ~~((program))~~ course must submit an annual report to the office of the superintendent of public instruction detailing the costs and purposes of the expenditures. These requirements extend to contracted providers of alternative learning experience ~~((programs))~~ courses, and each district shall be responsible for monitoring the compliance of its providers with these requirements. However, nothing in this ~~((section))~~ subsection shall prohibit school districts from contracting with school district employees to provide services or experiences to students, or from contracting with online providers approved by the office of the superintendent of public instruction pursuant to chapter 28A.250 RCW.

~~((4))~~ (Part-time enrollment in alternative learning experiences is subject to the provisions of RCW 28A.150.350.

~~((5))~~ The superintendent of public instruction shall adopt rules defining minimum requirements and accountability for alternative learning experience programs)) Each school district offering or

contracting to offer alternative learning experience courses must:

(a) Report annually to the superintendent of public instruction regarding the course types and offerings, and number of students participating in each;

(b) Document the district of residence for each student enrolled in an alternative learning experience course; and

(c) Beginning in the 2013-14 school year and continuing through the 2016-17 school year, pay costs associated with a biennial measure of student outcomes and financial audit of the district's alternative learning experience courses by the office of the state auditor.

(5) A school district offering or contracting to offer an alternative learning experience course to a nonresident student must inform the resident school district if the student drops out of the course or is otherwise no longer enrolled.

(6) School districts must assess the educational progress of enrolled students at least annually, using, for full-time students, the state assessment for the student's grade level and using any other annual assessments required by the school district. Part-time students must also be assessed at least annually. However, part-time students who are either receiving home-based instruction under chapter 28A.200 RCW or who are enrolled in an approved private school under chapter 28A.195 RCW are not required to participate in the assessments required under chapter 28A.655 RCW. The rules must address how students who reside outside the geographic service area of the school district are to be assessed.

(7) Beginning with the 2013-14 school year, school districts must designate alternative learning experience courses as such when reporting course information to the office of the superintendent of public instruction under RCW 28A.300.500.

(8)(a) The superintendent of public instruction shall adopt rules necessary to implement this section.

(b) Rules adopted for weekly direct personal contact requirements and monthly progress evaluation must be flexible and reflect the needs of the student and the student's individual learning plan rather than specifying an amount of time. In addition, the rules must reduce documentation requirements, particularly for students making satisfactory progress, based on the unique aspects of the alternative learning experience course types defined in this section and taking into consideration the technical and system capabilities associated with the different course types.

(c) The rules must establish procedures that address how the counting of students must be coordinated by resident and nonresident districts for state funding so that no student is counted for more than one full-time equivalent in the aggregate.

NEW SECTION. Sec. 503. The superintendent of public instruction shall separately calculate and allocate moneys appropriated under RCW 28A.150.260 to school districts for each full-time equivalent student enrolled in an alternative learning experience course. The calculation shall be based on the estimated statewide annual average allocation per full-time equivalent student in grades nine through twelve in general education, excluding small high school enhancements, and including applicable rules and provisions of the omnibus appropriations act.

Sec. 504. RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1)(a) "Multidistrict online provider" means:

(i) A private or nonprofit organization that enters into a contract with a school district to provide online courses or programs to K-12 students from more than one school district;

(ii) A private or nonprofit organization that enters into contracts with multiple school districts to provide online courses or programs to K-12 students from those districts; or

(iii) Except as provided in (b) of this subsection, a school district that provides online courses or programs to students who reside outside the geographic boundaries of the school district.

(b) "Multidistrict online provider" does not include a school district online learning program in which fewer than ten percent of the students enrolled in the program are from other districts under the interdistrict student transfer provisions of RCW 28A.225.225.

"Multidistrict online provider" also does not include regional online learning programs that are jointly developed and implemented by two or more school districts or an educational service district through an interdistrict cooperative program agreement that addresses, at minimum, how the districts share student full-time equivalency for state basic education funding purposes and how categorical education programs, including special education, are provided to eligible students.

(2)(a) "Online course" means a course or grade-level coursework where:

(i) More than half of the course content is delivered electronically using the internet or other computer-based methods; ~~(and)~~

(ii) More than half of the teaching is conducted from a remote location through an online course learning management system or other online or electronic tools;

(iii) A certificated teacher has the primary responsibility for the student's instructional interaction. Instructional interaction between the teacher and the student includes, but is not limited to, direct instruction, review of assignments, assessment, testing, progress monitoring, and educational facilitation; and

(iv) Students have access to the teacher synchronously, asynchronously, or both.

(b) "Online school program" means a school program that ~~(:~~
~~(i) Offers courses or grade-level coursework that is delivered primarily electronically using the internet or other computer-based methods;~~

~~(ii) Offers courses or grade-level coursework that is taught by a teacher primarily from a remote location using online or other electronic tools. Students enrolled in an online program may have access to the teacher synchronously, asynchronously, or both;~~

~~(iii) Offers a sequential set of online courses or grade-level coursework that may be taken in a single school term or throughout the school year in a manner that could provide a full-time basic education program if so desired by the student. Students may enroll in the program as part-time or full-time students ~~(:~~ and~~

~~(iv) Has an online component of the program with online lessons and tools for student and data management).~~

(c) An online course or online school program may be delivered to students at school as part of the regularly scheduled school day. An online course or online school program also may be delivered to students, in whole or in part, independently from a regular classroom schedule, but such courses or programs must comply with RCW ~~((28A.150.262))~~ 28A.150.325 (as recodified by this act) and associated rules adopted by the superintendent of public instruction to qualify for state basic education funding.

(3) "Online provider" means any provider of an online course or program, including multidistrict online providers, all school district online learning programs, and all regional online learning programs.

Sec. 505. RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each amended to read as follows:

(1) The superintendent of public instruction, in collaboration with the state board of education, shall develop and implement approval criteria and a process for approving online providers; a process for monitoring and if necessary rescinding the approval of courses or programs offered by an online provider; and an appeals process. The criteria and processes for multidistrict online providers shall be adopted by rule by December 1, 2009.

(2) When developing the approval criteria, the superintendent of public instruction shall require that providers offering online courses

or programs have accreditation, or are candidates for accreditation, through the Northwest accreditation commission or another national, regional, or state accreditation program listed by the office of the superintendent of public instruction (~~(after consultation with the Washington coalition for online learning)~~). In addition to other criteria, the approval criteria shall include the degree of alignment with state academic standards and require that all teachers be certificated in accordance with Washington state law. When reviewing online providers that offer high school courses, the superintendent of public instruction shall assure that the courses offered by the provider are eligible for high school credit. However, final decisions regarding whether credit meets the school district's graduation requirements shall remain the responsibility of the school districts.

(3) Initial approval of online providers by the superintendent of public instruction shall be for four years. The superintendent of public instruction shall develop a process for the renewal of approvals and for rescinding approvals based on noncompliance with approval requirements. Any multidistrict online provider that was approved by the digital learning commons or accredited by the Northwest association of accredited schools before July 26, 2009, and that meets the teacher certification requirements of subsection (2) of this section, is exempt from the initial approval process under this section until August 31, 2012, but must comply with the process for renewal of approvals and must comply with approval requirements.

(4) The superintendent of public instruction shall make the first round of decisions regarding approval of multidistrict online providers by April 1, 2010. The first round of decisions regarding approval of online providers that are not multidistrict online providers shall be made by April 1, 2013. Thereafter, the superintendent of public instruction shall make annual approval decisions no later than November 1st of each year.

(5) The superintendent of public instruction shall establish an online learning advisory committee within existing resources that shall provide advice to the superintendent regarding the approval criteria, major components of the web site, the model school district policy, model agreements, and other related matters. The committee shall include a representative of each of the following groups: Private and public online providers, parents of online students, accreditation organizations, educational service districts, school principals, teachers, school administrators, school board members, institutions of higher education, and other individuals as determined by the superintendent. Members of the advisory committee shall be selected by the superintendent based on nominations from statewide organizations, shall serve three-year terms, and may be reappointed. The superintendent shall select the chair of the committee.

Sec. 506. RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each amended to read as follows:

(1) By August 31, 2010, all school district boards of directors shall develop policies and procedures regarding student access to online courses and online learning programs. The policies and procedures shall include but not be limited to: Student eligibility criteria; the types of online courses available to students through the school district; the methods districts will use to support student success, which may include a local advisor; when the school district will and will not pay course fees and other costs; the granting of high school credit; and a process for students and parents or guardians to formally acknowledge any course taken for which no credit is given. The policies and procedures shall take effect beginning with the 2010-11 school year. School districts shall submit their policies to the superintendent of public instruction by September 15, 2010. By December 1, 2010, the superintendent of public instruction shall summarize the school district policies regarding student access to online courses and submit a report to the legislature.

(2) School districts must award credit and grades for online high school courses successfully completed by a student that meet the

school district's graduation requirements and are provided by an approved online provider.

(3) School districts shall provide students with information regarding online courses that are available through the school district. The information shall include the types of information described in subsection (1) of this section.

(4) When developing local or regional online learning programs, school districts shall incorporate into the program design the approval criteria developed by the superintendent of public instruction under RCW 28A.250.020.

Sec. 507. RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each amended to read as follows:

(1) Beginning with the 2011-12 school year, school districts may claim state funding under ~~((RCW 28A.150.260))~~ section 503 of this act, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are:

(a) Offered by a multidistrict online provider approved under RCW 28A.250.020 by the superintendent of public instruction;

(b) Offered by a school district online learning program if the program serves students who reside within the geographic boundaries of the school district, including school district programs in which fewer than ten percent of the program's students reside outside the school district's geographic boundaries; or

(c) Offered by a regional online learning program where courses are jointly developed and offered by two or more school districts or an educational service district through an interdistrict cooperative program agreement.

(2) Beginning with the 2013-14 school year, school districts may claim state funding under ~~((RCW 28A.150.260))~~ section 503 of this act, to the extent otherwise allowed by state law, for students enrolled in online courses or programs only if the online courses or programs are offered by an online provider approved under RCW 28A.250.020 by the superintendent of public instruction.

(3) Criteria shall be established by the superintendent of public instruction to allow online courses that have not been approved by the superintendent of public instruction to be eligible for state funding if the course is in a subject matter in which no courses have been approved and, if it is a high school course, the course meets Washington high school graduation requirements.

Sec. 508. RCW 28A.250.070 and 2009 c 542 s 8 are each amended to read as follows:

Nothing in this chapter is intended to diminish the rights of students to attend a nonresident school district in accordance with RCW 28A.225.220 through 28A.225.230 for the purposes of enrolling in online courses or online school programs. The office of online learning under RCW 28A.250.030 shall develop a standard form, which must be used by all school districts, for releasing a student to a nonresident school district for the purposes of enrolling in an online course or online school program.

NEW SECTION. Sec. 509. A new section is added to chapter 28A.250 RCW to read as follows:

An online school program may request a waiver from the office of the superintendent of public instruction to administer one or more sections of the statewide student assessment for grades three through eight for some or all students enrolled in the program on alternate days or on an alternate schedule, as long as the administration is within the testing period established by the office. The office may deny a request for a waiver if the online school program's proposal does not maintain adequate test security or would reduce the reliability of the assessment results by providing an inequitable advantage for some students.

Sec. 510. RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2 are each reenacted and amended to read as follows:

(1) Any board of directors may make agreements with adults choosing to attend school, and may charge the adults reasonable tuition.

(2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district or the request of a parent or guardian for his or her child to transfer as a student receiving home-based instruction.

(3) A district shall release a student to a nonresident district that agrees to accept the student if:

(a) A financial, educational, safety, or health condition affecting the student would likely be reasonably improved as a result of the transfer; or

(b) Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or

(c) There is a special hardship or detrimental condition; or

(d) The purpose of the transfer is for the student to enroll in an online course or online school program offered by an online provider approved under RCW 28A.250.020.

(4) A district may deny the request of a resident student to transfer to a nonresident district if the release of the student would adversely affect the district's existing desegregation plan.

(5) For the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire.

(6) Beginning with the 1993-94 school year, school districts may not charge transfer fees or tuition for nonresident students enrolled under subsection (3) of this section and RCW 28A.225.225. Reimbursement of a high school district for cost of educating high school pupils of a nonhigh school district shall not be deemed a transfer fee as affecting the apportionment of current state school funds.

Sec. 511. RCW 28A.225.225 and 2013 c 192 s 2 are each amended to read as follows:

(1) Except for students who reside out-of-state and students under RCW 28A.225.217, a district shall accept applications from nonresident students who are the children of full-time certificated and classified school employees, and those children shall be permitted to enroll:

(a) At the school to which the employee is assigned;

(b) At a school forming the district's K through 12 continuum which includes the school to which the employee is assigned; or

(c) At a school in the district that provides early intervention services pursuant to RCW 28A.155.065 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services.

(2) A district may reject applications under this section if:

(a) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;

(b) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (2)(b) must apply uniformly to both resident and nonresident applicants; ~~((c))~~

(c) Enrollment of a child under this section would displace a child who is a resident of the district, except that if a child is admitted under subsection (1) of this section, that child shall be permitted to remain enrolled at that school, or in that district's kindergarten through twelfth grade continuum, until he or she has completed his or her schooling; or

(d) The student has repeatedly failed to comply with requirements for participation in an online school program, such as participating in

weekly direct contact with the teacher or monthly progress evaluations.

(3) A nonhigh district that is participating in an innovation academy cooperative may not accept an application from a high school student that conflicts with RCW 28A.340.080.

(4) Except as provided in subsection (1) of this section, all districts accepting applications from nonresident students or from students receiving home-based instruction for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of applications by June 30, 1990. The policy may include rejection of a nonresident student if:

(a) Acceptance of a nonresident student would result in the district experiencing a financial hardship;

(b) The student's disciplinary records indicate a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership;

(c) Accepting of the nonresident student would conflict with RCW 28A.340.080; or

(d) The student has been expelled or suspended from a public school for more than ten consecutive days. Any policy allowing for readmission of expelled or suspended students under this subsection (4)(d) must apply uniformly to both resident and nonresident applicants.

For purposes of subsections (2)(a) and (4)(b) of this section, "gang" means a group which: (i) Consists of three or more persons; (ii) has identifiable leadership; and (iii) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

(5) The district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal under RCW 28A.225.230(3).

Sec. 512. RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each amended to read as follows:

(1) For the purposes of this section and RCW 28A.150.410 and 28A.400.200, "basic education certificated instructional staff" means all full-time equivalent classroom teachers, teacher librarians, guidance counselors, certificated student health services staff, and other certificated instructional staff in the following programs as defined for statewide school district accounting purposes: Basic education, secondary vocational education, general instructional support, and general supportive services.

(2) Each school district shall maintain a ratio of at least forty- six basic education certificated instructional staff to one thousand annual average full-time equivalent students. This requirement does not apply to that portion of a district's annual average full-time equivalent enrollment that is enrolled in alternative learning experience ~~((programs))~~ courses as defined in RCW 28A.150.325 (as recodified by this act).

Sec. 513. RCW 28A.525.162 and 2012 c 244 s 2 are each amended to read as follows:

(1) Funds appropriated to the superintendent of public instruction from the common school construction fund shall be allotted by the superintendent of public instruction in accordance with this chapter.

(2) No allotment shall be made to a school district until such district has provided local funds equal to or greater than the difference between the total approved project cost and the amount of state funding assistance to the district for financing the project computed pursuant to RCW 28A.525.166, with the following exceptions:

(a) The superintendent of public instruction may waive the local requirement for state funding assistance for districts which have provided funds for school building construction purposes through the authorization of bonds or through the authorization of excess tax

levies or both in an amount equivalent to two and one-half percent of the value of its taxable property, as defined in RCW 39.36.015.

(b) No such local funds shall be required as a condition to the allotment of funds from the state for the purpose of making major or minor structural changes to existing school facilities in order to bring such facilities into compliance with the barrier free access requirements of section 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and rules implementing the act.

(3) For the purpose of computing the state funding assistance percentage under RCW 28A.525.166 when a school district is granted authority to enter into contracts, adjusted valuation per pupil shall be calculated using headcount student enrollments from the most recent October enrollment reports submitted by districts to the superintendent of public instruction, adjusted as follows:

(a) In the case of projects for which local bonds were approved after May 11, 1989:

(i) For districts which have been designated as serving high school districts under RCW 28A.540.110, students residing in the nonhigh district so designating shall be excluded from the enrollment count if the student is enrolled in any grade level not offered by the nonhigh district;

(ii) The enrollment of nonhigh school districts shall be increased by the number of students residing within the district who are enrolled in a serving high school district so designated by the nonhigh school district under RCW 28A.540.110, including only students who are enrolled in grade levels not offered by the nonhigh school district; and

(iii) The number of preschool students with disabilities included in the enrollment count shall be multiplied by one-half;

(b) In the case of construction or modernization of high school facilities in districts serving students from nonhigh school districts, the adjusted valuation per pupil shall be computed using the combined adjusted valuations and enrollments of each district, each weighted by the percentage of the district's resident high school students served by the high school district;

(c) The number of kindergarten students included in the enrollment count shall be counted as one headcount student; and

(d) The number of students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~) courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the total.

(4) In lieu of the exclusion in subsection (3)(d) of this section, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~) courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a regular duration by out-of-district alternative learning experience (~~(program)~~) students subtracted by the headcount of in-district alternative learning experience (~~(program)~~) students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The superintendent of public instruction, considering policy recommendations from the school facilities citizen advisory panel, shall prescribe such rules as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

(6) For the purposes of this section, "preschool students with disabilities" means children of preschool age who have developmental disabilities who are entitled to services under RCW 28A.155.010 through 28A.155.100 and are not included in the kindergarten enrollment count of the district.

Sec. 514. RCW 28A.525.166 and 2012 c 244 s 3 are each amended to read as follows:

Allocations to school districts of state funds provided by RCW 28A.525.162 through 28A.525.180 shall be made by the superintendent of public instruction and the amount of state funding assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The boards of directors of the districts shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architects' fees, and a reasonable amount for contingencies and for other necessary incidental expenses: PROVIDED, That the total cost of the project shall be subject to review and approval by the superintendent.

(2) The state funding assistance percentage for a school district shall be computed by the following formula:

The ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil shall be subtracted from three, and then the result of the foregoing shall be divided by three plus (the ratio of the school district's adjusted valuation per pupil divided by the ratio of the total state adjusted valuation per pupil).

		District adjusted		Total state	
		3-valuation	÷	adjusted valuation	
Computed		per pupil		per pupil	State
State	=	_____			= % Funding
Ratio		District adjusted		Total state	Assistance
		3+valuation	÷	adjusted valuation	
		per pupil		per pupil	

PROVIDED, That in the event the state funding assistance percentage to any school district based on the above formula is less than twenty percent and such school district is otherwise eligible for state funding assistance under RCW 28A.525.162 through 28A.525.180, the superintendent may establish for such district a state funding assistance percentage not in excess of twenty percent of the approved cost of the project, if the superintendent finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district.

(3) In addition to the computed state funding assistance percentage developed in subsection (2) of this section, a school district shall be entitled to additional percentage points determined by the average percentage of growth for the past three years. One percent shall be added to the computed state funding assistance percentage for each percent of growth, with a maximum of twenty percent.

(4) In computing the state funding assistance percentage in subsection (2) of this section and adjusting the percentage under subsection (3) of this section, students residing outside the school district who are enrolled in alternative learning experience (~~(programs)~~) courses under RCW 28A.150.325 (as recodified by this act) shall be excluded from the count of total pupils. In lieu of the exclusion in this subsection, a district may submit an alternative calculation for excluding students enrolled in alternative learning experience (~~(programs)~~) courses. The alternative calculation must show the student headcount use of district classroom facilities on a regular basis for a reasonable duration by out-of-district alternative learning experience (~~(program)~~) students subtracted by the headcount

of in- district alternative learning experience (~~program~~) students not using district classroom facilities on a regular basis for a reasonable duration. The alternative calculation must be submitted in a form approved by the office of the superintendent of public instruction. The office of the superintendent of public instruction must develop rules to define "regular basis" and "reasonable duration."

(5) The approved cost of the project determined in the manner prescribed in this section multiplied by the state funding assistance percentage derived as provided for in this section shall be the amount of state funding assistance to the district for the financing of the project: PROVIDED, That need therefor has been established to the satisfaction of the superintendent: PROVIDED, FURTHER, That additional state funding assistance may be allowed if it is found by the superintendent, considering policy recommendations from the school facilities citizen advisory panel that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden excessive and clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden resulting from projects of statewide significance or imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1969, and without benefit of the state funding assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state funding assistance because of the inadequacy of state funds available for the purpose, or (d) a condition created by the fact that an excessive number of students live in state owned housing, or (e) a need for the construction of a school building to provide for improved school district organization or racial balance, or (f) conditions similar to those defined under (a), (b), (c), (d), and (e) of this subsection, creating a like emergency.

NEW SECTION. Sec. 515. (1) The office of financial management shall conduct a study, in consultation with, at minimum, one representative each from school districts that administer remote, site- based, and online alternative learning experience courses; the office of the superintendent of public instruction; the Washington state institute for public policy; individuals with expertise in based public school funding models; a Washington state non organization with expertise in alternative learning education; and the legislative evaluation and accountability program committee.

(2) The purpose of the study is to create a proposal for efficiently and sustainably funding alternative learning experience courses and to recommend steps to increase the focus on educational outcomes. The study may recommend the funding method established in section 503 of this act or another method of funding. The study shall review alternative learning funding models used in other states and consider the advantages and disadvantages of applying state policies, including funding policies, differentially depending on the type of alternative learning experience course. The study should also include but not be limited to, recommendations for establishing baseline data regarding alternative learning experience student proficiency and achievement in relation to students in a comparable demographic, identifying outcome targets and methods to measure progress toward targets, identifying methods to ensure ongoing evaluation of outcomes that account for the student demographics being served, and improving alternative learning experience accountability.

(3) The office of financial management shall report its findings from the study to the quality education council by November 1, 2013. The quality education council shall review the findings and make recommendations to the education and fiscal committees of the legislature by December 15, 2013.

NEW SECTION. Sec. 516. RCW 28A.150.262 (Defining full-time equivalent student--Students receiving instruction through alternative learning experience online programs--Requirements) and 2011 1st sp.s. c 34 s 3, 2009 c 542 s 9, & 2005 c 356 s 2 are each repealed.

NEW SECTION. Sec. 517. (1) RCW 28A.150.325 is recodified as a section in chapter 28A.-- RCW (the new chapter created in section 518 of this act).

(2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter 28A.-- RCW (the new chapter created in section 518 of this act).

NEW SECTION. Sec. 518. Sections 501 and 503 of this act constitute a new chapter in Title 28A RCW.

PART VI

MISCELLANEOUS

NEW SECTION. Sec. 601. The following acts or parts of acts are each repealed:

(1) RCW 28A.165.025 (School district program plan) and 2009 c 556 s 1 & 2004 c 20 s 3;

(2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 & 2004 c 20 s 5;

(3) RCW 28A.415.250 (Teacher assistance program--Provision for mentor teachers) and 2009 c 539 s 5, 1993 c 336 s 401, 1991 c 116 s 19, 1990 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1; and

(4) RCW 28A.415.260 (Pilot program using full-time mentor teachers) and 1998 c 245 s 12 & 1993 c 336 s 402.

NEW SECTION. Sec. 602. Section 503 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

NEW SECTION. Sec. 603. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Santos moved the adoption of amendment (582) to amendment (581).

On page 10, beginning on line 25 of the striking amendment, strike sections 301 through 309 and insert the following:

NEW SECTION. Sec. 301. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The office of the superintendent of public instruction shall convene a discipline task force to develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district. The task force must also develop data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school. The data collection standards must include data about education services provided while a student is subject to a disciplinary action, the status of petitions for readmission to the school district when a student has been excluded from school, credit retrieval during a period of exclusion, and school dropout as a result of disciplinary action.

(2) The discipline task force shall include representatives from the K-12 data governance group, the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of Indian affairs, the office of the education

ombudsman, school districts, and other education and advocacy organizations.

(3) The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force, and begin collecting data based on the revised standards in the 2015-16 school year.

Sec. 302. RCW 28A.600.015 and 2006 c 263 s 701 are each amended to read as follows:

(1) The superintendent of public instruction shall adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural due process guarantees of pupils in the common schools. Such rules shall authorize a school district to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible: **PROVIDED**, That the superintendent of public instruction deems the interest of students to be adequately protected. When a student suspension or expulsion is appealed, the rules shall authorize a school district to impose the suspension or expulsion temporarily after an initial hearing for no more than ten consecutive school days or until the appeal is decided, whichever is earlier. Any days that the student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student suspension or expulsion and shall not limit or extend the term of the student suspension or expulsion. A suspension or expulsion of a student may not be for an indefinite period of time, and a school district may not suspend the provision of educational services to a student as a disciplinary measure.

(2) Short-term suspension procedures may be used for suspensions of students up to and including, ten consecutive school days.

(3) Emergency expulsions must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided to students when an emergency expulsion is converted to another form of corrective action.

(4) A school district may not impose a disciplinary action that results in the suspension of educational services to a student. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension, but the school district must provide an opportunity for the student to receive educational services in an alternative manner, which may include services provided through an alternative program, at an alternative school, or at an alternative location within the student's regular school.

Sec. 303. RCW 28A.600.020 and 2006 c 263 s 706 are each amended to read as follows:

(1) The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere.

(2) Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first. Except in emergency circumstances, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred.

(3) In order to preserve a beneficial learning environment for all students and to maintain good order and discipline in each classroom, every school district board of directors shall provide that written

procedures are developed for administering discipline at each school within the district. Such procedures shall be developed with the participation of ~~((parents))~~ families and the community, and shall provide that the teacher, principal or designee, and other authorities designated by the board of directors, make every reasonable attempt to involve the ~~((parent))~~ family or guardian and the student in the resolution of student discipline problems. Such procedures shall provide that students may be excluded from their individual classes or activities for periods of time in excess of that provided in subsection (2) of this section if such students have repeatedly disrupted the learning of other students. The procedures must be consistent with the rules of the superintendent of public instruction and must provide for early involvement of ~~((parents))~~ families in attempts to improve the student's behavior.

(4) The procedures shall assure, pursuant to RCW 28A.400.110, that all staff work cooperatively toward consistent enforcement of proper student behavior throughout each school as well as within each classroom.

(5)(a) A principal ~~((shall))~~ may consider imposing long-term suspension or expulsion as a sanction when deciding the appropriate disciplinary action for a student who, after July 27, 1997:

~~((a))~~ (i) Engages in two or more violations within a three-year period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280 ~~((, or 28A.320.140))~~; or

~~((b))~~ (ii) Engages in one or more of the offenses listed in RCW 13.04.155.

(b) The principal shall communicate the disciplinary action taken by the principal to the school personnel who referred the student to the principal for disciplinary action.

(6) Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date no later than the end of the academic term in which the student exhibited behavior leading to a corrective action. In consultation with families and guardians of students subject to corrective action, school districts shall make reasonable efforts to assist students in returning to an educational setting prior to and no later than the end date of the corrective action. Where warranted based on public health or safety, a school district may petition the local school board, pursuant to policies and procedures adopted by the superintendent of public instruction, for authorization to exceed the term limitation provided in this subsection. The superintendent of public instruction shall adopt rules outlining the limited circumstances in which a school district may petition the local school board to exceed the academic term limitation, including safeguards to ensure that the district has made every effort to plan for the student's return to school and that the student's extended expulsion from the district does not impair the student's constitutional right to education. In adopting rules and reviewing petitions to exceed the academic term limitation, the superintendent of public instruction must assure that students receive educational services while serving a suspension or expulsion. A petition to exceed the academic term limitation shall not be granted by the superintendent of public instruction if a school district does not provide educational services to a student serving a suspension or expulsion.

(7) As provided in RCW 28A.600.015, a school district may not impose disciplinary action that results in the suspension of educational services to a student.

Sec. 304. RCW 28A.600.410 and 1992 c 155 s 1 are each amended to read as follows:

It is the intent of the legislature to minimize the use of out-of-school suspension and expulsion and its impact on student achievement by reducing the number of days that students are excluded from school due to disciplinary action. Student discipline should not impair a student's constitutional right to education.

School districts are encouraged to find alternatives to suspension including reducing the length of a student's suspension conditioned by the commencement of counseling or other treatment services. Consistent with current law, the conditioning of a student's suspension does not obligate the school district to pay for the counseling or other treatment services except for those stipulated and agreed to by the district at the inception of the suspension.

Sec. 305. RCW 28A.600.460 and 1997 c 266 s 9 are each amended to read as follows:

(1) School district boards of directors shall adopt policies that restore discipline to the classroom. Such policies must provide for at least the following: Allowing each teacher to take disciplinary action to correct a student who disrupts normal classroom activities, abuses or insults a teacher as prohibited by RCW 28A.635.010, willfully disobeys a teacher, uses abusive or foul language directed at a school district employee, school volunteer, or another student, violates school rules, or who interferes with an orderly education process. Disciplinary action may include but is not limited to: Oral or written reprimands; written notification to parents of disruptive behavior, a copy of which must be provided to the principal.

(2) A student committing an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

(3) A student who commits an offense under chapter 9A.36, 9A.40, 9A.46, or 9A.48 RCW, when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled. A student who commits an offense under one of the chapters enumerated in this section against a student or another school employee, may be expelled or suspended.

(4) Nothing in this section is intended to limit the authority of a school under existing law and rules to expel or suspend a student for misconduct or criminal behavior. However, as provided in RCW 28A.600.015, a school district may not impose disciplinary action that results in the suspension of educational services to a student.

(5) All school districts must collect data on disciplinary actions taken in each school and must record such actions using the statewide student data system, based on the data collection standards established by the office of the superintendent of public instruction and the K-12 data governance group. The information shall be made available to the public upon request (~~(- This collection of)~~), but any public release of such data shall not include personally identifiable information including, but not limited to, a student's social security number, name, or address.

Sec. 306. RCW 43.41.400 and 2012 c 229 s 585 are each amended to read as follows:

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of early learning, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under

applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

(a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;

(b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;

(c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;

(d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent feasible and necessary, include data that are needed to conduct the analyses and provide answers to the research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system; (~~and~~)

(i) Prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system, using data disaggregated according to RCW 28A.300.042, and by age; and

(j) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW 28A.655.210 and 28A.300.507 are met.

(3) The department of early learning, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, student achievement council, public four-year institutions of higher education, department of social and health services, and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. The education data center shall also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes using data maintained under RCW 13.50.010(11) related to juveniles. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies

may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution.

NEW SECTION. Sec. 307. A new section is added to chapter 28A.600 RCW to read as follows:

(1) School districts should make efforts to have suspended or expelled students return to the educational setting they were suspended or expelled from as soon as possible. School districts should convene a school reenrollment meeting with the student and the student's family or guardians within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's enrollment, to discuss a plan to reenroll and reengage the student in a school program.

(2) In developing a reenrollment and reengagement plan, school districts should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate. School districts must create a reenrollment and reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion.

(3) Any reenrollment meetings conducted by the school district involving the suspended or expelled student and his or her family or guardians are not intended to replace a petition for readmission.

NEW SECTION. Sec. 308. Nothing in chapter . . . , Laws of 2013 (this act) prevents a public school district, law enforcement agencies, or law enforcement personnel from enforcing laws protecting health and human safety."

On page 40, after line 14 of the striking amendment, insert the following:

"EDUCATOR CULTURAL COMPETENCE

Sec. 601. RCW 28A.405.106 and 2012 c 35 s 5 are each amended to read as follows:

(1) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction must develop and make available a professional development program to support the implementation of the evaluation systems required by RCW 28A.405.100. The program components may be organized into professional development modules for principals, administrators, and teachers. The professional development program shall include a comprehensive online training package.

(2) The training program must include, but not be limited to, the following topics:

- (a) Introduction of the evaluation criteria for teachers and principals and the four-level rating system;
- (b) Orientation to and use of instructional frameworks;
- (c) Orientation to and use of the leadership frameworks;
- (d) Best practices in developing and using data in the evaluation systems, including multiple measures, student growth data, classroom observations, and other measures and evidence;
- (e) Strategies for achieving maximum rater agreement;
- (f) Evaluator feedback protocols in the evaluation systems;
- (g) Examples of high quality teaching and leadership; and
- (h) Methods to link the evaluation process to ongoing educator professional development.

(3) The training program must also include the foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition. The content of the training must be aligned with the standards for cultural competence

developed by the professional educator standards board under RCW 28A.410.270. The office of the superintendent of public instruction, in consultation with the professional educator standards board, the steering committee established in RCW 28A.405.100, and the educational opportunity gap oversight and accountability committee, must integrate the content for cultural competence into the overall training for principals, administrators, and teachers to support the revised evaluation systems.

(4) To the maximum extent feasible, the professional development program must incorporate or adapt existing online training or curriculum, including securing materials or curriculum under contract or purchase agreements within available funds. Multiple modes of instruction should be incorporated including videos of classroom teaching, participatory exercises, and other engaging combinations of online audio, video, and print presentation.

~~((4))~~ (5) The professional development program must be developed in modules that allow:

- (a) Access to material over a reasonable number of training sessions;
- (b) Delivery in person or online; and
- (c) Use in a self-directed manner.

~~((5))~~ (6) The office of the superintendent of public instruction must maintain a web site that includes the online professional development materials along with sample evaluation forms and templates, links to relevant research on evaluation and on high quality teaching and leadership, samples of contract and collective bargaining language on key topics, examples of multiple measures of teacher and principal performance, suggestions for data to measure student growth, and other tools that will assist school districts in implementing the revised evaluation systems.

~~((6))~~ (7) The office of the superintendent of public instruction must identify the number of in-service training hours associated with each professional development module and develop a way for users to document their completion of the training. Documented completion of the training under this section is considered approved in-service training for the purposes of RCW 28A.415.020.

~~((7))~~ (8) The office of the superintendent of public instruction shall periodically update the modules to reflect new topics and research on performance evaluation so that the training serves as an ongoing source of continuing education and professional development.

~~((8))~~ (9) The office of the superintendent of public instruction shall work with the educational service districts to provide clearinghouse services for the identification and publication of professional development opportunities for teachers and principals that align with performance evaluation criteria.

Sec. 602. RCW 28A.405.120 and 2012 c 35 s 2 are each amended to read as follows:

(1) School districts shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers or principals to have training in evaluation procedures.

(2) Before school district implementation of the revised evaluation systems required under RCW 28A.405.100, principals and administrators who have evaluation responsibilities must engage in professional development designed to implement the revised systems and maximize rater agreement. The professional development to support the revised evaluation systems must also include foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition.

NEW SECTION. Sec. 603. A new section is added to chapter 28A.415 RCW to read as follows:

(1) The office of the superintendent of public instruction, in collaboration with the educational opportunity gap oversight and accountability committee, the professional educator standards board, colleges of education, and representatives from diverse communities

and community-based organizations, must develop a content outline for professional development and training in cultural competence for school staff.

(2) The content of the cultural competence professional development and training must be aligned with the standards developed by the professional educator standards board under RCW 28A.410.270.

(3) The cultural competence professional development and training must contain components that are appropriate for classified school staff and district administrators as well as certificated instructional staff and principals at the building level. The professional development and training must also contain components suitable for delivery by individuals from the local community or community-based organizations with appropriate expertise.

(4) The legislature encourages educational service districts and school districts to use the cultural competence professional development and training developed under this section and provide opportunities for all school and school district staff to gain knowledge and skills in cultural competence, including in partnership with their local communities.

NEW SECTION. Sec. 604. A new section is added to chapter 28A.657 RCW to read as follows:

Schools that are required under state or federal accountability measures to implement a plan for improvement must provide the cultural competence professional development and training developed under section 603 of this act for classified, certificated instructional, and administrative staff of the school. The professional development and training may be delivered by an educational service district, through district in-service, or by another qualified provider, including in partnership with the local community.

PART VII

INSTRUCTING ENGLISH LANGUAGE LEARNERS

Sec. 701. RCW 28A.660.045 and 2007 c 396 s 7 are each amended to read as follows:

(1) The educator retooling ~~(to teach mathematics and science)~~ conditional scholarship program is created. Participation is limited to current K-12 teachers and individuals having an elementary education certificate but who are not employed in positions requiring an elementary education certificate. It is anticipated that candidates enrolled in this program will complete the requirements for a mathematics ~~((or)),~~ science, special education, bilingual education, or English language learner endorsement ~~((or both,))~~ in two years or less.

(2) Entry requirements for candidates include:

(a) Current K-12 teachers shall pursue a middle level mathematics or science, ~~((or))~~ secondary mathematics or science, special education, bilingual education, or English language learner endorsement.

(b) Individuals having an elementary education certificate but who are not employed in positions requiring an elementary education certificate shall pursue an endorsement only in middle level mathematics or science ~~((only)),~~ special education, bilingual education, or English language learner.

Sec. 702. RCW 28A.660.050 and 2012 c 229 s 507 are each amended to read as follows:

Subject to the availability of amounts appropriated for these purposes, the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-approved alternative routes to teaching programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in alternative certification routes through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative routes to teacher certification program for a mathematics, special education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling ~~((to teach mathematics and science))~~ conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue a middle level mathematics or science, ~~((or))~~ secondary mathematics or science, special education, bilingual education, or English language learner endorsement; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in middle level mathematics or science, ~~((or both))~~ special education, bilingual education, or English language learner; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive ~~((a mathematics or science))~~ the endorsement, ~~((or both,))~~ which shall include passing ~~((a mathematics or science))~~ the associated endorsement test ~~((,))~~ or ~~((both))~~ tests, plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In selecting recipients, preference shall be given to eligible veterans or national

guard members. In awarding educator retooling scholarships to support additional bilingual education and English language learner endorsements, the board shall give preference to: Teachers seeking endorsements in order to be assigned to the transitional bilingual instructional program under the provisions of RCW 28A.180.040(2), teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferrals. The student achievement council must provide regular reports to the professional educator standards board that include the enrollment, employment, and repayment status of recipients of all scholarships under this section and the certificate number of recipients who have successfully completed a certification program.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080. Funds received by the professional educator standards board for the program in this chapter may be transferred to the student achievement council for deposit in the future teachers conditional scholarship account.

Sec. 703. RCW 28A.180.040 and 2009 c 380 s 5 are each amended to read as follows:

(1) Every school district board of directors shall:

(a) Make available to each eligible pupil transitional bilingual instruction to achieve competency in English, in accord with rules of the superintendent of public instruction;

(b) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program;

(c) Determine, by administration of an English test approved by the superintendent of public instruction the number of eligible pupils enrolled in the school district at the beginning of a school year and thereafter during the year as necessary in individual cases;

(d) Ensure that a student who is a child of a military family in transition and who has been assessed as in need of, or enrolled in, a bilingual instruction program, the receiving school shall initially honor placement of the student into a like program.

(i) The receiving school shall determine whether the district's program is a like program when compared to the sending school's program; and

(ii) The receiving school may conduct subsequent assessments pursuant to RCW 28A.180.090 to determine appropriate placement and continued enrollment in the program;

(e) Before the conclusion of each school year, measure each eligible pupil's improvement in learning the English language by means of a test approved by the superintendent of public instruction; and

(f) Provide in-service training for teachers, counselors, and other staff, who are involved in the district's transitional bilingual program. Such training shall include appropriate instructional strategies for

children of culturally different backgrounds, use of curriculum materials, and program models.

(2) Beginning in the 2017-18 school year, all classroom teachers assigned using funds for the transitional bilingual instructional program to provide supplemental instruction for eligible pupils must hold an endorsement in bilingual education or English language learner, or both.

(3) The definitions in Article II of RCW 28A.705.010 apply to subsection (1)(d) of this section.

PART VIII

ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

NEW SECTION. Sec. 801. (1) The office of the superintendent of public instruction shall convene an English language learner accountability task force to design a performance-based accountability system for the transitional bilingual instructional program. The task force must include representatives from the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of tribal affairs, the office of the education ombudsman, the civil rights office within the office of the superintendent of public instruction, parents, community representatives, and program directors and teachers from school districts of different sizes and with different English language learner student populations.

(2) The task force must review the research literature to identify evidence-based program designs and instructional strategies for English language learners to achieve English proficiency.

(3) The task force must identify performance benchmarks for transitional bilingual instructional programs, including:

(a) Benchmarks based on performance of eligible and exited students, including performance in English language and performance in other academic areas, based on state learning standards; and

(b) Benchmarks based on program characteristics that research suggests are associated with students achieving English proficiency, such as staff qualifications and training and the level of supplemental instruction for students.

(4) The task force must design an accountability system for the program that includes reporting and monitoring of benchmark performance and tiered levels of support and technical assistance for schools and districts based on benchmark performance. The design of the system must also include a reduction in requirements for schools and districts to submit program applications and program plans for state approval, to be replaced with a focus on program outcomes.

(5) The task force must submit a report first to the educational opportunity gap oversight and accountability committee and the quality education council, and then to the education committees of the legislature, with recommendations for the design of the accountability system and any policy changes, statutory changes, or resources necessary for its implementation. An interim report is due to the legislative education committees by January 15, 2014, and a final report is due by September 30, 2014.

(6) This section expires July 1, 2015.

Sec. 802. RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each amended to read as follows:

The superintendent of public instruction shall develop an evaluation system designed to measure increases in the English and academic proficiency of eligible pupils. When developing the system, the superintendent shall:

(1) Require school districts to assess potentially eligible pupils within ten days of registration using an English proficiency assessment or assessments as specified by the superintendent of public instruction. Results of these assessments shall be made available to both the superintendent of public instruction and the school district;

(2) Require school districts to annually assess all eligible pupils at the end of the school year using an English proficiency assessment or assessments as specified by the superintendent of public instruction.

Results of these assessments shall be made available to both the superintendent of public instruction and the school district;

(3) Develop a system to evaluate increases in the English and academic proficiency of students who are, or were, eligible pupils. This evaluation shall include students when they are in the program and after they exit the program until they finish their K-12 career or transfer from the school district. The purpose of the evaluation system is to inform schools, school districts, parents, and the state of the effectiveness of the transitional bilingual programs in school and school districts in teaching these students English and other content areas, such as mathematics and writing; and

(4) ~~(Report to the education and fiscal committees of the legislature by November 1, 2002, regarding the development of the systems described in this section and a timeline for the full implementation of those systems. The legislature shall approve and provide funding for the evaluation system in subsection (3) of this section before any implementation of the system developed under subsection (3) of this section may occur.)~~ Provide school districts with technical assistance and support in selecting research-based program models, instructional materials, and professional development for program staff, including disseminating information about best practices and innovative programs. The information must include research about the differences between conversational language proficiency, academic language proficiency, and subject-specific language proficiency and the implications this research has on instructional practices and evaluation of program effectiveness.

NEW SECTION. Sec. 803. A new section is added to chapter 28A.657 RCW to read as follows:

At the beginning of each school year, the office of the superintendent of public instruction shall identify schools that experienced a significant increase during the previous two school years in enrollment of English language learner students as compared to previous enrollment trends. The office shall notify the schools, and school districts in which the schools are located must provide the cultural competence professional development and training developed under section 603 of this act for classified, certificated instructional, and administrative staff of the schools. The professional development and training may be delivered by an educational service district, through district in-service, or by another qualified provider, including in partnership with the local community.

PART IX

DISAGGREGATED STUDENT DATA

Sec. 901. RCW 28A.300.042 and 2009 c 468 s 4 are each amended to read as follows:

(1) Beginning with the 2014-15 school year and using the phase-in provided in subsection (2) of this section, the superintendent of public instruction must collect and school districts must submit all student-level data using the United States office of management and budget 1997 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications to the subracial and subethnic categories:

(a) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(b) Further disaggregation of countries of origin for Asian students;

(c) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(d) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(2) Beginning with the 2014-15 school year, school districts must collect student-level data as provided in subsection (1) of this section for all newly enrolled students, including transfer students. School districts must resurvey students for whom subracial and subethnic categories are not reported when the students enter middle school or

junior high school. School districts may resurvey other students.

(3) All student data-related reports (~~(required of)~~) prepared by the superintendent of public instruction (~~(#)~~) under this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

Beginning with the 2014-15 school year, student data-related reports must also be prepared displaying additional disaggregation of data if analysis of the data indicates significant differences among categories of students as it pertains to the subject of the report. The superintendent of public instruction may use other data for analysis if disaggregated data for subracial and subethnic categories of students do not exist, including but not limited to whether the student is an immigrant; country of birth; or language spoken at home.

(4) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data as required under this section, and the office of the superintendent of public instruction shall modify the statewide student data system as needed. The office of the superintendent of public instruction shall also incorporate training for school staff on best practices for collection of data on student race and ethnicity in other training or professional development related to data provided by the office.

Sec. 902. RCW 28A.300.505 and 2007 c 401 s 5 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop standards for school data systems that focus on validation and verification of data entered into the systems to ensure accuracy and compatibility of data. The standards shall address but are not limited to the following topics:

(a) Date validation;

(b) Code validation, which includes gender, race or ethnicity, and other code elements;

(c) Decimal and integer validation; and

(d) Required field validation as defined by state and federal requirements.

(2) The superintendent of public instruction shall develop a reporting format and instructions for school districts to collect and submit data on student demographics that is disaggregated (~~(by distinct ethnic categories within racial subgroups so that analyses may be conducted on student achievement using the disaggregated data)~~) as required under RCW 28A.300.042.

PART X

RECRUITMENT AND RETENTION OF EDUCATORS

NEW SECTION. Sec. 1001. (1) The professional educator standards board and the office of the superintendent of public instruction shall convene a work group to revise and update the model framework and curriculum, as well as the program of study, for high school career and technical education courses related to careers in education.

(2) The revised careers in education courses must incorporate:

(a) Standards for cultural competence developed by the professional educator standards board under RCW 28A.410.270;

(b) The most recent competency standards established by the professional educator standards board and new research on best practices for educator preparation and development; and

(c) Curriculum and activities used by the recruiting Washington teachers program under RCW 28A.415.370.

(3) The revisions must be completed before the 2014-15 school year.

(4) This section expires September 1, 2015.

NEW SECTION. Sec. 1002. A new section is added to chapter 28A.410 RCW to read as follows:

(1) The professional educator standards board shall convene a work group to design program-specific paraeducator professional

development and recommend minimum qualifications for paraeducators, as well as an articulated pathway for teacher preparation and certification that has the characteristics described in this section. The work group must include representatives of community and technical college paraeducator apprenticeship and certificate programs, colleges of education, teacher and paraeducator associations, and the office of the superintendent of public instruction.

(2) An articulated pathway for teacher preparation and certification includes:

(a) Paraeducator certificate and apprenticeship programs that offer course credits that apply to transferrable associate degrees and are aligned with the standards and competencies for teachers adopted by the professional educator standards board;

(b) Associate degree programs that build on and do not duplicate the courses and competencies of paraeducator certificate programs, incorporate field experiences, are aligned with the standards and competencies for teachers adopted by the professional educator standards board, and are transferrable to bachelor's degree in education programs and teacher certification programs;

(c) Bachelor's degree programs that lead to teacher certification that build on and do not duplicate the courses and competencies of transferrable associate degrees; and

(d) Incorporation of the standards for cultural competence developed by the professional educator standards board under RCW 28A.410.270 throughout the courses and curriculum of the pathway, particularly focusing on multicultural education and principles of language acquisition.

(3) The work group shall design professional development and recommend minimum qualifications for paraeducators in the following programs:

(a) Transitional bilingual instructional program;

(b) Learning assistance program;

(c) Special education; and

(d) General education.

(4) The professional educator standards board must submit a report to the education committees of the legislature by January 10, 2014, containing:

(a) A comparison of the current status of pathways for teacher certification to the elements of the articulated pathway. The report must highlight gaps and recommend strategies to address them;

(b) Appropriate program-specific professional development that should be made available to paraeducators, including online learning opportunities; and

(c) Recommended minimum qualifications for paraeducators in specified programs.

(5) The professional educator standards board and the state board for community and technical colleges may exercise their respective authorities regarding program approval to implement the articulated pathway for teacher preparation and certification under this section in approved teacher certification programs and certificate and degree programs offered by community and technical colleges.

NEW SECTION. Sec. 1003. A new section is added to chapter 28B.50 RCW to read as follows:

Beginning with the 2014-15 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferrable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270.

PART XI"

Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

Representative Santos spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (582) to amendment (581) was withdrawn.

With the consent of the house, amendment 583 to the striking amendment was withdrawn.

Representative Sullivan spoke in favor of the adoption of the striking amendment.

Amendment (581) was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.

Representatives Sullivan, Dahlquist, Haigh, Magendanz and Kagi spoke in favor of the passage of the bill.

Representatives Wylie, Klippert and Santos spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5946, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5946, as amended by the House, and the bill passed the House by the following vote: Yeas, 69; Nays, 23; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, Moeller, Morrell, Morris, Nealey, Orcutt, Orwall, Parker, Pedersen, Pettigrew, Pike, Roberts, Ross, Schmick, Seaquist, Short, Smith, Springer, Stonier, Sullivan, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Farrell, Hansen, Holy, Hunt, Klippert, McCoy, Moscoso, Ormsby, Overstreet, Pollet, Reykdal, Riccelli, Ryu, Santos, Sawyer, Scott, Sells, Shea, Stanford, Tarleton, Taylor and Wylie.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5946, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Rules was relieved of ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632 and the bill was placed on the second reading calendar:

MESSAGES FROM THE SENATE

MR. SPEAKER:

The Senate has passed:

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157
SUBSTITUTE SENATE BILL NO. 5679
SUBSTITUTE SENATE BILL NO. 5718
SUBSTITUTE SENATE BILL NO. 5804
ENGROSSED SUBSTITUTE SENATE BILL NO. 5891
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5913
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2081 by Representative Carlyle

AN ACT Relating to tax preferences; and creating a new section.

Referred to Committee on Finance.

HB 2082 by Representatives Zeiger and Kirby

AN ACT Relating to life insurance policies; adding a new section to chapter 48.23 RCW; and adding a new section to chapter 48.24 RCW.

Referred to Committee on Business & Financial Services.

HB 2083 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Van De Wege, Fagan, Kochmar, Zeiger, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to probable cause for persons in violation of an impaired driving offense; and reenacting and amending RCW 10.31.100.

Referred to Committee on Public Safety.

HB 2084 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Van De Wege, Hayes, Fagan, Vick, Zeiger, Kochmar, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to impaired driving offenses that constitute a felony offense; amending RCW 46.61.502 and 46.61.504; reenacting and amending RCW 46.61.5055; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2085 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Hayes, Vick, Kochmar, Zeiger, Fagan, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to eliminating look back periods for impaired driving offenses; amending RCW 46.61.502 and 46.61.504; reenacting and amending RCW 46.61.5055; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2086 by Representatives Bergquist, Hawkins, Hunt, Walsh, Freeman, Manweller, Stonier, Riccelli, Kagi, Pollet, Zeiger, Tarleton, Orwall, Habib, Green, Cody, Morrell, Fey, Roberts and Smith

AN ACT Relating to smoking in motor vehicles carrying minors; amending RCW 46.63.110; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5948, by Senators Braun, Chase, O'Ban, Keiser, Padden, Hill, Holmquist Newbry, Becker and Brown

Concerning state procurement of goods and services.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunt and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5948.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5948, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey,

Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

SENATE BILL NO. 5948, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 2069, by House Committee on Appropriations (originally sponsored by Representatives Hunter and Sullivan).

Concerning continuation of safety net benefits for persons with a physical or mental disability which makes them eligible for certain social services programs.

The bill was read the third time.

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2069.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2069, and the bill passed the House by the following vote: Yeas, 83; Nays, 9; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hawkins, Kretz, Overstreet, Schmick, Scott, Shea, Short and Taylor.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

SUBSTITUTE HOUSE BILL NO. 2069, having received the necessary constitutional majority, was declared passed.

There being no objection, the House reverted to the sixth order of business.

SECOND READING

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

Making 2013-2015 operating appropriations. Revised for 1st Substitute: Making omnibus operating appropriations.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter, Alexander, Dahlquist, Haler, MacEwen, Kristiansen and Sullivan spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Third Engrossed Substitute Senate Bill No. 5034.

ROLL CALL

The Clerk called the roll on the final passage of Third Engrossed Substitute Senate Bill No. 5034, and the bill passed the House by the following vote: Yeas, 81; Nays, 11; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives DeBolt, Holy, Klippert, Orcutt, Overstreet, Parker, Pike, Scott, Shea, Short and Taylor.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO.
5034

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
5892

SENATE BILL NO. 5904
SENATE BILL NO. 5948

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

June 28, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306
SUBSTITUTE HOUSE BILL NO. 1866
ENGROSSED HOUSE BILL NO. 2068

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The President has signed:

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892
SENATE BILL NO. 5904
SENATE BILL NO. 5948

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1450

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2043

HOUSE BILL NO. 2044

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2051

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE BILL NO. 1632, by House Committee on Transportation (originally sponsored by Representatives Shea, Blake, Kristiansen, Sells, Warnick, Upthegrove, Wilcox, Scott, Moscoso, Fagan and Condotta)

Regulating the use of off-road vehicles in certain areas.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1632 was substituted for House Bill No. 1632 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1632 was read the second time.

Representative Blake moved the adoption of amendment (572).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that off-road vehicle users have been overwhelmed with varied confusing rules, regulations, and ordinances from federal, state, county, and city land managers throughout the state to the extent standardization statewide is needed to maintain public safety and good order.

(2) It is the intent of the legislature to: (a) Increase opportunities for safe, legal, and environmentally acceptable motorized recreation; (b) decrease the amount of unlawful or environmentally harmful motorized recreation; (c) generate funds for use in maintenance, signage, education, and enforcement of motorized recreation opportunities; (d) advance a culture of self-policing and abuse intolerance among motorized recreationists; (e) cause no change in the policies of any governmental agency with respect to public land; (f) not change any current ORV usage routes as authorized in chapter 213, Laws of 2005; (g) stimulate rural economies by opening certain roadways to use by motorized recreationists which will in turn stimulate economic activity through expenditures on gasoline, lodging, food and drink, and other entertainment purposes; and (h) require all wheeled all-terrain vehicles to obtain a metal tag.

Sec. 2. RCW 46.09.310 and 2010 c 161 s 213 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory committee" means the nonhighway and off-road vehicle activities advisory committee established in RCW 46.09.340.

(2) "Board" means the recreation and conservation funding board established in RCW 79A.25.110.

(3) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling off-road vehicles at wholesale or retail in this state.

(4) "Highway," for the purpose of this chapter only, means the entire width between the boundary lines of every roadway publicly maintained by the state department of transportation or any county or city with funding from the motor vehicle fund. A highway is generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles.

(5) "Nonhighway road" means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.

(6) "Nonhighway road recreation facilities" means recreational facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonhighway road recreational users.

(7) "Nonhighway road recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonhighway road recreational purposes, including, but not limited to, hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking/canoeing, and gathering berries, firewood, mushrooms, and other natural products.

(8) "Nonhighway vehicle" means any motorized vehicle including an ORV when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain.

Nonhighway vehicle does not include:

(a) Any vehicle designed primarily for travel on, over, or in the water;

(b) Snowmobiles or any military vehicles; or

(c) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter 82.36 RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

(9) "Nonmotorized recreational facilities" means recreational trails and facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonmotorized recreational users.

(10) "Nonmotorized recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonmotorized recreational purposes including, but not limited to, walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, horseback riding, and pack animal activities.

(11) "Organized competitive event" means any competition, advertised in advance through written notice to organized clubs or published in local newspapers, sponsored by recognized clubs, and conducted at a predetermined time and place.

(12) "ORV recreation facilities" include, but are not limited to, ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use areas, designated for ORV use by the managing authority (~~that are intended primarily for ORV recreational users~~).

(13) "ORV recreational user" means a person whose purpose for consuming fuel on nonhighway roads or off-road is primarily for ORV recreational purposes, including but not limited to riding an all-terrain vehicle, motorcycling, or driving a four-wheel drive vehicle or dune buggy.

(14) "ORV sports park" means a facility designed to accommodate competitive ORV recreational uses including, but not limited to, motocross racing, four-wheel drive competitions, and flat track racing. Use of ORV sports parks can be competitive or noncompetitive in nature.

(15) "ORV trail" means a multiple-use corridor designated by the managing authority and maintained for recreational use by motorized vehicles.

(16) "Direct supervision" means that the supervising adult must be in a position, on another wheeled all-terrain vehicle or specialty off-highway vehicle or motorbike or, if on the ground, within a reasonable distance of the unlicensed operator, to provide close support, assistance, or direction to the unlicensed operator.

(17) "Emergency management" means the carrying out of emergency functions related to responding and recovering from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress.

(18) "Primitive road" means a linear route managed for use by four-wheel drive or high-clearance vehicles that is generally not maintained or paved, a road designated by a county as primitive under RCW 36.75.300, or a road designated by a city or town as primitive under a local ordinance.

(19) "Wheeled all-terrain vehicle" means (a) any motorized nonhighway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a diameter of thirty inches or less, or (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches.

Sec. 3. RCW 46.09.310 and 2013 c 225 s 607 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advisory committee" means the nonhighway and off-road vehicle activities advisory committee established in RCW 46.09.340.

(2) "Board" means the recreation and conservation funding board established in RCW 79A.25.110.

(3) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling off-road vehicles at wholesale or retail in this state.

(4) "Highway," for the purpose of this chapter only, means the entire width between the boundary lines of every roadway publicly maintained by the state department of transportation or any county or city with funding from the motor vehicle fund. A highway is generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles.

(5) "Nonhighway road" means any road owned or managed by a public agency, a primitive road, or any private road for which the owner has granted an easement for public use for which appropriations from the motor vehicle fund were not used for (a) original construction or reconstruction in the last twenty-five years; or (b) maintenance in the last four years.

(6) "Nonhighway road recreation facilities" means recreational facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonhighway road recreational users.

(7) "Nonhighway road recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonhighway road recreational purposes, including, but not limited to, hunting, fishing, camping, sightseeing, wildlife viewing, picnicking, driving for pleasure, kayaking/canoeing, and gathering berries, firewood, mushrooms, and other natural products.

(8) "Nonhighway vehicle" means any motorized vehicle including an ORV when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain.

Nonhighway vehicle does not include:

(a) Any vehicle designed primarily for travel on, over, or in the water;

(b) Snowmobiles or any military vehicles; or

(c) Any vehicle eligible for a motor vehicle fuel tax exemption or rebate under chapter 82.38 RCW while an exemption or rebate is claimed. This exemption includes but is not limited to farm, construction, and logging vehicles.

(9) "Nonmotorized recreational facilities" means recreational trails and facilities that are adjacent to, or accessed by, a nonhighway road and intended primarily for nonmotorized recreational users.

(10) "Nonmotorized recreational user" means a person whose purpose for consuming fuel on a nonhighway road or off-road is primarily for nonmotorized recreational purposes including, but not limited to, walking, hiking, backpacking, climbing, cross-country skiing, snowshoeing, mountain biking, horseback riding, and pack animal activities.

(11) "Organized competitive event" means any competition, advertised in advance through written notice to organized clubs or published in local newspapers, sponsored by recognized clubs, and conducted at a predetermined time and place.

(12) "ORV recreation facilities" include, but are not limited to, ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use areas, designated for ORV use by the managing authority (~~that are intended primarily for ORV recreational users~~).

(13) "ORV recreational user" means a person whose purpose for consuming fuel on nonhighway roads or off-road is primarily for ORV recreational purposes, including but not limited to riding an all-terrain vehicle, motorcycling, or driving a four-wheel drive vehicle or dune buggy.

(14) "ORV sports park" means a facility designed to accommodate competitive ORV recreational uses including, but not limited to, motocross racing, four-wheel drive competitions, and flat track racing. Use of ORV sports parks can be competitive or noncompetitive in nature.

(15) "ORV trail" means a multiple-use corridor designated by the managing authority and maintained for recreational use by motorized vehicles.

(16) "Direct supervision" means that the supervising adult must be in a position, on another wheeled all-terrain vehicle or specialty off-highway vehicle or motorbike or, if on the ground, within a reasonable distance of the unlicensed operator, to provide close support, assistance, or direction to the unlicensed operator.

(17) "Emergency management" means the carrying out of emergency functions related to responding and recovering from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress.

(18) "Primitive road" means a linear route managed for use by four-wheel drive or high-clearance vehicles that is generally not maintained or paved, a road designated by a county as primitive under RCW 36.75.300, or a road designated by a city or town as primitive under a local ordinance.

(19) "Wheeled all-terrain vehicle" means (a) any motorized nonhighway vehicle with handlebars that is fifty inches or less in width, has a seat height of at least twenty inches, weighs less than one thousand five hundred pounds, and has four tires having a diameter of thirty inches or less, or (b) a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of twenty psi or less, has a maximum width less than seventy-four inches, has a maximum weight less than two thousand pounds, has a wheelbase of one hundred ten inches or less, and satisfies at least one of the following: (i) Has a minimum width of fifty inches; (ii) has a minimum weight of at least nine hundred pounds; or (iii) has a wheelbase of over sixty-one inches.

NEW SECTION. Sec. 4. A new section is added to chapter 46.09 RCW under the subchapter heading "registrations and use permits" to read as follows:

(1) Any wheeled all-terrain vehicle operated within this state must display a metal tag to be affixed to the rear of the wheeled all-terrain vehicle. The initial metal tag must be issued with an original off-road vehicle registration and upon payment of the initial vehicle license fee under RCW 46.17.350(1)(s). The metal tag must be replaced every seven years at a cost of two dollars. Revenue from replacement metal tags must be deposited into the nonhighway and off-road vehicle activities program account. The department must design the metal tag, which must:

- (a) Be the same size as a motorcycle license plate;
- (b) Have the words "RESTRICTED VEHICLE" listed at the top of the tag;
- (c) Contain designated identification through a combination of letters and numbers;
- (d) Leave space at the bottom left corner of the tag for an off-road tab issued under subsection (2) of this section; and
- (e) Leave space at the bottom right corner of the tag for an on-road tab, when required, issued under subsection (3) of this section.

(2) A person who operates a wheeled all-terrain vehicle must have a current and proper off-road vehicle registration, with the appropriate off-road tab, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(s), which must be deposited into the nonhighway and off-road vehicle activities program account. The off-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(s).

(3) A person who operates a wheeled all-terrain vehicle upon a public roadway must have a current and proper on-road vehicle registration, with the appropriate on-road tab, which must be of a bright color that can be seen from a reasonable distance, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(r). The on-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(r).

(4) A wheeled all-terrain vehicle may not be registered for commercial use.

NEW SECTION. Sec. 5. A new section is added to chapter 46.09 RCW under the subchapter heading "registrations and use permits" to read as follows:

(1) A person may not operate a wheeled all-terrain vehicle upon a public roadway of this state, not including nonhighway roads and trails, without (a) first obtaining a valid driver's license issued to Washington residents in compliance with chapter 46.20 RCW or (b) possessing a valid driver's license issued by the state of the person's residence if the person is a nonresident.

(2) A person who operates a wheeled all-terrain vehicle under this section is granted all rights and is subject to all duties applicable to the operator of a motorcycle under RCW 46.37.530 and chapter 46.61 RCW, unless otherwise stated in this act, except that wheeled all-terrain vehicles may not be operated side-by-side in a single lane of traffic.

(3) Wheeled all-terrain vehicles are subject to chapter 46.55 RCW.

(4) Any person who violates this section commits a traffic infraction.

(5) The department may develop and implement an online training course for persons that register wheeled all-terrain vehicles and utility-type vehicles for use on a public roadway of this state. The department is granted rule-making authority for the training course. Any future costs associated with the training course must be appropriated from the highway safety account and any fees collected must be distributed to the highway safety account.

NEW SECTION. Sec. 6. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

(1) A person may operate a wheeled all-terrain vehicle upon any public roadway of this state, not including nonhighway roads and trails, having a speed limit of thirty-five miles per hour or less subject to the following restrictions and requirements:

(a) A person may not operate a wheeled all-terrain vehicle upon state highways that are listed in chapter 47.17 RCW; however, a person may operate a wheeled all-terrain vehicle upon a segment of a state highway listed in chapter 47.17 RCW if the segment is within the limits of a city or town and the speed limit on the segment is thirty-five miles per hour or less;

(b) A person operating a wheeled all-terrain vehicle may not cross a public roadway, not including nonhighway roads and trails, with a speed limit in excess of thirty-five miles per hour, unless the crossing begins and ends on a public roadway, not including nonhighway roads and trails, or an ORV trail, with a speed limit of thirty-five miles per hour or less and occurs at an intersection of approximately ninety degrees, except that the operator of a wheeled all-terrain vehicle may not cross at an uncontrolled intersection of a public highway listed under chapter 47.17 RCW;

(c)(i) A person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a county, not including nonhighway roads and trails, with a population of fifteen thousand or more unless the county by ordinance has approved the operation of wheeled all-terrain vehicles on county roadways, not including nonhighway roads and trails.

(ii) The legislative body of a county with a population of fewer than fifteen thousand may, by ordinance, designate roadways or highways within its boundaries to be unsuitable for use by wheeled all-terrain vehicles.

(iii) Any public roadways, not including nonhighway roads and trails, authorized by a legislative body of a county under (c)(i) of this subsection or designated as unsuitable under (c)(ii) of this subsection must be listed publicly and made accessible from the main page of the county web site.

(iv) This subsection (1)(c) does not affect any roadway that was designated as open or closed as of January 1, 2013;

(d)(i) A person may not operate a wheeled all-terrain vehicle on a public roadway within the boundaries of a city or town, not including nonhighway roads and trails, unless the city or town by ordinance has approved the operation of wheeled all-terrain vehicles on city or town roadways, not including nonhighway roads and trails.

(ii) Any public roadways, not including nonhighway roads and trails, authorized by a legislative body of a city or town under (d)(i) of this subsection must be listed publicly and made accessible from the main page of the city or town web site.

(iii) This subsection (1)(d) does not affect any roadway that was designated as open or closed as of January 1, 2013.

(e) Any person who violates this subsection commits a traffic infraction.

(2) Local authorities may not establish requirements for the registration of wheeled all-terrain vehicles.

(3) A person may operate a wheeled all-terrain vehicle upon any public roadway, trail, nonhighway road, or highway within the state while being used under the authority or direction of an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

(4) A wheeled all-terrain vehicle is an off-road vehicle for the purposes of chapter 4.24 RCW.

NEW SECTION. Sec. 7. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

(1) A person may operate a wheeled all-terrain vehicle upon any public roadway of this state, not including nonhighway roads and trails, subject to the following equipment and declaration requirements:

(a) A person who operates a wheeled all-terrain vehicle must comply with the following equipment requirements:

(i) Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion upon a highway;

(ii) One tail lamp meeting the requirements of RCW 46.37.525 and used at all times when the vehicle is in motion upon a highway; however, a utility-type vehicle, as described under RCW 46.09.310, must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a highway;

(iii) A stop lamp meeting the requirements of RCW 46.37.200;

(iv) Reflectors meeting the requirements of RCW 46.37.060;

(v) During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;

(vi) A mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the highway for a distance of at least two hundred feet to the rear of the vehicle; however, a utility-type vehicle, as described under RCW 46.09.310(19), must have two mirrors meeting the requirements of RCW 46.37.400;

(vii) A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington state patrol;

(viii) A horn or warning device meeting the requirements of RCW 46.37.380;

(ix) Brakes in working order;

(x) A spark arrester and muffling device meeting the requirements of RCW 46.09.470; and

(xi) For utility-type vehicles, as described under RCW 46.09.310(19), seatbelts meeting the requirements of RCW 46.37.510.

(b) A person who operates a wheeled all-terrain vehicle upon a public roadway must provide a declaration that includes the following:

(i) Documentation of a safety inspection to be completed by a licensed wheeled all-terrain vehicle dealer or repair shop in the state of Washington that must outline the vehicle information and certify under oath that all wheeled all-terrain vehicle equipment as required under this section meets the requirements outlined in state and federal law. A person who makes a false statement regarding the inspection of equipment required under this section is guilty of false swearing, a gross misdemeanor, under RCW 9A.72.040;

(ii) Documentation that the licensed wheeled all-terrain vehicle dealer or repair shop did not charge more than fifty dollars per safety inspection and that the entire safety inspection fee is paid directly and only to the licensed wheeled all-terrain vehicle dealer or repair shop;

(iii) A statement that the licensed wheeled all-terrain vehicle dealer or repair shop is entitled to the full amount charged for the safety inspection;

(iv) A vehicle identification number verification that must be completed by a licensed wheeled all-terrain vehicle dealer or repair shop in the state of Washington; and

(v) A release signed by the owner of the wheeled all-terrain vehicle and verified by the department, county auditor or other agent, or subagent appointed by the director that releases the state from any liability and outlines that the owner understands that the original wheeled all-terrain vehicle was not manufactured for on-road use and that it has been modified for use on public roadways.

(2) This section does not apply to emergency services vehicles, vehicles used for emergency management purposes, or vehicles used in the production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator of the wheeled all-terrain vehicle or the operator's employer.

NEW SECTION. Sec. 8. A new section is added to chapter 46.09 RCW under the subchapter heading "general provisions" to read as follows:

The department must track wheeled all-terrain vehicles in a separate registration category for reporting purposes.

NEW SECTION. Sec. 9. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

(1) A person who operates a wheeled all-terrain vehicle consistent with RCW 46.09.470(1) (g), (h), or (i) or inconsistent with the emergency exemption under RCW 46.09.420 is a traffic infraction.

(2) Any law enforcement officer may issue a notice of traffic infraction for a violation of subsection (1) of this section whether or not the infraction was committed in the officer's presence, as long as there is reasonable evidence presented that the operator of the wheeled all-terrain vehicle committed a violation of subsection (1) of this section. At a minimum, the evidence must include information relating to the time and location at which the violation occurred, and the wheeled all-terrain vehicle metal tag number or a description of the vehicle involved in the violation. If, after an investigation of a reported violation of subsection (1) of this section, the law enforcement officer is able to identify the operator and has probable cause to believe a violation of subsection (1) of this section has occurred, the law enforcement officer shall prepare a notice of traffic infraction and have it served upon the operator of the wheeled all-terrain vehicle.

NEW SECTION. Sec. 10. A new section is added to chapter 46.09 RCW under the subchapter heading "revenue" to read as follows:

(1) The multiuse roadway safety account is created in the motor vehicle fund. All receipts from vehicle license fees under RCW

46.17.350(1)(r) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for grants administered by the department of transportation to: (a) Counties to perform safety engineering analysis of mixed vehicle use on any road within a county; (b) local governments to provide funding to erect signs providing notice to the motoring public that (i) wheeled all-terrain vehicles are present or (ii) wheeled all-terrain vehicles may be crossing; (c) the state patrol or local law enforcement for purposes of defraying the costs of enforcement of this act; and (d) law enforcement to investigate accidents involving wheeled all-terrain vehicles.

(2) The department of transportation must prioritize grant awards in the following priority order:

(a) For the purpose of marking highway crossings with signs warning motorists that wheeled all-terrain vehicles may be crossing when an ORV recreation facility parking lot is on the other side of a public roadway from the actual ORV recreation facility; and

(b) For the purpose of marking intersections with signs where a wheeled all-terrain vehicle may cross a public road to advise motorists of the upcoming intersection. Such signs must conform to the manual on uniform traffic control devices.

Sec. 11. RCW 46.09.360 and 2006 c 212 s 4 are each amended to read as follows:

(1) Notwithstanding any of the provisions of this chapter, any city, town, county, or other political subdivision of this state, or any state agency, may regulate the operation of nonhighway vehicles on public lands, waters, and other properties under its jurisdiction, and on streets, roads, or highways within its boundaries by adopting regulations or ordinances of its governing body, provided such regulations are not less stringent than the provisions of this chapter. However, the legislative body of a city or town with a population of less than three thousand persons may, by ordinance, designate a street or highway within its boundaries to be suitable for use by off-road vehicles. The legislative body of a county may, by ordinance, designate a road or highway within its boundaries to be suitable for use by off-road vehicles ((if the road or highway is a direct connection between a city with a population of less than three thousand persons and an off-road vehicle recreation facility)).

(2) For purposes of this section, "off-road vehicles" does not include wheeled all-terrain vehicles.

Sec. 12. RCW 46.09.400 and 2011 c 171 s 25 are each amended to read as follows:

The department shall:

(1) Issue registrations and temporary ORV use permits for off-road vehicles, excluding wheeled all-terrain vehicles subject to subsection (4) of this section;

(2) Issue decals for off-road vehicles, excluding wheeled all-terrain vehicles subject to subsection (4) of this section. The decals serve the same function as license plates for vehicles registered under chapter 46.16A RCW; ~~((and))~~

(3) Charge a fee for each decal covering the actual cost of the decal; and

(4) Issue metal tags, off-road vehicle registrations, and on-road vehicle registrations for wheeled all-terrain vehicles.

Sec. 13. RCW 46.09.410 and 2010 c 161 s 218 are each amended to read as follows:

(1) The application for an original ORV registration has the same requirements as described for original vehicle registrations in RCW 46.16A.040 and must be accompanied by the annual off-road vehicle license fee required under RCW 46.17.350, in addition to any other fees or taxes due for the application.

(2) The application for renewal of an ORV registration has the same requirements as described for the renewal of vehicle registrations in RCW 46.16A.110 and must be accompanied by the annual off-road vehicle license fee required under RCW 46.17.350, in addition to any other fees or taxes due for the application.

(3) The annual ORV registration is valid for one year and may be renewed each subsequent year as prescribed by the department.

(4) A person who acquires an off-road vehicle that has an ORV registration must:

(a) Apply to the department, county auditor or other agent, or subagent appointed by the director for a transfer of the ORV registration within fifteen days of taking possession of the off-road vehicle; and

(b) Pay the ORV registration transfer fee required under RCW 46.17.410, in addition to any other fees or taxes due at the time of application.

(5) The department shall issue an ORV registration, decals, and tabs upon receipt of:

(a) A properly completed application for an original ORV registration; and

(b) The payment of all fees and taxes due at the time of application.

(6) The ORV registration must be carried on the vehicle for which it was issued at all times during its operation in this state.

(7) Off-road vehicle decals must be affixed to the off-road vehicle in a manner prescribed by the department.

(8) Unless exempt under RCW 46.09.420, any out-of-state operator of an off-road vehicle, when operating in this state, must comply with this chapter. If an ORV registration is required under this chapter, the out-of-state operator must obtain an ORV registration and decal or a temporary ORV use permit.

(9) This section does not apply to wheeled all-terrain vehicles registered for use under section 4 of this act.

Sec. 14. RCW 46.09.420 and 2011 c 171 s 26 are each amended to read as follows:

ORV registrations and decals are required under this chapter except for the following:

(1) Off-road vehicles owned and operated by the United States, another state, or a political subdivision of the United States or another state.

(2) Off-road vehicles owned and operated by this state, a municipality, or a political subdivision of this state or the municipality.

(3) Off-road vehicles operated on and across agricultural and timber lands owned ((or)), leased, or managed by the off-road vehicle owner or operator or operator's employer.

(4) Off-road vehicles owned by a resident of another state that have a valid ORV use permit or vehicle registration issued in accordance with the laws of the other state. This exemption applies only to the extent that a similar exemption or privilege is granted under the laws of that state.

(5) Off-road vehicles while being used for ~~((search and rescue))~~ emergency management purposes under the authority or direction of an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency as defined in RCW 16.52.011.

(6) Vehicles registered under chapter 46.16A RCW or, in the case of nonresidents, vehicles validly registered for operation over public highways in the jurisdiction of the owner's residence.

(7) Off-road vehicles operated by persons who, in good faith, render emergency care or assistance with respect to an incident involving off-road vehicles. Persons who operate off-road vehicles to render such care, assistance, or advice are not liable for civil damages resulting from any act or omission in the rendering of such care, assistance, or advice, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

Sec. 15. RCW 46.09.450 and 2011 c 171 s 27 are each amended to read as follows:

(1) Except as otherwise provided in this section, it is lawful to operate an off-road vehicle upon:

(a) A nonhighway road and in parking areas serving designated off-road vehicle areas if the state, federal, local, or private authority responsible for the management of the nonhighway road authorizes the use of off-road vehicles; ~~(and)~~

(b) A street, road, or highway as authorized under RCW 46.09.360; and

(c) Any trail, nonhighway road, or highway within the state while being used under the authority or direction of an appropriate agency that engages in emergency management, as defined in RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law enforcement agency, as defined in RCW 16.52.011, within the scope of the agency's official duties.

(2) ~~(Operations of)~~ An off-road vehicle operated on a nonhighway road ~~(;)~~ or on a street, road, or highway as authorized under RCW 46.09.360 ~~(under)~~ and this section is exempt from both registration requirements of chapter 46.16A RCW and vehicle lighting and equipment requirements of chapter 46.37 RCW.

(3) It is unlawful to operate an off-road vehicle upon a private nonhighway road if the road owner has not authorized the use of off-road vehicles.

(4) Nothing in this section authorizes trespass on private property.

(5) The provisions of RCW 4.24.210(5) ~~(shall)~~ apply to public and private landowners who allow members of the public to use public facilities accessed by a highway, street, or nonhighway road for recreational off-road vehicle use.

Sec. 16. RCW 46.09.460 and 2005 c 213 s 5 are each amended to read as follows:

(1) Except as specified in subsection (2) of this section, no person under ~~(thirteen)~~ sixteen years of age may operate an off-road vehicle on or across a highway or nonhighway road in this state without direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 46.20 RCW. This prohibition does not apply when a person under sixteen years of age is acting in accordance with RCW 46.09.420 (5) and (7).

(2) Persons under ~~(thirteen)~~ sixteen years of age may operate an off-road vehicle across a highway, if at that crossing signs indicate that wheeled all-terrain vehicles or off-road vehicles may be crossing, or on a nonhighway road designated for off-road vehicle use, under the direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 46.20 RCW.

(3) This section does not apply to vehicles used in the production of agricultural or timber products on and across lands owned, leased, or managed by the owner or operator of a wheeled all-terrain vehicle or the operator's employer.

Sec. 17. RCW 46.09.470 and 2011 c 171 s 28 and 2011 c 121 s 4 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (4) of this section, it is a traffic infraction for any person to operate any nonhighway vehicle:

(a) In such a manner as to endanger the property of another;

(b) On lands not owned by the operator or owner of the nonhighway vehicle without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others regardless of ownership;

(c) On lands not owned by the operator or owner of the nonhighway vehicle without an adequate braking device or when otherwise required for the safety of others regardless of ownership;

(d) Without a spark arrester approved by the department of natural resources;

(e) Without an adequate, and operating, muffling device which effectively limits vehicle noise to no more than eighty-six decibels on the "A" scale at fifty feet as measured by the Society of Automotive Engineers (SAE) test procedure J 331a, except that a maximum noise level of one hundred and five decibels on the "A" scale at a distance of twenty inches from the exhaust outlet shall be an acceptable

substitute in lieu of the Society of Automotive Engineers test procedure J 331a when measured:

(i) At a forty-five degree angle at a distance of twenty inches from the exhaust outlet;

(ii) With the vehicle stationary and the engine running at a steady speed equal to one-half of the manufacturer's maximum allowable ("red line") engine speed or where the manufacturer's maximum allowable engine speed is not known the test speed in revolutions per minute calculated as sixty percent of the speed at which maximum horsepower is developed; and

(iii) With the microphone placed ten inches from the side of the vehicle, one-half way between the lowest part of the vehicle body and the ground plane, and in the same lateral plane as the rearmost exhaust outlet where the outlet of the exhaust pipe is under the vehicle;

(f) On lands not owned by the operator or owner of the nonhighway vehicle upon the shoulder or inside bank or slope of any nonhighway road or highway, or upon the median of any divided highway;

(g) On lands not owned by the operator or owner of the nonhighway vehicle in any area or in such a manner so as to unreasonably expose the underlying soil, or to create an erosion condition, or to injure, damage, or destroy trees, growing crops, or other vegetation;

(h) On lands not owned by the operator or owner of the nonhighway vehicle or on any nonhighway road or trail, when these are restricted to pedestrian or animal travel;

(i) On any public lands in violation of rules and regulations of the agency administering such lands; and

(j) On a private nonhighway road in violation of RCW 46.09.450(3).

(2) It is a misdemeanor for any person to operate any nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance.

(3)(a) Except for an off-road vehicle equipped with seat belts and roll bars or an enclosed passenger compartment, it is a traffic infraction for any person to operate or ride an off-road vehicle on a nonhighway road without wearing upon his or her head a motorcycle helmet fastened securely while in motion. For purposes of this section, "motorcycle helmet" has the same meaning as provided in RCW 46.37.530.

(b) Subsection (3)(a) of this section does not apply to an off-road vehicle operator operating on his or her own land.

(c) Subsection (3)(a) of this section does not apply to an off-road vehicle ~~((operator operating on agricultural lands owned or leased by the off-road vehicle operator or the operator's employer))~~ used in production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator of the off-road vehicle or the operator's employer.

(4) It is not a traffic infraction to operate an off-road vehicle on a street, road, or highway as authorized under RCW 46.09.360 ~~((or))~~, 46.61.705, or section 6 of this act.

Sec. 18. RCW 46.09.530 and 2010 c 161 s 223 are each amended to read as follows:

(1) After deducting administrative expenses and the expense of any programs conducted under this chapter, the board shall, at least once each year, distribute the funds it receives under RCW 46.68.045 and 46.09.520 to state agencies, counties, municipalities, federal agencies, nonprofit off-road vehicle organizations, and Indian tribes. Funds distributed under this section to nonprofit off-road vehicle organizations may be spent only on projects or activities that benefit off-road vehicle recreation on publicly owned lands or lands once publicly owned that come into private ownership in a federally approved land exchange completed between January 1, 1998, and January 1, 2005.

(2) The board shall adopt rules governing applications for funds administered by the recreation and conservation office under this chapter and shall determine the amount of money distributed to each applicant. Agencies receiving funds under this chapter for capital purposes shall consider the possibility of contracting with the state parks and recreation commission, the department of natural resources, or other federal, state, and local agencies to employ the youth development and conservation corps or other youth crews in completing the project.

(3) The board shall require each applicant for acquisition or development funds under this section to comply with the requirements of either the state environmental policy act, chapter 43.21C RCW, or the national environmental policy act (42 U.S.C. Sec. 4321 et seq.).

Sec. 19. RCW 46.17.350 and 2010 c 161 s 531 are each amended to read as follows:

(1) Before accepting an application for a vehicle registration, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following vehicle license fee by vehicle type:

VEHICLE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(a) Auto stage, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
(c) Commercial trailer	\$ 34.00	\$ 30.00	RCW 46.68.035
(d) For hire vehicle, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(e) Mobile home (if registered)	\$ 30.00	\$ 30.00	RCW 46.68.030
(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
(k) Private use single-axle trailer	\$ 15.00	\$ 15.00	RCW 46.68.035(((2)))
(l) Snowmobile	\$ 30.00	\$ 30.00	RCW 46.68.350
(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
(p) Trailer, over 2000 pounds	\$ 30.00	\$ 30.00	RCW 46.68.030

(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030
(r) <u>Wheeled all-terrain vehicle, on-road use</u>	<u>\$12.00</u>	<u>\$12.00</u>	<u>Section 10 of this act</u>
(s) <u>Wheeled all-terrain vehicle, off-road use</u>	<u>\$18.00</u>	<u>\$18.00</u>	<u>RCW 46.09.510</u>

(2) The vehicle license fee required in subsection (1) of this section is in addition to the filing fee required under RCW 46.17.005, and any other fee or tax required by law.

Sec. 20. RCW 46.30.020 and 2013 c 157 s 1 are each amended to read as follows:

(1)(a) No person may operate a motor vehicle subject to registration under chapter 46.16A RCW in this state unless the person is insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090. Proof of financial responsibility for motor vehicle operation must be provided on the request of a law enforcement officer in the format specified under RCW 46.30.030.

(b) A person who drives a motor vehicle that is required to be registered in another state that requires drivers and owners of vehicles in that state to maintain insurance or financial responsibility shall, when requested by a law enforcement officer, provide evidence of financial responsibility or insurance as is required by the laws of the state in which the vehicle is registered.

(c) When asked to do so by a law enforcement officer, failure to display proof of financial responsibility for motor vehicle operation as specified under RCW 46.30.030 creates a presumption that the person does not have motor vehicle insurance.

(d) Failure to provide proof of motor vehicle insurance is a traffic infraction and is subject to penalties as set by the supreme court under RCW 46.63.110 or community restitution.

(e) For the purposes of this section, when a person uses a portable electronic device to display proof of financial security to a law enforcement officer, the officer may only view the proof of financial security and is otherwise prohibited from viewing any other content on the portable electronic device.

(f) Whenever a person presents a portable electronic device pursuant to this section, that person assumes all liability for any damage to the portable electronic device.

(2) If a person cited for a violation of subsection (1) of this section appears in person before the court or a violations bureau and provides written evidence that at the time the person was cited, he or she was in compliance with the financial responsibility requirements of subsection (1) of this section, the citation shall be dismissed and the court or violations bureau may assess court administrative costs of twenty-five dollars at the time of dismissal. In lieu of personal appearance, a person cited for a violation of subsection (1) of this section may, before the date scheduled for the person's appearance before the court or violations bureau, submit by mail to the court or violations bureau written evidence that at the time the person was cited, he or she was in compliance with the financial responsibility requirements of subsection (1) of this section, in which case the citation shall be dismissed without cost, except that the court or violations bureau may assess court administrative costs of twenty-five dollars at the time of dismissal.

(3) The provisions of this chapter shall not govern:

(a) The operation of a motor vehicle registered under RCW 46.18.220 or 46.18.255, governed by RCW 46.16A.170, or registered with the Washington utilities and transportation commission as common or contract carriers; or

(b) The operation of a motorcycle as defined in RCW 46.04.330, a motor-driven cycle as defined in RCW 46.04.332, ~~((#))~~ a moped as defined in RCW 46.04.304, or a wheeled all-terrain vehicle as defined in RCW 46.09.310.

(4) RCW 46.29.490 shall not be deemed to govern all motor vehicle liability policies required by this chapter but only those certified for the purposes stated in chapter 46.29 RCW.

Sec. 21. RCW 46.63.020 and 2013 c 135 s 2 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) Section 7(1)(b)(i) of this act relating to a false statement regarding the inspection of and installation of equipment on wheeled all-terrain vehicles;

~~((2))~~ (2) RCW 46.09.470(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

~~((2))~~ (3) RCW 46.09.480 relating to operation of nonhighway vehicles;

~~((3))~~ (4) RCW 46.10.490(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

~~((4))~~ (5) RCW 46.10.495 relating to the operation of snowmobiles;

~~((5))~~ (6) Chapter 46.12 RCW relating to certificates of title, registration certificates, and markings indicating that a vehicle has been destroyed or declared a total loss;

~~((6))~~ (7) RCW 46.16A.030 and 46.16A.050(3) relating to the nonpayment of taxes and fees by failure to register a vehicle and falsifying residency when registering a motor vehicle;

~~((7))~~ (8) RCW 46.16A.520 relating to permitting unauthorized persons to drive;

~~((8))~~ (9) RCW 46.16A.320 relating to vehicle trip permits;

~~((9))~~ (10) RCW 46.19.050 relating to knowingly providing false information in conjunction with an application for a special placard or license plate for disabled persons' parking;

~~((10))~~ (11) RCW 46.20.005 relating to driving without a valid driver's license;

~~((11))~~ (12) RCW 46.20.091 relating to false statements regarding a driver's license or instruction permit;

~~((12))~~ (13) RCW 46.20.0921 relating to the unlawful possession and use of a driver's license;

~~((13))~~ (14) RCW 46.20.342 relating to driving with a suspended or revoked license or status;

~~((14))~~ (15) RCW 46.20.345 relating to the operation of a motor vehicle with a suspended or revoked license;

~~((15))~~ (16) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license, temporary restricted driver's license, or ignition interlock driver's license;

~~((16))~~ (17) RCW 46.20.740 relating to operation of a motor vehicle without an ignition interlock device in violation of a license notation that the device is required;

~~((17))~~ (18) RCW 46.20.750 relating to circumventing an ignition interlock device;

~~((18))~~ (19) RCW 46.25.170 relating to commercial driver's licenses;

~~((19))~~ (20) Chapter 46.29 RCW relating to financial responsibility;

~~((20))~~ (21) RCW 46.30.040 relating to providing false evidence of financial responsibility;

~~((21))~~ (22) RCW 46.35.030 relating to recording device information;

~~((22))~~ (23) RCW 46.37.435 relating to wrongful installation of sunscreening material;

~~((23))~~ (24) RCW 46.37.650 relating to the sale, resale, distribution, or installation of a previously deployed air bag;

~~((24))~~ (25) RCW 46.37.671 through 46.37.675 relating to signal preemption devices;

~~((25))~~ (26) RCW 46.37. . . (section 1, chapter 135, Laws of 2013) relating to switching or flipping license plates, utilizing technology to flip or change the appearance of a license plate, selling a license plate flipping device or technology used to change the appearance of a license plate, or falsifying a vehicle registration;

~~((26))~~ (27) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

~~((27))~~ (28) RCW 46.48.175 relating to the transportation of dangerous articles;

~~((28))~~ (29) RCW 46.52.010 relating to duty on striking an unattended car or other property;

~~((29))~~ (30) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

~~((30))~~ (31) RCW 46.52.090 relating to reports by repairers, storage persons, and appraisers;

~~((31))~~ (32) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company, an employer, and an alcohol/drug assessment or treatment agency;

~~((32))~~ (33) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;

~~((33))~~ (34) RCW 46.55.035 relating to prohibited practices by tow truck operators;

~~((34))~~ (35) RCW 46.55.300 relating to vehicle immobilization;

~~((35))~~ (36) RCW 46.61.015 relating to obedience to police officers, flaggers, or firefighters;

~~((36))~~ (37) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;

~~((37))~~ (38) RCW 46.61.022 relating to failure to stop and give identification to an officer;

~~((38))~~ (39) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;

~~((39))~~ (40) RCW 46.61.212(4) relating to reckless endangerment of emergency zone workers;

~~((40))~~ (41) RCW 46.61.500 relating to reckless driving;

~~((41))~~ (42) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;

~~((42))~~ (43) RCW 46.61.503 relating to a person under age twenty- one driving a motor vehicle after consuming alcohol;

~~((43))~~ (44) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

~~((44))~~ (45) RCW 46.61.522 relating to vehicular assault;

~~((45))~~ (46) RCW 46.61.5249 relating to first degree negligent driving;

~~((46))~~ (47) RCW 46.61.527(4) relating to reckless endangerment of roadway workers;

~~((47))~~ (48) RCW 46.61.530 relating to racing of vehicles on highways;

~~((48))~~ (49) RCW 46.61.655(7) (a) and (b) relating to failure to secure a load;

~~((49))~~ (50) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;

~~((50))~~ (51) RCW 46.61.740 relating to theft of motor vehicle fuel;

~~((51))~~ (52) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;

~~((52))~~ (53) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

~~((53))~~ (54) Chapter 46.65 RCW relating to habitual traffic offenders;

~~((54))~~ (55) RCW 46.68.010 relating to false statements made to obtain a refund;

~~((55))~~ (56) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

~~((56))~~ (57) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

~~((57))~~ (58) RCW 46.72A.060 relating to limousine carrier insurance;

~~((58))~~ (59) RCW 46.72A.070 relating to operation of a limousine without a vehicle certificate;

~~((59))~~ (60) RCW 46.72A.080 relating to false advertising by a limousine carrier;

~~((60))~~ (61) Chapter 46.80 RCW relating to motor vehicle wreckers;

~~((61))~~ (62) Chapter 46.82 RCW relating to driver's training schools;

~~((62))~~ (63) RCW 46.87.260 relating to alteration or forgery of a cab card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;

~~((63))~~ (64) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW.

Sec. 22. RCW 79A.80.010 and 2012 c 261 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Agency" or "agencies" means the department of fish and wildlife, the department of natural resources, and the parks and recreation commission.
- (2) "Annual natural investment permit" means the annual permit issued by the parks and recreation commission for the purpose of launching boats from the designated state parks boat launch sites.
- (3) "Camper registration" means proof of payment of a camping fee on recreational lands managed by the parks and recreation commission.
- (4) "Day-use permit" means the permit created in RCW 79A.80.030.
- (5) "Discover pass" means the annual pass created in RCW 79A.80.020.
- (6) "Motor vehicle" has the same meaning as defined in RCW 46.04.320 and which are required to be registered under chapter 46.16A RCW. "Motor vehicle" does not include those motor vehicles exempt from registration under RCW 46.16A.080, wheeled all-terrain vehicles registered for use under section 4 of this act, and state and publicly owned motor vehicles as provided in RCW 46.16A.170.
- (7) "Recreation site or lands" means a state park, state lands and state forest lands as those terms are defined in RCW 79.02.010, natural resources conservation areas as that term is defined in RCW 79.71.030, natural area preserves as that term is defined in RCW 79.70.020, and fish and wildlife conservation sites including water access areas, boat ramps, wildlife areas, parking areas, roads, and trailheads.
- (8) "Sno-park seasonal permit" means the seasonal permit issued by the parks and recreation commission for providing access to winter recreational facilities for the period of November 1st through March 31st.
- (9) "Vehicle access pass" means the pass created in RCW 79A.80.040.

Sec. 23. RCW 46.63.030 and 2011 c 375 s 5 are each amended to read as follows:

- (1) A law enforcement officer has the authority to issue a notice of traffic infraction:
 - (a) When the infraction is committed in the officer's presence, except as provided in section 9 of this act;
 - (b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;
 - (c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;
 - (d) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170; or
 - (e) When the infraction is detected through the use of an automated school bus safety camera under RCW 46.63.180.
- (2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.
- (3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering--Abandoned Vehicle" and give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

Sec. 24. RCW 43.84.092 and 2013 2nd sp.s. c 1 s 15 are each amended to read as follows:

- (1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.
- (2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased

banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the

rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 25. RCW 43.84.092 and 2013 2nd sp.s. c 1 s 16 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts

as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving

account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state economic development commission account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 26. Except for sections 3 and 25 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 28, 2013.

NEW SECTION. Sec. 27. Section 2 of this act expires July 1, 2015.

NEW SECTION. Sec. 28. Section 3 of this act takes effect July 1, 2015.

NEW SECTION. Sec. 29. Section 24 of this act expires if the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. Sec. 30. Section 25 of this act takes effect if the requirements set out in section 7, chapter 36, Laws of 2012 are met."

Correct the title.

Representative Riccelli moved the adoption of amendment (584) to amendment (572).

On page 9, line 36 of the striking amendment, after "2013" insert "

(v) A county, city or town shall not approve the operation of a wheeled all-terrain vehicle on public roadways located within the boundaries of water resource inventory area forty eight, as established in chapter 173-500 WAC as it existed on January 1, 2013"

Representatives Riccelli and Riccelli (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Kretz spoke against the adoption of the amendment to the striking amendment.

Amendment (584) to amendment (572) was withdrawn.

Representative Blake spoke in favor of the adoption of the striking amendment.

Amendment (572) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Blake, Shea and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1632.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1632, and the bill passed the House by the following vote: Yeas, 81; Nays, 11; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Lytton, MacEwen, Magendanz, Manweller, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Santos, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stonier, Sullivan, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Klippert, Liias, Maxwell, McCoy, Overstreet, Ryu, Sawyer, Stanford and Tarleton.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING

MESSAGE FROM THE SENATE

6/28/2013

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947 with the following amendment:

and the same is herewith transmitted.

Hunter Goodman, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1947, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1947, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; Nays, 24; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Harris, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Haler, Hargrove, Hawkins, Holy, Klippert, Kretz, Kristiansen, MacEwen, Manweller, Orcutt, Overstreet, Parker, Pike, Ross, Scott, Shea, Short, Taylor, Vick, Warnick and Zeiger.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

June 28, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5882
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872
HOUSE BILL NO. 2079
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The President has signed:

THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5034
SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892
SENATE BILL NO. 5904
SENATE BILL NO. 5948
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892
SENATE BILL NO. 5904
ENGROSSED SUBSTITUTE SENATE BILL NO. 5946

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTIONS AND FIRST READINGHB 2081 by Representative Carlyle

AN ACT Relating to tax preferences; and creating a new section.

Referred to Committee on Finance.

HB 2082 by Representatives Zeiger and Kirby

AN ACT Relating to life insurance policies; adding a new section to chapter 48.23 RCW; and adding a new section to chapter 48.24 RCW.

Referred to Committee on Business & Financial Services.

HB 2083 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Van De Wege, Fagan, Kochmar, Zeiger, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to probable cause for persons in violation of an impaired driving offense; and reenacting and amending RCW 10.31.100.

Referred to Committee on Public Safety.

HB 2084 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Van De Wege, Hayes, Fagan, Vick, Zeiger, Kochmar, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to impaired driving offenses that constitute a felony offense; amending RCW 46.61.502 and 46.61.504; reenacting and amending RCW 46.61.5055; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2085 by Representatives Klippert, Goodman, Smith, Morrell, Holy, Moscoso, Haler, Hurst, Manweller, Hayes, Vick, Kochmar, Zeiger, Fagan, Wilcox, Alexander, Magendanz, Warnick, Kretz and Hargrove

AN ACT Relating to eliminating look back periods for impaired driving offenses; amending RCW 46.61.502 and 46.61.504; reenacting and amending RCW 46.61.5055; and prescribing penalties.

Referred to Committee on Public Safety.

HB 2086 by Representatives Bergquist, Hawkins, Hunt, Walsh, Freeman, Manweller, Stonier, Riccelli, Kagi, Pollet, Zeiger, Tarleton, Orwall, Habib, Green, Cody, Morrell, Fey, Roberts and Smith

AN ACT Relating to smoking in motor vehicles carrying minors; amending RCW 46.63.110; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5882 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5882, by Senate Committee on Ways & Means (originally sponsored by Senator Hill)

Relating to revenue. Revised for 1st Substitute: Creating, expanding, or extending tax preferences.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5882.

MOTIONS

On motion of Representative Harris, Representative DeBolt was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5882, and the bill passed the House by the following vote: Yeas, 66; Nays, 25; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Blake, Buys, Carlyle, Chandler, Clibborn, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hargrove, Harris, Hayes, Holy, Hunter, Hurst, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, MacEwen, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Nealey, Orcutt, Parker, Pettigrew, Pike, Reykdal, Ross, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Cody, Green, Hansen, Hawkins, Hudgins, Hunt, Jinkins, Kagi, Lytton, Magendanz, Moscoso, Ormsby, Orwall, Overstreet, Pedersen, Pollet, Riccelli, Roberts, Ryu, Stanford, Stonier, Upthegrove and Wylie.

Excused: Representatives Crouse, DeBolt, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5882, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 2:00 p.m., July 30, 2013, the 18th Day of the 2nd Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

EIGHTEENTH DAY

House Chamber, Olympia, Saturday, June 29, 2013

The House was called to order at 2:00 p.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Representative Larry Haler and Representative Larry Seaquist. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Vincent Buys, 42nd District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGES FROM THE SENATE

June 28, 2013

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 1971

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 28, 2013

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5367
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5644
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READINGHB 2070 by Representatives O'Ban, Clibborn and Zeiger

AN ACT Relating to Washington state department of transportation projects; amending RCW 47.01.300; adding a new section to chapter 47.04 RCW; adding new sections to chapter 47.01 RCW; adding a new chapter to Title 47 RCW; creating a new section; and providing a contingent expiration date.

Referred to Committee on Transportation.

HB 2087 by Representatives Jinkins, Tharinger, Kagi, Roberts, Farrell, Pedersen, Ryu, Reykdal, Lytton, Upthegrove, Fitzgibbon, Hunt, Green, Moscoso, Pollet, Tarleton, Fey, Ormsby, Sawyer, Bergquist, Wylie, Appleton, Riccelli, Sells, Moeller, Cody, Liias and Santos

AN ACT Relating to authorizing a capital gains tax to fund early childhood investments, higher education, and the state's rainy day fund; amending RCW 82.45.090, 82.45.150, and 83.100.230; adding a new chapter to Title 82 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

FIRST SUPPLEMENTAL INTRODUCTIONS AND FIRST READINGHCR 4411 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4412 by Representatives Sullivan and Kretz

Adjourning sine die.

2SSB 5367 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Hatfield, King, Nelson, Delvin and Shin)

AN ACT Relating to Yakima river basin water resource management; authorizing the acquisition of public lands by the department of natural resources and management of community forest trust land to preserve water basin function; amending RCW 90.38.005, 90.38.010, 90.38.900, 90.38.902, and 84.33.140; reenacting and amending RCW 43.84.092 and 43.84.092; adding new sections to chapter 90.38 RCW; adding a new section to chapter 79.155 RCW; providing a contingent effective date; providing expiration dates; and providing a contingent expiration date.

ESSB 5644 by Senate Committee on Commerce & Labor (originally sponsored by Senators Schoesler and Murray)

AN ACT Relating to license issuance fees of former contract liquor stores, former state store auction buyers, and spirits distributors; amending RCW 66.24.055; adding a new section to chapter 66.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business were read the first time, and under suspension of the rules, were placed on the second reading calendar.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5367, by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Hatfield, King, Nelson, Delvin and Shin)

Concerning Yakima river basin water resource management.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Reykdal spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5367.

MOTIONS

On motion of Representative Riccelli, Representatives Carlyle, Farrell, Hunter, Hurst, Pettigrew, Takko and Van De Wege were excused. On motion of Representative Harris, Representatives Condotta, Crouse, DeBolt, Hope, Johnson, Rodne and Walsh were excused.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5367, and the bill passed the House by the following vote: Yeas, 80; Nays, 2; Absent, 0; Excused, 15.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet and Scott.

Excused: Representatives Carlyle, Condotta, Crouse, DeBolt, Farrell, Goodman, Hope, Hunter, Hurst, Johnson, Pettigrew, Rodne, Takko, Van De Wege and Walsh.

SECOND SUBSTITUTE SENATE BILL NO. 5367, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5644, by Senate Committee on Commerce & Labor (originally sponsored by Senators Schoesler and Murray)

Concerning sales for resale by retail licensees of liquor. Revised for 1st Substitute: Concerning sales for resale by retail licensees of liquor. (REVISED FOR ENGROSSED: Concerning license issuance fees of former contract liquor stores, former state store auction buyers, and spirits distributors.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Springer and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5644.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5644, and the bill passed the House by the following vote: Yeas, 77; Nays, 5; Absent, 0; Excused, 15.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Cody, Hudgins, Hunt, Morrell and Upthegrove.

Excused: Representatives Carlyle, Condotta, Crouse, DeBolt, Farrell, Goodman, Hope, Hunter, Hurst, Johnson, Pettigrew, Rodne, Takko, Van De Wege and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5644, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1971
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
ENGROSSED HOUSE BILL NO. 1450
HOUSE BILL NO. 2043
HOUSE BILL NO. 2044
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2051
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1872
SUBSTITUTE HOUSE BILL NO. 2069
HOUSE BILL NO. 2079

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

June 29, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 1450
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1872
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1947
 SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL
 NO. 1971
 HOUSE BILL NO. 2043
 HOUSE BILL NO. 2044
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2051
 SUBSTITUTE HOUSE BILL NO. 2069
 HOUSE BILL NO. 2079

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5367
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5644

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5036

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5882
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5946

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House reverted to the fourth order of business.

SECOND SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

ESSB 5035 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Nelson and Shin)

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.34.080, 28B.15.210, 28B.20.725, 28B.15.310, 28B.30.750, 28B.35.370, 28B.50.360, 43.155.070, 70.105D.070, 79.17.010, 79.17.020, 46.68.350, 79.17.210, and 70.105D.---; 2012 2nd sp.s. c 2 ss 1022, 1024, 1025, 3002, and 5005 (uncodified); 2011 1st sp.s. c 49 ss 3052, 3112, and 5101 (uncodified); 2011 1st sp.s. c 48 ss 1022, 1023, and 3070 (uncodified); 2008 c 5 s 1 (uncodified); 2007 c 4 s 1 (uncodified); 2005 c 8 s 1 (uncodified); creating new sections; making appropriations; and declaring an emergency.

ESSB 5036 by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Nelson and Shin)

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99G.162; adding a new chapter to Title 43 RCW; and declaring an emergency.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5035 and ENGROSSED SUBSTITUTE SENATE BILL NO. 5036 were read the first time, and under suspension of the rules were placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5036, by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Nelson and Shin)

Concerning state general obligation bonds and related accounts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5036.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5036, and the bill passed the House by the following vote: Yeas, 79; Nays, 4; Absent, 0; Excused, 14.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representatives Carlyle, Condotta, Crouse, DeBolt, Farrell, Goodman, Hope, Hurst, Johnson, Pettigrew, Rodne, Takko, Van De Wege and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5036, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035, by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, Nelson and Shin)

Adopting the 2013-2015 capital budget.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stanford, Warnick and Dunshee spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5035.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5035, and the bill passed the House by the following vote: Yeas, 79; Nays, 4; Absent, 0; Excused, 14.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Vick, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott, Shea and Taylor.

Excused: Representatives Carlyle, Condotta, Crouse, DeBolt, Farrell, Goodman, Hope, Hurst, Johnson, Pettigrew, Rodne, Takko, Van De Wege and Walsh.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5882
ENGROSSED SUBSTITUTE SENATE BILL NO. 5946
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632
SECOND SUBSTITUTE SENATE BILL NO. 5367
ENGROSSED SUBSTITUTE SENATE BILL NO. 5644

The Speaker called upon Representative Moeller to preside.

MESSAGE FROM THE SENATE

June 29, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4411, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4411.

HOUSE CONCURRENT RESOLUTION NO. 4411 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4412, by Representatives Sullivan and Kretz

Adjourning sine die.

The resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of House Concurrent Resolution No. 4412.

HOUSE CONCURRENT RESOLUTION NO. 4412, was adopted.

MESSAGES FROM THE SENATE

June 29, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035
ENGROSSED SUBSTITUTE SENATE BILL NO. 5036

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5035
ENGROSSED SUBSTITUTE SENATE BILL NO. 5036
HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

June 29, 2013

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4411
HOUSE CONCURRENT RESOLUTION NO. 4412

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1632

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

June 29, 2013

MR. SPEAKER:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4411, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1957
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1978
SUBSTITUTE HOUSE BILL NO. 1986
HOUSE BILL NO. 1988

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker (Representative Moeller presiding) called upon Representative Alexander to preside.

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 18th Day of the 2013 2nd Special Session of the 63rd Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2013 2nd Special Session of the 63rd Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SIXTY THIRD LEGISLATURE - THIRD SPECIAL SESSION

FIRST DAY

House Chamber, Olympia, Thursday, November 7, 2013

The House was called to order at 9:00 a.m. by the Speaker (Representative Sullivan presiding).

MESSAGE FROM THE GOVERNOR**STATE OF WASHINGTON****PROCLAMATION BY THE GOVERNOR 13-09**

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2013 regular session on April 28, 2013, the 105th day of the session; and

WHEREAS, the Legislature reconvened on May 13, 2013, to continue work on the 2013- 2015 operating budget, 2013-2015 capital budget, 2013-2015 transportation budget, and related bills, but failed to approve such measures; and

WHEREAS, the Legislature again reconvened on June 12, 2013, and approved a 2013- 2015 operating budget, a 2013-2015 capital budget, a 2013-2015 transportation budget, and the bills necessary to implement those budgets, and adjourned on June 30, 2013; and

WHEREAS, the development and siting of new aerospace projects within the state of Washington is of vital importance to the Washington aerospace industry, the state's economy as a whole, and would result in jobs for working Washingtonians; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Majority Coalition Caucus Leader, Senate Democratic Leader, and Senate Republican Leader working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Thursday, November 7, 2013, at 9:00 a.m. for the purpose of enacting legislation necessary to ensure that new aerospace projects are located in Washington State, including legislation relating to workforce education and development, permitting requirements, tax policy, and critical transportation infrastructure development.

Signed and sealed with the official seal of the state of Washington this 5th day of November, A.D. Two-thousand and Thirteen at Olympia, Washington.

By: Jay Inslee, Governor

MESSAGE FROM THE PIERCE COUNTY COUNCIL

Whereas, on June 4, 2013, the Pierce County Council appointed Representative Steve O'Ban, a Republican, to fill a vacancy in the Washington State Senate representing the 28th Legislative District; and

Whereas, the appointment of Representative O'Ban to the Senate created a vacancy in the House of Representatives, representing the 28th District; and

Whereas, as prescribed by Article II, Section 15 of the Washington State Constitution, the Pierce County Republican Central Committee has submitted a list of three names of nominees to represent the 28th District in the State House of Representatives; and

Whereas, pursuant to the Washington State Constitution , Article II, Section 15, the County Council shall fill the aforementioned vacancy by appointment from a list of three names submitted by the Pierce County Republican Central Committee; and

Whereas, the Council has met and interviewed the three nominees; Now Therefore,

BE IT RESOLVED by the Council of Pierce County:

Section 1. Dick Muri is one of three individuals named on the list submitted by the Pierce County Republican Central Committee, and is qualified to fill the vacancy in the Washington State House of Representatives, representing the 28th District.

Section 2. Dick Muri is hereby appointed to the position of Washington State Representative, representing the 28th District.

Section 3. The Clerk of the Council is hereby directed to provide a copy of this Resolution to the individual appointed, the Governor of the State of Washington, and the Chair of the Pierce County Republican Central Committee.

ADOPTED this 2nd day of July 2013.

PIERCE COUNTY COUNCIL
Pierce County, Washington

Denise Johnson, Clerk of the Council

Joyce McDonald, Council Chair

**RESIGNATION OF REPRESENTATIVE MARCIE
MAXWELL**

July 10, 2013

The Honorable Jay Inslee
Governor, State of Washington

Legislative Building
Olympia, WA 98504

Dear Governor Inslee,

I'm proud to accept an appointment as Senior Education Policy Advisor in the Governor's Legislative Affairs and Policy Office. In doing so, I am officially resigning my elected position as 41st District State Representative, Position 1. Pursuant to RCW 42.12.020, please accept this as my formal resignation from the Washington State House of Representatives. My resignation will be effective July 15, 2013.

It has been an honor to serve the people of the 41st Legislative District since 2009 as well as a privilege to work with my colleagues in the House of Representatives. I look forward to our continued work together for the people, communities, and future of this great state.

Best regards,
Marcie Maxwell

MESSAGE FROM THE KING COUNTY COUNCIL

WHEREAS, a vacancy exists in the position of state representative for the 41st legislative district due to the resignation of Representative Marcie Maxwell, effective July 15, 2013, following her appointment by Governor Jay Inslee to serve as Senior Education Policy Advisor in the governor's Legislative Affairs and Policy Office, and

WHEREAS, the 41st legislative district Democratic precinct committee officers have met to consider candidates for the position, and

WHEREAS, the King County Democratic Central Committee has submitted the names of three nominees to fill the vacancy;

NOW, THEREFORE, BE IT MOVED by the Council of King County: Tana Senn is hereby appointed to the position of state representative for the 41st legislative district.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Anne Noris, Clerk of the Council

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2088 by Representatives Sells and Seaquist

AN ACT Relating to appropriations specifically for activities related to the aerospace industry for permitting and training, including program development, staff, facilities, and equipment; adding new sections to 2013 2nd sp.s. c 4 (uncodified); adding new sections to 2013 2nd sp.s. c 19 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2089 by Representatives Carlyle and Hunter

AN ACT Relating to incentivizing a long-term commitment to maintain and grow jobs in the aerospace industry in Washington state by extending the expiration date of aerospace tax preferences and expanding the sales and use tax exemption for the construction of new facilities used to manufacture superefficient airplanes to include the construction of new facilities used to manufacture commercial airplanes or the wings or fuselage of commercial airplanes; amending RCW 82.08.980, 82.12.980, 82.04.260, 82.04.260, 82.04.250, 82.04.290, 82.04.4461, 82.04.4463, 82.08.975, 82.12.975, 82.29A.137, and 84.36.655; adding a new section to chapter 82.32 RCW; creating a new section; providing a contingent effective date; providing an effective date; and providing expiration dates.

Referred to Committee on Finance.

HCR 4413 by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE CONCURRENT RESOLUTION NO. 4413 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4413, by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker stated the question before the House to be the adoption of House Concurrent Resolution No. 4413.

HOUSE CONCURRENT RESOLUTION NO. 4413 was adopted.

There being no objection, the House advanced to the eleventh order of business.

COMMITTEE APPOINTMENTS

The Speaker (Representative Sullivan presiding) announced the following committee appointments:

Representative Fagan was appointed to the Committee on Business and Financial Services and removed from the Committee on Higher Education.

Representative Hawkins was appointed to the Committee on Transportation and removed from the Committee on Capital Budget.

Representative DeBolt was appointed to the Committee on Capital Budget and named Ranking Member and was removed from the Committee on Transportation.

Representative Muri was appointed to the Committee on Higher Education, Committee on Education, Committee on Transportation, and the Committee on Judiciary.

Representative Kretz was appointed to the Committee on Appropriations and the Committee on Appropriations Subcommittee on Health and Human Services and removed from the Committee on Transportation.

Representative Pike was appointed to the Committee on Transportation and removed from the Committee on Appropriations, the Committee on Appropriations Subcommittee on Health and Human Services, and the Committee on Education.

Representative Warnick was removed as Ranking Member of the Committee on Capital Budget.

There being no objection, the House adjourned until 10:00 a.m., November 8, 2013, the 2nd Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

SECOND DAY

House Chamber, Olympia, Friday, November 8, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

November 7, 2013

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4413
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

November 8, 2013

HB 2089 Prime Sponsor, Representative Carlyle: Incentivizing a long-term commitment to maintain and grow jobs in the aerospace industry in Washington state by extending the expiration date of aerospace tax preferences and expanding the sales and use tax exemption for the construction of new facilities used to manufacture superefficient airplanes to include the construction of new facilities used to manufacture commercial airplanes or the wings or fuselage of commercial airplanes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Finance be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Dahlquist; Harris; Hudgins; Hunt; Morrell; Parker; Pettigrew; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Fagan; Haler; Jinkins and Taylor.

Referred to Committee on Appropriations.

There being no objection, the bill listed on the day's committee report under the fifth order of business was referred to the committee so designated.

The Speaker (Representative Moeller presiding) called upon Representative Sullivan to preside.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

November 8, 2013

HB 2088 Prime Sponsor, Representative Sells: Making appropriations specifically for activities related to the aerospace industry for permitting and training, including program development, staff, facilities, and equipment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Carlyle; Dahlquist; Fagan; Harris; Hudgins; Hunt; Jinkins; Morrell; Parker; Pettigrew; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Buys; Haler and Taylor.

November 8, 2013

HB 2089 Prime Sponsor, Representative Carlyle: Incentivizing a long-term commitment to maintain and grow jobs in the aerospace industry in Washington state by extending the expiration date of aerospace tax preferences and expanding the sales and use tax exemption for the construction of new facilities used to manufacture superefficient airplanes to include the construction of new facilities used to manufacture commercial airplanes or the wings or fuselage of commercial airplanes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Finance be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys; Carlyle; Dahlquist; Harris; Hudgins; Hunt; Morrell; Parker; Pettigrew; Schmick; Seaquist; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Ormsby, Vice Chair; Fagan; Haler; Jinkins and Taylor.

There being no objection, HOUSE BILL NO. 2088 and HOUSE BILL NO. 2089 were placed on the second reading calendar.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., November 9, 2013, the 3rd Day of the Third Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

THIRD DAY

House Chamber, Olympia, Saturday, November 9, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Sylvia Dewitt and Freddy Williams. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Larry Haler, 8th District, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

November 9, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5952
SENATE BILL NO. 5953

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2090 by Representatives Taylor, Shea, Overstreet, Pike, Scott, Schmick, Haler, Chandler, Holy, Buys, Manweller and Short

AN ACT Relating to establishing categorical exemptions in the state environmental policy act for development proposals that are consistent with locally adopted land use and shoreline regulations; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Local Government.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

SUPPLEMENTAL INTRODUCTIONS AND FIRST READING

ESSB 5952 by Senate Committee on Ways & Means (originally sponsored by Senators Hill, Fain, Ericksen, Tom, Fraser, Eide, King, Hatfield, Hobbs, Bailey, Schoesler, Brown, Baumgartner, Litzow, Sheldon, O'Ban, Padden, Pearson, Mullet, Parlette, Benton, Roach and Ranker)

AN ACT Relating to incentivizing a long-term commitment to maintain and grow jobs in the aerospace industry in Washington state by extending the expiration date of aerospace tax preferences and expanding the sales and use tax exemption for the construction of new facilities used to manufacture superefficient airplanes to include the construction of new facilities used to manufacture commercial airplanes or the wings or fuselage of commercial airplanes; amending RCW 82.08.980, 82.12.980, 82.04.260, 82.04.260, 82.04.250, 82.04.290, 82.04.4461, 82.04.4463, 82.08.975, 82.12.975, 82.29A.137, and 84.36.655; adding a new section to chapter 82.32 RCW; creating a new section; providing a contingent effective date; providing an effective date; and providing expiration dates.

SB 5953 by Senators Fain, Hill, Tom, Ericksen, Fraser, Eide, King, Hatfield, Hobbs, Mullet, Parlette, Benton, Roach, Ranker, Bailey, Honeyford, McAuliffe, Keiser, Pearson, Litzow, Schoesler, Brown, Baumgartner, Conway, Sheldon and O'Ban

AN ACT Relating to appropriations specifically for activities related to the aerospace industry for permitting and training, including program development, staff, facilities, and equipment; adding new sections to 2013 2nd sp.s. c 4 (uncodified); adding new sections to 2013 2nd sp.s. c 19 (uncodified); and making appropriations.

Referred to Committee on Ways & Means.

There being no objection, the bills listed on the day's supplemental introduction sheet under the fourth order of business were referred to the committee so designated, with the exception of ENGROSSED SUBSTITUTE SENATE BILL NO. 5952 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2088, by Representatives Sells, Seaquist, Senn and Morrell

Making appropriations specifically for activities related to the aerospace industry for permitting and training, including program development, staff, facilities, and equipment.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (587).

On page 3, beginning on line 20, strike all of section 5 Correct the title.

Representative Hunter spoke in favor of the adoption of the amendment.

Amendment (587) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells, Haler, Magendanz, Smith and Kretz spoke in favor of the passage of the bill.

Representatives Taylor, Shea and Overstreet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2088.

MOTIONS

On motion of Representative Fitzgibbon, Representatives Clibborn, Cody, Dunshee, Haigh, Kagi, Orwall, Pedersen, Ryu and Santos were excused. On motion of Representative Harris, Representatives Crouse, Hargrove and Ross were excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2088, and the bill passed the House by the following vote: Yeas, 77; Nays, 9; Absent, 0; Excused, 12.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Dahlquist, DeBolt, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morrell, Morris, Moscoso, Muri, Nealey, Ormsby, Parker, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Schmick, Seaquist, Sells, Senn, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Kirby, Orcutt, Overstreet, Pike, Sawyer, Scott, Shea and Taylor.

Excused: Representatives Clibborn, Cody, Crouse, Dunshee, Haigh, Hargrove, Kagi, Orwall, Pedersen, Ross, Ryu and Santos.

ENGROSSED HOUSE BILL NO. 2088, having received the necessary constitutional majority, was declared passed.

With consent of the House, ENROSSED HOUSE BILL NO. 2088 was immediately transmitted to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5952, by Senate Committee on Ways & Means (originally sponsored by Senators Hill, Fain, Ericksen, Tom, Fraser, Eide, King, Hatfield, Hobbs, Bailey, Schoesler, Brown, Baumgartner, Litzow, Sheldon, O'Ban, Padden, Pearson, Mullet, Parlette, Benton, Roach and Ranker)

Incentivizing a long-term commitment to maintain and grow jobs in the aerospace industry in Washington state by extending the expiration date of aerospace tax preferences and

expanding the sales and use tax exemption for the construction of new facilities used to manufacture superefficient airplanes to include the construction of new facilities used to manufacture commercial airplanes or the wings or fuselage of commercial airplanes.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle, MacEwen, Nealey, Springer, Kochmar, Morris, DeBolt, Liias, Vick, Lytton, Angel, Morrell, Orcutt and Manweller spoke in favor of the passage of the bill.

Representatives Reykdal, Shea, Sawyer, Pike and Overstreet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5952.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5952, and the bill passed the House by the following vote: Yeas, 75; Nays, 11; Absent, 0; Excused, 12.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Dahlquist, DeBolt, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morrell, Morris, Moscoso, Muri, Nealey, Orcutt, Parker, Pettigrew, Pike, Pollet, Riccelli, Roberts, Rodne, Schmick, Seaquist, Sells, Senn, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Condotta, Fagan, Ormsby, Overstreet, Reykdal, Sawyer, Scott, Shea, Taylor and Wylie.

Excused: Representatives Clibborn, Cody, Crouse, Dunshee, Haigh, Hargrove, Kagi, Orwall, Pedersen, Ross, Ryu and Santos.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5952, having received the necessary constitutional majority, was declared passed.

With consent of the House, ENGROSSED SUBSTITUTE SENATE BILL NO. 5952 was immediately transmitted to the Senate.

MESSAGES FROM THE SENATE

November 9, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2088 and the same is herewith transmitted.

Hunter G. Goodman, Secretary

November 9, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5952
and the same is herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

HOUSE CONCURRENT RESOLUTION NO. 4413
ENGROSSED HOUSE BILL NO. 2088
ENGROSSED SUBSTITUTE SENATE BILL NO. 5952

The Speaker called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

November 9, 2013

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8406
SENATE CONCURRENT RESOLUTION NO. 8407
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, SENATE CONCURRENT RESOLUTION NO. 8406 and SENATE CONCURRENT RESOLUTION NO. 8407 were read the first time, and under suspension of the rules were placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

**SENATE CONCURRENT RESOLUTION NO. 8406, by
Senators Tom and Frockt**

Returning bills to their house of origin.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8406.

SENATE CONCURRENT RESOLUTION NO. 8406 was adopted.

**SENATE CONCURRENT RESOLUTION NO. 8407, by
Senators Tom and Frockt**

Adjourning SINE DIE.

The concurrent resolution was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the concurrent resolution was placed on final passage.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of Senate Concurrent Resolution No. 8407.

SENATE CONCURRENT RESOLUTION NO. 8407 was adopted.

MESSAGES FROM THE SENATE

November 9, 2013

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 2088
HOUSE CONCURRENT RESOLUTION NO. 4413
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

November 9, 2013

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8406
SENATE CONCURRENT RESOLUTION NO. 8407
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

SENATE CONCURRENT RESOLUTION NO. 8406
SENATE CONCURRENT RESOLUTION NO. 8407

The Speaker called upon Representative Moeller to preside.

MOTIONS

On motion of Representative Sullivan, the reading of the Journal of the 3rd Day of the 2013 3rd Special Session of the 63rd Legislature was dispensed with and ordered to stand approved.

On motion of Representative Sullivan, the 2013 3rd Special Session of the 63rd Legislature was adjourned SINE DIE.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

HOUSE LEGISLATIVE LEADERS

Sixty Third Legislature
 2013 Regular Session

 DEMOCRATIC LEADERSHIP

Frank Chopp..... Speaker
 Jim Moeller..... Speaker Pro Tempore
 Tina Orwall..... Deputy Speaker Pro Tempore
 Pat Sullivan..... Majority Leader
 Eric Pettigrew..... Majority Caucus Chair
 Kevin Van De Wege..... Majority Whip
 Tami Green..... Majority Floor Leader
 Larry Springer..... Deputy Majority Leader
 Marcie Maxwell..... Deputy Majority Leader
 Joe Fitzgibbon..... Deputy Majority Whip
 Kristine Lytton..... Deputy Majority Floor Leader
 Jessyn Farrell..... Assistant Majority Whip
 Marcus Riccelli..... Assistant Majority Whip

REPUBLICAN LEADERSHIP

Richard DeBolt..... Minority Leader
 Joel Kretz..... Deputy Minority Leader
 Dan Kristiansen..... Minority Caucus Chair
 Paul Harris..... Minority Whip
 J.T. Wilcox..... Minority Floor Leader
 Shelly Short..... Minority Caucus Vice Chair
 Liz Pike..... Assistant Minority Floor Leader
 Matt Shea..... Assistant Minority Floor Leader
 Jeff Holy..... Assistant Minority Whip
 Drew MacEwen..... Assistant Minority Whip
 Elizabeth Scott..... Assistant Minority Whip

2013 HOUSE MEMBERSHIP ROSTER

MEMBER DISTRICT/PARTY COUNTIES IN DISTRICT	PREVIOUS YEARS OF SERVICES	MAILING ADDRESS	BIRTH YEAR BIRTH PLACE	OCCUPATION
 Alexander, Gary District 20 (R) Pierce (P), Thurston (P)	1996-2012	7915 Lorna Dr SE Olympia WA 98503	1944 - WA	Deputy Auditor, Finance
 Angel, Jan District 26 (R) Kitsap (P), Pierce (P)	2009-2012	PO Box 40600 Olympia WA 98504	1946 - CO	Legislator
 Appleton, Sherry District 23 (D) Kitsap (P)	2005-2012	PO Box 2112 Poulsbo WA 98370	1942 - RI	Legislator
 Bergquist, Steve District 11 (D) King (P)		PO Box 40600 Olympia WA 98504	1979-WA	Teacher
 Blake, Brian District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	Appt. 12/17/2002, 2003-2012	PO Box 40600 Olympia WA 98504	1960 - WA	Env. Specialist, Logger
 Buys, Vincent District 42 (R) Whatcom (P)	2011-2012	PO Box 40600 Olympia WA 98504	1979 - WA	General Contractor
 Carlyle, Reuven District 36 (D) King (P)	2009-2012	PO Box 40600 Olympia WA 98504	1965 - CA	Wireless Software Entrepreneur
 Chandler, Bruce District 15 (R) Yakima (P)	1999-2012	PO Box 40600 Olympia WA 98504	1952 - WA	Orchardist
 Chopp, Frank District 43 (D) King (P)	1995-2012	PO Box 40600 Olympia WA 98504	1953 - WA	Community Service
 Clibborn, Judy District 41 (D) King (P)	2003-2012	PO Box 40600 Olympia WA 98504		Legislator
 Cody, Eileen District 34 (D) King (P)	Appt. 6/2/1994, 1995-2012	6714 38 th Ave SW Seattle WA 98126	1954 - IA	Registered Nurse
 Condotta, Cary District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)	2003-2012	PO Box 40600 Olympia WA 98504	1957 - WA	Business Consultant

	Crouse, Larry District 4 (R) Spokane (P)	1995-2010	PO Box 40600 Olympia WA 98504	1944 - WA	Legislator
	Dahlquist, Cathy District 31 (R) King (P), Pierce (P)	2011-2012	PO Box 40600 Olympia WA 98504	1960 - CA	Architecture
	DeBolt, Richard District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	1997-2012	PO Box 40600 Olympia WA 98504	1965 - WA	Public Relations
	Dunshee, Hans District 44 (D) Snohomish (P)	1993-1994; 1997-2012	1526 Lake View Ave Snohomish WA 98290	1953 - CA	Former Septic Designer
	Fagan, Susan District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 12/1/2009, 2011-2012	829 SE Edge Knoll Dr Pullman WA 99163	1947 - WA	Public Affairs Exec
	Farrell, Jessyn District 46 (D) King (P)		PO Box 40600 Olympia WA 98504	1973 - WA	Attorney
	Fey, Jake District 27 (D) Pierce (P)		1406 Browns Pt Blvd NE Tacoma, WA 98422	1949 - WA	Director, WSU Energy Program
	Fitzgibbon, Joe District 34 (D) King (P)	2011-2012	4711 44 th Ave SW Seattle WA 98116	1986 - WA	Legislator
	Freeman, Roger District 30 (D) King (P), Pierce (P)		PO Box 40600 Olympia WA 98504	1965-NE	Attorney
	Goodman, Roger District 45 (D) King (P)	2007-2012	PO Box 40600 Olympia WA 98504	1961 - RI	Attorney
	Green, Tami District 28 (D) Pierce (P)	2005-2012	PO Box 40600 Olympia WA 98504	1959 - NE	Registered Nurse
	Habib, Cyrus District 48 (D) King (P)		PO Box 40600 Olympia WA 98504	1981-MD	Attorney
	Haigh, Kathy District 35 (D) Kitsap (P), Mason, Thurston (P)	1999-2012	81 SE Walker Park Rd Shelton WA 98584	1950 - OH	Veterinarian
	Haler, Larry District 8 (R) Benton (P)	2005-2012	719 Jadwin Ste 24 Richland WA 99352	1951 - IA	Senior Communications Specialist

	Hansen, Drew District 23 (D) Kitsap (P)	Appt. 9/19/2011, 2012	PO Box 40600 Olympia WA 98504		
	Hargrove, Mark District 47 (R) King (P)	2011-2012	PO Box 40600 Olympia WA 98504	1956 –TX	Instructor Pilot
	Harris, Paul District 17 (R) Clark (P)	2011-2012	PO Box 40600 Olympia WA 98504	1953 - OR	Sales/Marketing
	Hawkins, Brad District 12 (R) Chelan, Douglas, Grant (P), Okanogan (P)		PO Box 40600 Olympia WA 98504		
	Hayes, Dave District 10 (R) Island, Skagit (P), Snohomish (P)		PO Box 40600 Olympia WA 98504	1966 - WA	Law Enforcement
	Holy, Jeff District 6 (R) Spokane (P)		PO Box 40285 Spokane WA 98220		Attorney
	Hope, Mike District 44 (R) Snohomish (P)	Appt. 12/16/2008; 2009-2012	PO Box 40600 Olympia WA 98504	1975 – OH	Seattle Police
	Hudgins, Zack District 11 (D) King (P)	Appt. 12/09/2002; 2003-2012	PO Box 40600 Olympia WA 98504	1968 – TX	High Technology Manager
	Hunt, Sam District 22 (D) Thurston (P)	2001-2012	PO Box 40600 Olympia WA 98504	1942 - MT	Retired
	Hunter, Ross District 48 (D) King (P)	2003-2012	PO Box 40600 Olympia WA 98504	1961 – PA	Retired Software Executive
	Hurst, Christopher District 31 (D) King (P), Pierce (P)	1999-2002 2007-2012	PO Box 40600 Olympia WA 98504	1954 - WA	Retired Police Detective
	Jinkins, Laurie District 27 (D) Pierce (P)	2011-2012	PO Box 40600 Olympia WA 98504	1964 - IA	Public Health Official
	Johnson, Norm District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)	2009-2012	55 W Washington Ave #83 Yakima WA 98903	1938 - WA	Retired Educator, Administrator
	Kagi, Ruth District 32 (D) King (P), Snohomish (P)	1999-2012	19553 35th Ave NE Lk Forest Park WA 98155	1945 - WA	Legislator

	Kirby, Steve District 29 (D) Pierce (P)	2001-2012	PO Box 40600 Olympia WA 98504	1951 - WA	Legislator
	Klippert, Brad District 8 (R) Benton (P)	2009-2012	PO Box 6478 Kennewick WA 99336	1957 - WA	Legislator, Deputy, LTC
	Kochmar, Linda District 30 (R) King (P), Pierce (P)		PO Box 40600 Olympia WA 98504	1949 - OR	Risk Manager
	Kretz, Joel District 7 (R) Ferry, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2005-2012	1014 Toroda Creek Rd Wayconda WA 98859	1957 - WA	Rancher/ Logger
	Kristiansen, Dan District 39 (R) King (P), Skagit (P), Snohomish (P)	2003-2012	PO Box 2007 Snohomish WA 98291	1962 - WA	Legislator
	Liias, Marko District 21 (D) Snohomish (P)	Appt. 1/7/2008; 2009-2010	PO Box 40600 Olympia WA 98504	1981 - WA	Legislator
	Lytton, Kristine District 40 (D) San Juan, Skagit (P), Whatcom (P)	2011-2012	PO Box 40600 Olympia WA 98504	1960 - IL	Legislator
	MacEwen, Drew District 35 (R) Kitsap (P), Mason, Thurston (P)		PO Box 951 Union WA 98592	1973 - MN	Investment Advisor
	Magendanz, Chad District 5 (R) King (P)		PO Box 1362 Issaquah WA 98027	1967 - NY	Software Design Consultant
	Manweller, Matt District 13 (R) Grant (P), Kittitas, Lincoln, Yakima (P)		PO Box 40600 Olympia WA 98504	1969 - CA	Professor
	Maxwell, Marcie District 41 (D) King (P)	2009-2012	PO Box 2048 Renton, WA 98055	1955 - WA	Realtor/Business Owner
	McCoy, John District 38 (D) Snohomish (P)	2003-2012	PO Box 40600 Olympia WA 98504	1943 - WA	Legislator
	Moeller, Jim District 49 (D) Clark (P)	2003-2012	PO Box 40600 Olympia WA 98504	1955 - WA	Substance Abuse Counselor
	Morrell, Dawn District 25 (D) Pierce (P)	2003-2010	PO Box 40600 Olympia WA 98504	1949 - ID	Registered Nurse

	Morris, Jeff District 40 (D) San Juan, Skagit (P), Whatcom (P)	1997-2012	PO Box 40600 Olympia WA 98504	1964 - WA	CEO Energy Horizon
	Moscoso, Luis District 1 (D) King (P), Snohomish (P)	2011-2012	4904 216 th PL SW Mount Lake Terrace WA 98043	1950 - IA	Retired
	Muri, Dick District 28 (R) Pierce (P)		PO Box 40600 Olympia WA 98504	1953 - AK	Retired Military
	Nealey, Terry Benton (P), Columbia, Franklin (P), Walla Walla	Appt. 12/1/2009, 2010 -2012	PO Box 40600 Olympia WA 98504	1947 - WA	Attorney
	O'Ban, Steve District 28 (R) Pierce (P)		PO Box 65335 University Place WA 98464	1961 - CA	Attorney
	Orcutt, Ed District 20 (R) Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	Appt. 1/4/2002, 2003-2012	PO Box 1820 Kalama WA 98625	1963 - ME	Consulting Forester
	Ormsby, Timm District 3 (D) Spokane (P)	Appt. 9/30/2003, 2004-2012	PO Box 40600 Olympia WA 98504	1959 - WA	Cement Mason
	Orwall, Tina District 33 (D) King (P)	2009-2012	550 S 240 th ST Des Moines WA 98198	1965 - FL	Strategic Planner
	Overstreet, Jason District 42 (R) Whatcom (P)	2011-2012	PO Box 40600 Olympia WA 98504	1974 - WA	Seattle Fire Dept/ Business Owner
	Parker, Kevin District 6 (R) Spokane (P)	2009-2012	PO Box 40600 Olympia WA 98504	1973 - OR	Business Owner
	Pedersen, Jamie District 43 (D) King (P)	2007-2012	PO Box 40600 Olympia WA 98504	1968 - WA	Lawyer
	Pettigrew, Eric District 37 (D) King (P)	2003-2012	232 Burnett Ave S Apt B304 Renton WA 98507	1960 - CA	Director of Urban Development
	Pike, Liz District 18 (R) Clark (P)	Appt. 8/23/2012	279 N 1 st St STE D Kalama WA 98625	1960 - CA	Advertising Company Owner
	Pollet, Gerry District 46 (D) King (P)	Appt. 12/5/2011, 2012	PO Box 40600 Olympia WA 98504	1958 - NY	Attorney/Non-profit Director

	Reykdal, Chris District 22 (D) Thurston (P)	2011-2012	PO Box 40600 Olympia WA 98504	1972 - WA	College Administrator
	Riccelli, Marcus District 3 (D) Spokane (P)		2204 W Kammi Ave Spokane WA 99208	1978- WA	State Representative
	Roberts, Mary Helen District 21 (D) Snohomish (P)	2005-2012	3924 149th Pl SW Lynnwood WA 98087	1947 - OR	Legislator
	Rodne, Jay District 5 (R) King (P)	Appt. 1/20/2004, 2005-2012	PO Box 40600 Olympia WA 98504	1966 - MN	Attorney
	Ross, Charles District 14 (R) Clark (P), Klickitat, Skamania, Yakima (P)	2007-2012	PO Box 845 Naches WA 98937	1971 - VA	Funeral Director
	Ryu, Cindy District 32 (D) King (P), Snohomish (P)	2011-2012	PO Box 33548 Seattle WA 98133	1957 - Korea	Commercial/ Retail Space Management
	Santos, Sharon Tomiko District 37 (D) King (P)	1999-2012	PO Box 40600 Olympia WA 98504	1961 - CA	Legislator
	Sawyer, David District 29 (D) Pierce (P)		1002 S94th St Tacoma WA 98444	1983 - WA	Law Clerk
	Schmick, Joe District 9 (R) Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	Appt. 11/26/2007; 2008-2012	PO Box 40600 Olympia WA 98504	1958 - WA	Farmer/ Small Business Owner
	Scott, Elizabeth District 39 (R) King (P), Skagit (P), Snohomish (P)		PO Box 40600 Olympia WA 98504	1966 - IL	Consultant, Educator
	Seaquist, Larry District 26 (D) Kitsap (P), Pierce (P)	2007-2012	PO Box 40600 Olympia WA 98504	1938 - ID	Writer/ Retired Naval Officer
	Sells, Mike District 38 (D) Snohomish (P)	2005-2012	2812 Lombard Ave. Ste 210 Everett WA 98201	1945 - WA	Labor Official
	Senn, Tana District 41 (D) King (P)		1611 116 th Ave NE Ste 206 Bellevue, WA 98004	1971 - IL	Legislator
	Shea, Matthew District 4 (R) Spokane (P)	2009-2012	PO Box 40600 Olympia WA 98504	1974 - WA	Attorney

	Short, Shelly District 7 (R) Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	2009-2012	PO Box 40600 Olympia WA 98504	1962 - WA	Legislator
	Smith, Norma District 10 (R) Island, Skagit (P), Snohomish (P)	Appt. 1/8/2008; 2009-2012	PO Box 40600 Olympia WA 98504	1951 - FL	Communications
	Springer, Larry District 45 (D) King (P)	2005-2012	700 20th Ave West Kirkland WA 98033	1947 - WA	Retail Store Owner
	Stanford, Derek District 1 (D) King (P), Snohomish (P)	2011-2012	PO Box 40600 Olympia WA 98504	1970 - MI	Statistician
	Stonier, Monica District 17 (D) Clark (P)		PO Box 40600 Olympia WA 98504		Instructional Coach
	Sullivan, Pat District 47 (D) King (P)	2005-2012	26513 168th Pl SE Covington WA 98042	1962 - MN	Legislator
	Takko, Dean District 19 (D) Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	Appt. 12/21/2004, 2005- 2012	PO Box 40600 Olympia WA 98504	1950 - WA	Legislator
	Tarleton, Gael District 36 (D) King (P)		PO Box 40600 Olympia WA 98504	1959 - MA	Legislator
	Taylor, David District 15 (R) Yakima (P)	Appt. 3/30/2009, 2010-2012	PO Box 40600 Olympia WA 98504	1972 - WA	Consultant
	Tharinger, Steve District 24 (D) Clallam, Grays Harbor (P), Jefferson	2011-2012	PO Box 40600 Olympia WA 98504	1949 - WI	County Commissioner
	Uptegrove, Dave District 33 (D) King (P)	Appt. 1/7/2002, 2003-2012	PO Box 40600 Olympia WA 98504	1971 - WA	Legislator
	Van De Wege, Kevin District 24 (D) Clallam, Grays Harbor (P), Jefferson	2007-2012	PO Box 40600 Olympia WA 98504	1974 - WA	Firefighter/Paramedic
	Vick, Brandon District 18 (R) Clark (P)		PO Box 40600 Olympia WA 98504	1984 - CA	Landscape Contractor
	Walsh, Maureen District 16 (R) Benton (P), Columbia, Franklin (P), Walla Walla	2005-2012	1227 Murphy Lane SE College Place WA 99324	1960 - OH	Small Business Owner



Warnick, Judy
 District 13 (R)
 Grant (P), Kittitas, Lincoln,
 Yakima (P)

2007-2012

PO Box 40600
 Olympia WA 98504

1950 - WA

Small Business Owner



Wilcox, JT
 District 2 (R)
 Pierce (P), Thurston (P)

2011-2012

PO Box 40600
 Olympia WA 98504

1962 - WA

Farming



Wylie, Sharon
 District 49 (D)
 Clark (P)

Appt. 4/13/2011,
 2012

PO Box 40600
 Olympia WA 98504

1949 - LA

Consultant



Zeiger, Hans
 District 25 (R)
 Pierce (P)

2011-2012

PO Box 40600
 Olympia WA 98504

1985 - WA

Author

BILL	TITLE	STATUS	NOTES	EFFECTIVE DATE	ORIGINAL SPONSOR
SHB 1001	Beer & wine theater license	C 219 L 13	Governor Signed in 2013	5/14/2013	Moeller
HB 1003	Health professions licensees	C 86 L 13	Governor Signed in 2013	5/1/2013	Moeller
HB 1006	Horse racing comm. accounts	C 88 L 13	Governor Signed in 2013	5/1/2013	Schmick
SHB 1009	Liquor self-checkout	C 89 L 13	Governor Signed in 2013	5/1/2013	Hunt, S.
SHB 1012	Appraisal mgmt company bond	C 90 L 13	Governor Signed in 2013	5/1/2013	Stanford
SHB 1021	Parental abduction	C 91 L 13	Governor Signed in 2013	5/1/2013	Haler
SHB 1034	Escrow agent licensing	C 64 L 13	Governor Signed in 2013	4/25/2013	Kirby
HB 1035	Title insurance rate filings	C 65 L 13	Governor Signed in 2013	4/25/2013	Kirby
HB 1036	Service contracts	C 117 L 13	Governor Signed in 2013	5/3/2013	Kirby
HB 1045	Local highway speed limits	C 264 L 13	Governor Signed in 2013	5/16/2013	Ryu
HB 1056	Corporate officers	C 66 L 13	Governor Signed in 2013	4/25/2013	Angel
HB 1065	Arbitration proceedings	C 92 L 13	Governor Signed in 2013	5/1/2013	Goodman
SHB 1068	TV reception improvement/tax	C 191 L 13	Governor Signed in 2013	5/10/2013	Manweller
SHB 1071	Salmonid hatchery management	C 93 L 13	Governor Signed in 2013	5/1/2013	Blake
SHB 1074	Plat approvals	C 16 L 13	Governor Signed in 2013	4/18/2013	Angel
SHB 1075	Dungeness crab fishery	C 288 L 13	Governor Signed in 2013	5/20/2013	Lytton
SHB 1076	Innovation academy coops	C 192 L 13	Governor Signed in 2013	5/10/2013	Haigh
SHB 1093	State agency lobbying	C 166 L 13	Governor Signed in 2013	5/8/2013	Shea
HB 1108	Rape in the third degree	C 94 L 13	Governor Signed in 2013	5/1/2013	Goodman
HB 1109	Higher ed registration/vets	C 67 L 13	Governor Signed in 2013	4/25/2013	Hansen
HB 1112	Science and public policy	C 68 L 13	Governor Signed in 2013	4/25/2013	Short
HB 1113	Science and public policy	C 69 L 13	Governor Signed in 2013	4/25/2013	Short
E2SHB 1114	Crim. incompetency/commitmt	C 289 L 13	Governor Signed in 2013	5/20/2013	Pedersen
SHB 1115	Uniform commercial code	C 118 L 13	Governor Signed in 2013	5/3/2013	Pedersen
SHB 1116	Unif. collaborative law act	C 119 L 13	Governor Signed in 2013	5/3/2013	Pedersen
HB 1124	Spirits taxes & fees/reports	C 95 L 13	Governor Signed in 2013	5/1/2013	Hurst
SHB 1130	Impounded vehicle redemption	C 150 L 13	Governor Signed in 2013	5/7/2013	Hurst
E2SHB 1134	State-tribal edu compacts	C 242 L 13	Governor Signed in 2013	5/15/2013	McCoy
SHB 1141	Water pollution contrl loans	C 96 L 13	Governor Signed in 2013	5/1/2013	Smith
SHB 1144	Educational interpreters	C 151 L 13	Governor Signed in 2013	5/7/2013	Dahlquist
HB 1146	Water right examiner bonding	C 70 L 13	Governor Signed in 2013	4/25/2013	Nealey
HB 1148	Dissenters/business corp act	C 97 L 13	Governor Signed in 2013	5/1/2013	Pedersen
HB 1149	Craft distillery customers	C 98 L 13	Governor Signed in 2013	5/1/2013	Hurst
HB 1154	Nonpower attributes	C 99 L 13	Governor Signed in 2013	5/1/2013	Upthegrove
HB 1175	Judges/Benton & Franklin co.	C 142 L 13	Governor Signed in 2013	5/6/2013	Nealey
HB 1178	Teacher certification	C 193 L 13	Governor Signed in 2013	5/10/2013	Lytton

SHB 1180	Firefighters & reserve ofcers	C 100 L 13	Governor Signed in 2013	5/1/2013	Scott
HB 1182	Pharmacists/legend drug act	C 71 L 13	Governor Signed in 2013	4/25/2013	Harris
SHB 1183	Wireless communications	C 317 L 13	Governor Signed in 2013	5/21/2013	Morris
SHB 1192	Veterans with disabilities	C 101 L 13	Governor Signed in 2013	5/1/2013	Short
HB 1194	Habitat project liability	C 194 L 13	Governor Signed in 2013	5/10/2013	Stanford
2SHB 1195	Primaries	C 195 L 13	Governor Signed in 2013	5/10/2013	Wylie
SHB 1200	Seafood labeling	C 290 L 13	Governor Signed in 2013	5/20/2013	Blake
HB 1203	Children's personal info	C 220 L 13	Governor Signed in 2013	5/14/2013	Farrell
HB 1207	Cemetery districts	C 167 L 13	Governor Signed in 2013	5/8/2013	Haigh
HB 1209	Christmas tree growers	C 72 L 13	Governor Signed in 2013	4/25/2013	MacEwen
HB 1213	Social worker licensing	C 73 L 13	Governor Signed in 2013	4/25/2013	Orwall
SHB 1216	Eosinophilia disorders	C 168 L 13	Governor Signed in 2013	5/8/2013	Habib
HB 1218	DFW license suspensions	C 102 L 13	Governor Signed in 2013	5/1/2013	Takko
SHB 1242	Vehicle subagents	C 169 L 13	Governor Signed in 2013	5/8/2013	Moscoso
ESHB 1245	Derelict & abandoned vessels	C 291 L 13	Governor Signed in 2013	5/20/2013	Hansen
ESHB 1247	Job skills program	C 103 L 13	Governor Signed in 2013	5/1/2013	Hansen
ESHB 1253	Lodging tax	C 196 L 13	Governor Signed in 2013	5/10/2013	Blake
SHB 1256	Freight mobility invest. brd	C 104 L 13	Governor Signed in 2013	5/1/2013	Fey
SHB 1261	Emer & crisis care/children	C 105 L 13	Governor Signed in 2013	5/1/2013	Hope
SHB 1265	Traffic infraction notices	C 170 L 13	Governor Signed in 2013	5/8/2013	Freeman
SHB 1270	Board of denturists	C 171 L 13	Governor Signed in 2013	5/8/2013	Morrell
SHB 1271	Denturism	C 172 L 13	Governor Signed in 2013	5/8/2013	Jinkins
HB 1277	Conservation easemnts/tribes	C 120 L 13	Governor Signed in 2013	5/3/2013	Sawyer
SHB 1284	Incarcerated parents' rights	C 173 L 13	Governor Signed in 2013	5/8/2013	Roberts
ESHB 1291	Sex trade victims	C 121 L 13	Governor Signed in 2013	5/3/2013	Orwall
E2SHB 1306	Local infrastr. financing	C 21 L 13 E2	Governor Signed in 2013	7/3/2013	Wylie
SHB 1307	Sexual assault prot. orders	C 74 L 13	Governor Signed in 2013	4/25/2013	Goodman
HB 1311	Maritime service/unempl comp	C 75 L 13	Governor Signed in 2013	4/25/2013	Chandler
HB 1319	Welcome home Vietnam vet day	C 5 L 13	Governor Signed in 2013	3/29/2013	Johnson
ESHB 1325	Banks, trust companies, etc.	C 76 L 13	Governor Signed in 2013	4/25/2013	Ryu
SHB 1327	Money transmitters	C 106 L 13	Governor Signed in 2013	5/1/2013	Kirby
HB 1330	Dental hygienists, assistnts	C 87 L 13	Governor Signed in 2013	5/1/2013	Moeller
SHB 1334	Motorcycle conversion kits	C 174 L 13	Governor Signed in 2013	5/8/2013	Shea
ESHB 1336	Troubled youth in schools	C 197 L 13	Governor Signed in 2013	5/10/2013	Orwall
ESHB 1341	Wrongful imprisonment	C 175 L 13	Governor Partially Vetoed	5/8/2013	Orwall
SHB 1343	Nurses surcharge	C 77 L 13	Governor Signed in 2013	4/25/2013	Cody
HB 1351	Wineries & breweries/labels	C 107 L 13	Governor Signed in 2013	5/1/2013	Condotta
SHB 1352	Sexual abuse against a child	C 17 L 13	Governor Signed in 2013	4/19/2013	Holy
SHB 1370	Homeowners' associations	C 108 L 13	Governor Signed in 2013	5/1/2013	Sequist
SHB 1376	Suicide assessment training	C 78 L 13	Governor Signed in 2013	4/25/2013	Orwall
ESHB 1381	DOH admin adjud	C 109 L 13	Governor Signed in 2013	5/1/2013	Jinkins

	proceedings				
ESHB 1383	Stalking protection orders	C 84 L 13	Governor Signed in 2013	4/27/2013	Goodman
EHB 1394	Employment security dept	C 122 L 13	Governor Signed in 2013	5/3/2013	Reykdal
EHB 1396	Unemployment insurance	C 79 L 13	Governor Signed in 2013	4/25/2013	Manweller
SHB 1397	Sexual health education	C 85 L 13	Governor Signed in 2013	5/1/2013	Orcutt
EHB 1400	Service/electr. distribution	C 110 L 13	Governor Signed in 2013	5/1/2013	Bergquist
ESHB 1403	Economic development	C 111 L 13	Governor Signed in 2013	5/1/2013	Smith
HB 1404	Alcohol poisoning deaths	C 112 L 13	Governor Signed in 2013	5/1/2013	Liias
ESHB 1412	Community service/students	C 176 L 13	Governor Signed in 2013	5/8/2013	Bergquist
2SHB 1416	Irrigation district financing	C 177 L 13	Governor Signed in 2013	5/8/2013	Warnick
SHB 1420	Transp. improvement projects	C 113 L 13	Governor Signed in 2013	5/1/2013	Liias
EHB 1421	Deferred property taxes	C 221 L 13	Governor Signed in 2013	5/14/2013	Tharinger
SHB 1422	Beer, wine tasting endorsmnt	Gov vetoed	Governor Vetoed	5/1/2013	Condotta
ESHB 1432	County property tax levies	C 123 L 13	Governor Signed in 2013	5/3/2013	Stanford
SHB 1435	Deeds of trust reconveyances	C 114 L 13	Governor Signed in 2013	5/1/2013	Goodman
HB 1442	Parimutuel locations	C 18 L 13	Governor Signed in 2013	4/18/2013	Schmick
E2SHB 1445	Complex rehab technology	C 178 L 13	Governor Signed in 2013	5/8/2013	Cody
HB 1447	Heavy haul corridors	C 115 L 13	Governor Signed in 2013	5/1/2013	Fey
EHB 1450	Public school assessments	C 22 L 13 E2	Governor Signed in 2013	7/3/2013	Hunt, S.
SHB 1456	Transit and parking benefits	C 124 L 13	Governor Signed in 2013	5/3/2013	Hunt, S.
SHB 1466	Alt public works contracting	C 222 L 13	Governor Signed in 2013	5/14/2013	Haigh
HB 1468	Claimant benefits payment	C 125 L 13	Governor Signed in 2013	5/3/2013	Sells
HB 1469	Horse racing/ind. insurance	C 80 L 13	Governor Signed in 2013	4/25/2013	Schmick
HB 1471	Hospital infection rates	C 319 L 13	Governor Partially Vetoed	5/21/2013	Riccelli
SHB 1472	Computer science education	C 241 L 13	Governor Signed in 2013	5/14/2013	Hansen
HB 1474	Top 2 nonpartisan candidates	C 143 L 13	Governor Signed in 2013	5/7/2013	Pedersen
ESHB 1480	Direct practice providers	C 126 L 13	Governor Signed in 2013	5/3/2013	Green
EHB 1493	Mobile homes property tax	C 198 L 13	Governor Signed in 2013	5/10/2013	Springer
SHB 1498	Electronic waste collection	C 292 L 13	Governor Signed in 2013	5/20/2013	Upthegrove
SHB 1499	Elderly all-inclusive care	C 258 L 13	Governor Signed in 2013	5/16/2013	Jinkins
SHB 1512	Water/fire suppression	C 127 L 13	Governor Signed in 2013	5/3/2013	Takko
ESHB 1515	Medical assistants	C 128 L 13	Governor Signed in 2013	5/3/2013	Cody
2SHB 1518	Disciplining authorities	C 81 L 13	Governor Signed in 2013	4/25/2013	Cody
ESHB 1519	Health care coordination	C 320 L 13	Governor Signed in 2013	5/21/2013	Cody
ESHB 1524	Juvenile mental health	C 179 L 13	Governor Signed in 2013	5/8/2013	Roberts
SHB 1525	Birth certificates	C 321 L 13	Governor Signed in 2013	5/21/2013	Orwall
HB 1533	Health care actions/claims	C 82 L 13	Governor Signed in 2013	4/25/2013	Rodne
HB 1534	Impaired dentist program	C 129 L 13	Governor Signed in 2013	5/3/2013	Riccelli
SHB 1537	Veteran's preference	C 83 L 13	Governor Signed in 2013	4/25/2013	O'Ban
SHB 1541	Nasal spray/school employees	C 180 L 13	Governor Signed in 2013	5/8/2013	Klippert
HB 1547	Recreational programming	C 130 L 13	Governor Signed in 2013	5/3/2013	Walsh
ESHB 1552	Scrap metal theft reduction	C 322 L 13	Governor Partially Vetoed	5/21/2013	Goodman

SHB 1556	Cardiac arrest/high schools	C 181 L 13	Governor Signed in 2013	5/8/2013	Van De Wege
HB 1565	Prescription monitoring prog	C 36 L 13	Governor Signed in 2013	4/23/2013	Harris
2SHB 1566	Youth in out-of-home care	C 182 L 13	Governor Signed in 2013	5/8/2013	Carlyle
SHB 1568	Business licensing service	C 144 L 13	Governor Signed in 2013	5/7/2013	Carlyle
HB 1576	County assessors offices	C 131 L 13	Governor Signed in 2013	5/3/2013	Springer
HB 1609	Board of pharmacy	C 19 L 13	Governor Signed in 2013	4/18/2013	Schmick
SHB 1612	Firearm offenders	C 183 L 13	Governor Signed in 2013	5/8/2013	Hope
SHB 1613	Crim justice training comm	C 265 L 13	Governor Signed in 2013	5/16/2013	Hudgins
SHB 1617	Housing trust fund	C 145 L 13	Governor Signed in 2013	5/7/2013	McCoy
ESHB 1625	Tow truck operator rates	C 37 L 13	Governor Signed in 2013	4/23/2013	Pollet
SHB 1629	Home care aide continuing ed	C 259 L 13	Governor Signed in 2013	5/16/2013	Cody
ESHB 1632	Off-road vehicles	C 23 L 13 E2	Governor Signed in 2013	7/3/2013	Shea
ESHB 1633	School district bidding reqs	C 223 L 13	Governor Signed in 2013	5/14/2013	Magendanz
HB 1639	Presidential electors	C 38 L 13	Governor Signed in 2013	4/23/2013	Bergquist
2SHB 1642	H.S. academic acceleration	C 184 L 13	Governor Signed in 2013	5/8/2013	Pettigrew
HB 1644	Transportation planning	C 199 L 13	Governor Signed in 2013	5/10/2013	Fey
HB 1645	Higher ed facils authority	C 217 L 13	Governor Signed in 2013	5/10/2013	Riccelli
ESHB 1647	Landlords/safeguarding keys	C 35 L 13	Governor Signed in 2013	4/23/2013	Tarleton
ESHB 1652	Impact fee payment	Gov vetoed	Governor Vetoed	5/21/2013	Liias
EHB 1677	Adult family home operators	C 185 L 13	Governor Signed in 2013	5/8/2013	Klippert
ESHB 1679	Health care info disclosure	C 200 L 13	Governor Signed in 2013	5/10/2013	Cody
HB 1683	Postsecondary institutions	C 201 L 13	Governor Signed in 2013	5/10/2013	Reykdal
SHB 1686	High school equiv certifs	C 39 L 13	Governor Signed in 2013	4/23/2013	Seaquist
ESHB 1688	Student restraint, isolation	C 202 L 13	Governor Signed in 2013	5/10/2013	Stonier
ESHB 1717	Up-front enviro planning	C 243 L 13	Governor Signed in 2013	5/15/2013	Fitzgibbon
2SHB 1723	Early learning services	C 323 L 13	Governor Partially Vetoed	5/21/2013	Kagi
HB 1736	Higher ed efficiencies	C 218 L 13	Governor Signed in 2013	5/10/2013	Zeiger
SHB 1737	Physician assistants	C 203 L 13	Governor Signed in 2013	5/10/2013	Morrell
HB 1738	Political subdivisions	C 132 L 13	Governor Signed in 2013	5/3/2013	Hayes
SHB 1752	Commercial motor vehicles	C 224 L 13	Governor Signed in 2013	5/14/2013	Orcutt
2SHB 1764	Geoduck diver licenses	C 204 L 13	Governor Signed in 2013	5/10/2013	Chandler
HB 1768	DOT/job order contracting	C 186 L 13	Governor Signed in 2013	5/8/2013	Moscoso
HB 1770	Commodity boards/members	C 40 L 13	Governor Signed in 2013	4/23/2013	Buys
ESHB 1774	Child welfare system	C 205 L 13	Governor Signed in 2013	5/10/2013	Freeman
SHB 1779	Esthetics	C 187 L 13	Governor Signed in 2013	5/8/2013	Kirby
HB 1790	Traffic school fees	C 41 L 13	Governor Signed in 2013	4/23/2013	Parker
HB 1800	Compounding of medications	C 146 L 13	Governor Signed in 2013	5/7/2013	Cody
SHB 1806	Veterans' assistance	C 42 L 13	Governor Signed in 2013	4/23/2013	Hansen
EHB 1808	Legal marijuana/disposal	C 133 L 13	Governor Signed in 2013	5/3/2013	Nealey
SHB 1812	Urban school turnaround	C 147 L 13	Governor Signed in 2013	5/7/2013	Haigh
HB 1818	Business & govt streamlining	C 324 L 13	Governor Signed in 2013	5/21/2013	Smith
SHB 1821	Permanency hearings	C 206 L 13	Governor Signed in 2013	5/10/2013	Freeman

SHB 1822	Debt collection practices	C 148 L 13	Governor Signed in 2013	5/7/2013	Stanford
EHB 1826	Integrated resource plans	C 149 L 13	Governor Signed in 2013	5/7/2013	Morris
SHB 1836	Contraband/secure facility	C 43 L 13	Governor Signed in 2013	4/23/2013	Holy
ESHB 1846	Stand-alone dental coverage	C 325 L 13	Governor Signed in 2013	5/21/2013	Schmick
SHB 1853	Real estate brokers	C 207 L 13	Governor Signed in 2013	5/10/2013	Maxwell
HB 1860	Sunset review process	C 44 L 13	Governor Signed in 2013	4/23/2013	Alexander
HB 1863	L&I/scholarship information	C 134 L 13	Governor Signed in 2013	5/3/2013	Stonier
SHB 1866	Aerospace tech innovation	C 24 L 13 E2	Governor Signed in 2013	7/3/2013	Morris
SHB 1868	Disabled LEOFF plan2 members	C 287 L 13	Governor Signed in 2013	5/20/2013	Freeman
E2SHB 1872	Sci, tech, engineering, math	C 25 L 13 E2	Governor Signed in 2013	7/3/2013	Maxwell
SHB 1883	Fuel tax administration	C 225 L 13	Governor Signed in 2013	5/14/2013	Fitzgibbon
SHB 1886	Ag dept/recoverable costs	C 45 L 13	Governor Signed in 2013	4/23/2013	Chandler
EHB 1887	Voc rehab plans/ed options	C 326 L 13	Governor Signed in 2013	5/21/2013	Sawyer
SHB 1889	Fruit and veg district fund	C 46 L 13	Governor Signed in 2013	4/23/2013	Chandler
HB 1903	Unemployment insurance	C 244 L 13	Governor Signed in 2013	5/15/2013	Fitzgibbon
HB 1937	Vapor products	C 47 L 13	Governor Signed in 2013	4/23/2013	Ross
SHB 1941	Toll adjudication, penalties	C 226 L 13	Governor Signed in 2013	5/14/2013	Habib
ESHB 1944	Lic. plate & registr. fraud	C 135 L 13	Governor Signed in 2013	5/3/2013	Haler
ESHB 1947	WA health benefit exchange	C 6 L 13 E2	Governor Signed in 2013	6/30/2013	Cody
SHB 1961	Judicial stabil. trust acct.	C 7 L 13 E2	Governor Signed in 2013	6/30/2013	Pedersen
ESHB 1968	Programs in school buildings	C 227 L 13	Governor Signed in 2013	5/14/2013	Kagi
2E2SHB 1971	Communications services	C 8 L 13 E2	Governor Signed in 2013	6/30/2013	Carlyle
SHB 1982	Lottery games	C 136 L 13	Governor Signed in 2013	5/3/2013	Hunter
HB 2042	Medicaid nursing payments	C 3 L 13 E2	Governor Signed in 2013	6/28/2013	Cody
HB 2043	Education employee comp	C 5 L 13 E2	Governor Signed in 2013	6/30/2013	Hunter
HB 2044	Family leave insurance prog.	C 26 L 13 E2	Governor Signed in 2013	7/3/2013	Hunter
ESHB 2051	Basic education expenditures	C 9 L 13 E2	Governor Signed in 2013	6/30/2013	Lytton
EHB 2056	Marijuana THC concentration	C 116 L 13	Governor Signed in 2013	5/1/2013	Hurst
HB 2058	State budget transparency	C 327 L 13	Governor Signed in 2013	5/21/2013	Hawkins
EHB 2068	Annexation within a city	C 27 L 13 E2	Governor Signed in 2013	7/3/2013	Takko
SHB 2069	Safety net benefits	C 10 L 13 E2	Governor Signed in 2013	6/30/2013	Hunter
EHB 2075	Estate, transfer tx/edu acct	C 2 L 13 E2	Governor Signed in 2013	6/14/2013	Carlyle
HB 2079	Envir. legacy stewardshp acct	C 28 L 13 E2	Governor Signed in 2013	7/3/2013	Dunshee
EHB 2088	Aerospace appropriations	C 1 L 13 E3	Governor Signed in 2013	11/11/2013	Sells
HCR 4400	Legislature joint rules	H Filed Sec/St	Governor Signed in 2013	1/24/2013	Sullivan
HCR 4401	Legislature cutoff dates	H Filed Sec/St	Governor Signed in 2013	1/24/2013	Sullivan
HCR 4402	Legislature joint sessions	H Filed Sec/St	Governor Signed in 2013	1/24/2013	Sullivan
HCR 4404	William Booth Gardner	H Filed Sec/St	Governor Signed in 2013	3/26/2013	Chopp
HCR 4405	HB 2056	H Filed	Governor Signed in 2013	4/28/2013	Sullivan

		Sec/St			
HCR 4406	HB 2058	H Filed Sec/St	Governor Signed in 2013	4/28/2013	Sullivan
HCR 4407	Special session bill status	H Filed Sec/St	Governor Signed in 2013	5/15/2013	Sullivan
HCR 4408	Bills/house of origin	H Filed Sec/St	Governor Signed in 2013	6/11/2013	Sullivan
HCR 4409	Adjourning SINE DIE	H Filed Sec/St	Governor Signed in 2013	6/11/2013	Sullivan
HCR 4410	Special session bill status	H Filed Sec/St	Governor Signed in 2013	6/17/2013	Sullivan
HCR 4411	Bills/house of origin	H Filed Sec/St	Governor Signed in 2013	6/29/2013	Sullivan
HCR 4412	Adjourning SINE DIE	H Filed Sec/St	Governor Signed in 2013	6/29/2013	Sullivan
HCR 4413	Special session bill status	H Filed Sec/St	Governor Signed in 2013	11/9/2013	Sullivan
HCR 4414	Joint session/state of state	H Filed Sec/St	Governor Signed in 2013	1/14/2014	Sullivan
HCR 4415	Bill status for 2014 session	H Filed Sec/St	Governor Signed in 2013	1/14/2014	Sullivan
SSB 5002	Mosquito control districts	C 208 L 13	Governor Signed in 2013	5/10/2013	Honeyford
SSB 5008	Portable electronics	C 152 L 13	Governor Signed in 2013	5/7/2013	Hobbs
SSB 5021	Riot & criminal mischief	C 20 L 13	Governor Signed in 2013	4/22/2013	Padden
SSB 5022	Retail theft & circumstances	C 153 L 13	Governor Signed in 2013	5/7/2013	Padden
ESSB 5024	Trans budget 2011-13/2013-15	C 306 L 13	Governor Partially Vetoed	5/20/2013	King
SB 5025	State of emergency	C 21 L 13	Governor Signed in 2013	4/22/2013	Roach
SB 5030	Chinook scenic byway	C 154 L 13	Governor Signed in 2013	5/7/2013	Roach
3ESSB 5034	Operating omnibus approps	C 4 L 13 E2	Governor Partially Vetoed	6/30/2013	Hill
ESSB 5035	Capital budget 2013-2015	C 19 L 13 E2	Governor Partially Vetoed	7/1/2013	Honeyford
ESSB 5036	State gen. obligation bonds	C 20 L 13 E2	Governor Signed in 2013	7/1/2013	Honeyford
SB 5046	District judges, retirement	C 22 L 13	Governor Signed in 2013	4/22/2013	Padden
SB 5050	Tow truck passengers	C 155 L 13	Governor Signed in 2013	5/7/2013	Sheldon
SB 5052	Superior crt judges/Whatcom	C 210 L 13	Governor Signed in 2013	5/10/2013	Ericksen
ESB 5053	Vehicle prowling	C 267 L 13	Governor Signed in 2013	5/16/2013	Harper
SB 5056	Employing minors/work permit	C 156 L 13	Governor Signed in 2013	5/7/2013	Honeyford
SSB 5072	Disabled vets/sales & use tx	C 211 L 13	Governor Signed in 2013	5/10/2013	Delvin
SSB 5077	Gender-based terms	C 23 L 13	Governor Partially Vetoed	4/22/2013	Kohl-Welles
E2SSB 5078	Nonprofit fairs/property tax	C 212 L 13	Governor Signed in 2013	5/10/2013	Ericksen
ESSB 5082	Exchange facilitators	C 228 L 13	Governor Signed in 2013	5/14/2013	Benton
SB 5092	Registered nurses	C 229 L 13	Governor Signed in 2013	5/14/2013	Benton
ESSB 5095	Motor vehicle operation	C 157 L 13	Governor Signed in 2013	5/7/2013	Roach
ESB 5099	Publicly owned vehicles/fuel	C 328 L 13	Governor Signed in 2013	5/21/2013	Rivers
SB 5102	Animal cruelty reporting	C 245 L 13	Governor Signed in 2013	5/15/2013	Pearson
ESB 5104	Epinephrine autoinjectors	C 268 L 13	Governor Signed in 2013	5/16/2013	Mullet

ESB 5105	Offender rental vouchers	C 266 L 13	Governor Signed in 2013	5/16/2013	Dammeier
ESSB 5110	Local government purchasing	C 24 L 13	Governor Signed in 2013	4/22/2013	Tom
SB 5113	Condo assoc. communities	C 269 L 13	Governor Signed in 2013	5/16/2013	Bailey
SB 5114	K-12 campus access	C 25 L 13	Governor Signed in 2013	4/22/2013	Bailey
SSB 5135	Judicial proceedings & forms	C 246 L 13	Governor Signed in 2013	5/15/2013	Pearson
SB 5136	Claims against the state	C 188 L 13	Governor Signed in 2013	5/8/2013	Padden
SB 5139	Milk and milk products	C 7 L 13	Governor Signed in 2013	4/17/2013	Hatfield
SB 5142	Motorcycles/transp. planning	C 26 L 13	Governor Signed in 2013	4/22/2013	Rolfes
SB 5145	Fire departments	C 247 L 13	Governor Signed in 2013	5/15/2013	Keiser
SB 5147	Juveniles & runaway children	C 4 L 13	Governor Signed in 2013	2/27/2013	Hargrove
SSB 5148	Medication access/uninsured	C 260 L 13	Governor Signed in 2013	5/16/2013	Keiser
SB 5149	Crimes against pharmacies	C 270 L 13	Governor Signed in 2013	5/16/2013	Carrell
SSB 5152	Sounders FC and Seahawks	C 286 L 13	Governor Signed in 2013	5/17/2013	Eide
ESSB 5153	Reg. support network clients	C 230 L 13	Governor Signed in 2013	5/14/2013	Kohl-Welles
2ESSB 5157	Child care subsidy fraud	C 29 L 13 E2	Governor Signed in 2013	7/3/2013	Carrell
SB 5161	Gold star license plates	C 137 L 13	Governor Signed in 2013	5/3/2013	Braun
SSB 5165	Superior court commissioners	C 27 L 13	Governor Signed in 2013	4/22/2013	Hargrove
SSB 5180	Higher ed access/disability	C 231 L 13	Governor Signed in 2013	5/14/2013	Shin
SSB 5182	Vehicle owner information	C 232 L 13	Governor Signed in 2013	5/14/2013	Carrell
SB 5186	Contractor's bond	C 28 L 13	Governor Signed in 2013	4/22/2013	Roach
E2SSB 5193	Gray wolf conflict managemnt	C 329 L 13	Governor Signed in 2013	5/21/2013	Smith
SSB 5195	State need grant/nonprofits	C 248 L 13	Governor Signed in 2013	5/15/2013	Rolfes
2SSB 5197	Safe school buildings	C 233 L 13	Governor Signed in 2013	5/14/2013	Dammeier
ESB 5206	UW health sci library/online	C 249 L 13	Governor Signed in 2013	5/15/2013	Becker
SB 5207	Consumer loan act	C 29 L 13	Governor Signed in 2013	4/22/2013	Fain
SSB 5210	Mortgage brokers	C 30 L 13	Governor Signed in 2013	4/22/2013	Nelson
SSB 5211	Social networking accounts	C 330 L 13	Governor Signed in 2013	5/21/2013	Hobbs
SB 5212	State horse park authority	C 31 L 13	Governor Signed in 2013	4/22/2013	Holmquist Newbry
2SSB 5213	Medicaid managed care/meds	C 261 L 13	Governor Signed in 2013	5/16/2013	Becker
E2SSB 5215	Health care professionals	C 293 L 13	Governor Signed in 2013	5/20/2013	Becker
SB 5216	Long-term care insurance	C 8 L 13	Governor Signed in 2013	4/17/2013	Rolfes
SB 5220	City disability boards	C 213 L 13	Governor Signed in 2013	5/10/2013	Conway
ESB 5221	Incompetent to stand trial	C 214 L 13	Governor Signed in 2013	5/10/2013	Kohl-Welles
SSB 5227	Corporate officers	C 250 L 13	Governor Signed in 2013	5/15/2013	Schoesler
SB 5235	Indian children care	C 32 L 13	Governor Signed in 2013	4/22/2013	Hargrove
ESB 5236	Defamation	C 294 L 13	Governor Signed in 2013	5/20/2013	Kline
SSB 5256	Autopsies and postmortems	C 295 L 13	Governor Signed in 2013	5/20/2013	Padden
SB 5258	Ballot measure ad sponsors	C 138 L 13	Governor Signed in 2013	5/3/2013	Benton
SSB 5263	Motorcycles passing	C 139 L 13	Governor Signed in 2013	5/3/2013	Benton
SSB 5264	Explosive devices	C 140 L 13	Governor Signed in 2013	5/3/2013	Benton

E2SSB 5267	Healthcare prior authorizing	C 215 L 13	Governor Signed in 2013	5/10/2013	Becker
SSB 5274	Motorcycle skills ed/private	C 33 L 13	Governor Signed in 2013	4/22/2013	Carrell
SSB 5282	Involuntary commitment info	C 216 L 13	Governor Signed in 2013	5/10/2013	Carrell
SSB 5287	Eliminating accounts & funds	C 251 L 13	Governor Signed in 2013	5/15/2013	Hill
2E2SSB 5296	Model toxics control act	C 1 L 13 E2	Governor Signed in 2013	6/14/2013	Ericksen
SB 5297	Coal transition power	C 158 L 13	Governor Signed in 2013	5/7/2013	Braun
SB 5302	Credit unions	C 34 L 13	Governor Signed in 2013	4/22/2013	Benton
ESB 5305	Hospitals/bullet wounds etc.	C 252 L 13	Governor Signed in 2013	5/15/2013	Becker
SSB 5308	Sexually exploited children	C 253 L 13	Governor Signed in 2013	5/15/2013	Kohl-Welles
SSB 5315	Powell fatality team	C 254 L 13	Governor Signed in 2013	5/15/2013	Becker
SSB 5316	Interviews/third person	C 48 L 13	Governor Signed in 2013	4/23/2013	Becker
ESSB 5324	Mosquito abatemnt/stormwater	C 209 L 13	Governor Signed in 2013	5/10/2013	Honeyford
E2SSB 5329	Persistently failing schools	C 159 L 13	Governor Signed in 2013	5/7/2013	Litzow
SSB 5332	Fire protection districts	C 49 L 13	Governor Signed in 2013	4/23/2013	Roach
SB 5337	DNR timber sale program	C 255 L 13	Governor Signed in 2013	5/15/2013	Pearson
SB 5343	Higher ed students/military	C 271 L 13	Governor Signed in 2013	5/16/2013	Bailey
SB 5344	Trusts	C 272 L 13	Governor Signed in 2013	5/16/2013	Mullet
SSB 5352	Real estate agencies	C 58 L 13	Governor Signed in 2013	4/23/2013	Holmquist Newbry
SB 5355	Unemployment insurance	C 189 L 13	Governor Signed in 2013	5/8/2013	Holmquist Newbry
SB 5359	Child abuse & neglect	C 273 L 13	Governor Signed in 2013	5/16/2013	Carrell
SSB 5362	Workers' comp/voc rehab	C 331 L 13	Governor Signed in 2013	5/21/2013	Conway
2SSB 5367	Yakima R. basin water mgmt	C 11 L 13 E2	Governor Signed in 2013	6/30/2013	Honeyford
SSB 5369	Geothermal resources	C 274 L 13	Governor Signed in 2013	5/16/2013	Kline
E2SSB 5389	Children/visiting & contact	C 316 L 13	Governor Signed in 2013	5/21/2013	Billig
SSB 5396	Spirits sampling on-premises	C 234 L 13	Governor Signed in 2013	5/14/2013	Hewitt
SSB 5399	Growth mgmt act/penalties	C 275 L 13	Governor Signed in 2013	5/16/2013	Dammeier
SSB 5400	Utilities/energy indep. act	C 61 L 13	Governor Signed in 2013	4/23/2013	Honeyford
E2SSB 5405	Extended foster care	C 332 L 13	Governor Signed in 2013	5/21/2013	Murray
SB 5411	Port commissioner terms	C 160 L 13	Governor Signed in 2013	5/7/2013	Rolfes
SSB 5416	Prescription information	C 276 L 13	Governor Signed in 2013	5/16/2013	Bailey
SB 5417	Annexation within code city	C 333 L 13	Governor Signed in 2013	5/21/2013	Mullet
SSB 5434	Health care providers	C 277 L 13	Governor Signed in 2013	5/16/2013	Becker
SSB 5437	Boating safety	C 278 L 13	Governor Signed in 2013	5/16/2013	Padden
SSB 5444	Publicly owned proprty/taxes	C 235 L 13	Governor Signed in 2013	5/14/2013	Hasegawa
SB 5446	State auditor/subpoenas	C 50 L 13	Governor Signed in 2013	4/23/2013	Hobbs
ESSB 5449	State health insurance pool	C 279 L 13	Governor Signed in 2013	5/16/2013	Parlette
SSB 5456	Detentions	C 334 L 13	Governor Signed in 2013	5/21/2013	Schlicher
ESSB 5458	Asbestos/building materials	C 51 L 13	Governor Signed in 2013	4/23/2013	Billig
SSB 5459	Drugs/90-day supply limit	C 262 L 13	Governor Signed in 2013	5/16/2013	Becker
SB 5465	Physical therapists	C 280 L 13	Governor Signed in 2013	5/16/2013	Dammeier
SB 5466	Criminal history record info	C 62 L 13	Governor Signed in 2013	4/23/2013	Carrell
SB 5472	Audiology degrees at WWU	C 281 L 13	Governor Signed in 2013	5/16/2013	Bailey

SB 5476	News/independent contractors	C 141 L 13	Governor Signed in 2013	5/3/2013	Hewitt
ESSB 5480	Involuntary commitment	C 335 L 13	Governor Signed in 2013	5/21/2013	Keiser
ESB 5484	Assault in 3rd degree/court	C 256 L 13	Governor Signed in 2013	5/15/2013	Kline
SB 5488	Sex-trafficking/internet ad	C 9 L 13	Governor Signed in 2013	4/17/2013	Kohl-Welles
ESSB 5491	Educational health	C 282 L 13	Governor Signed in 2013	5/16/2013	McAuliffe
SB 5496	Online school programs	C 161 L 13	Governor Signed in 2013	5/7/2013	Braun
SSB 5507	Candidate and measure donors	C 283 L 13	Governor Signed in 2013	5/16/2013	Billig
SB 5510	Abuse of vulnerable adults	C 263 L 13	Governor Signed in 2013	5/16/2013	Becker
SSB 5517	Beer, wine tasting endormnt	C 52 L 13	Governor Signed in 2013	4/23/2013	Hobbs
SSB 5518	Election law changes	C 11 L 13	Governor Partially Vetoed	4/17/2013	Roach
SSB 5524	Physician assistants	C 12 L 13	Governor Signed in 2013	4/17/2013	Cleveland
SB 5541	Real property redemption	C 53 L 13	Governor Signed in 2013	4/23/2013	Hobbs
ESSB 5551	Competency to stand trial	C 284 L 13	Governor Signed in 2013	5/16/2013	Conway
SSB 5556	Missing endangered persons	C 285 L 13	Governor Signed in 2013	5/16/2013	Darneille
SB 5558	Single-family homeownership	C 13 L 13	Governor Signed in 2013	4/17/2013	Fain
SSB 5559	Educational specialist degrs	C 296 L 13	Governor Signed in 2013	5/20/2013	Bailey
ESSB 5563	Sex abuse prevention/schools	C 10 L 13	Governor Signed in 2013	4/17/2013	Kohl-Welles
SSB 5565	Background checks	C 162 L 13	Governor Signed in 2013	5/7/2013	Hargrove
SSB 5568	Tenant screening information	C 54 L 13	Governor Signed in 2013	4/23/2013	Hobbs
ESSB 5577	Public employee ethics	C 190 L 13	Governor Signed in 2013	5/8/2013	Carrell
SSB 5591	Confidential licenses, etc.	C 336 L 13	Governor Signed in 2013	5/21/2013	Eide
SB 5593	Property tx exemption claims	C 236 L 13	Governor Signed in 2013	5/14/2013	Smith
2SSB 5595	Child care reform	C 337 L 13	Governor Signed in 2013	5/21/2013	Billig
SSB 5601	Health care rebating	C 297 L 13	Governor Signed in 2013	5/20/2013	Becker
ESB 5603	Marine advisory councils	C 318 L 13	Governor Signed in 2013	5/21/2013	Hatfield
ESB 5607	Theater licenses/beer, etc.	C 237 L 13	Governor Signed in 2013	5/14/2013	Harper
SSB 5615	Health professional program	C 298 L 13	Governor Signed in 2013	5/20/2013	Froct
ESB 5616	Farm vehicles on highways	C 299 L 13	Governor Signed in 2013	5/20/2013	Sheldon
ESB 5620	School safety-related drills	C 14 L 13	Governor Signed in 2013	4/17/2013	King
2SSB 5624	STEM or career and tech ed	C 55 L 13	Governor Signed in 2013	4/23/2013	McAuliffe
SB 5627	Commuter air carriers	C 56 L 13	Governor Signed in 2013	4/23/2013	Eide
SSB 5630	Adult family home quality	C 300 L 13	Governor Signed in 2013	5/20/2013	Bailey
SSB 5634	DNR cooperative agreements	C 15 L 13	Governor Signed in 2013	4/17/2013	Rolfes
ESSB 5644	Liquor lic. issuance fees	C 12 L 13 E2	Governor Signed in 2013	6/30/2013	Schoesler
ESB 5666	Health care quality	C 301 L 13	Governor Signed in 2013	5/20/2013	Dammeier
ESSB 5669	Trafficking	C 302 L 13	Governor Signed in 2013	5/20/2013	Padden
SB 5674	Farmers markets/wine, beer	C 238 L 13	Governor Signed in 2013	5/14/2013	Kohl-Welles
SSB 5679	Agency rule review process	C 30 L 13 E2	Governor Signed in 2013	7/3/2013	Brown
ESSB 5681	Co-occurring disorders	C 303 L 13	Governor Signed in 2013	5/20/2013	Rolfes
SB 5692	Standby & limited guardians	C 304 L 13	Governor Signed in 2013	5/20/2013	King
ESB 5699	Electronic product recycling	C 305 L 13	Governor Signed in 2013	5/20/2013	Ericksen

2ESB 5701	Educator tests/fraudulence	C 163 L 13	Governor Signed in 2013	5/7/2013	Brown
SSB 5702	Aquatic invasive species	C 307 L 13	Governor Signed in 2013	5/20/2013	Honeyford
SSB 5705	Taxing districts/property tx	C 239 L 13	Governor Signed in 2013	5/14/2013	Brown
ESSB 5709	Densified biomass pilot prog	C 308 L 13	Governor Signed in 2013	5/20/2013	Smith
SB 5712	Precollege placemnt measures	C 57 L 13	Governor Signed in 2013	4/23/2013	Kohl-Welles
SB 5715	Tax evasion by electr. means	C 309 L 13	Governor Signed in 2013	5/20/2013	Hill
SSB 5718	WA businesses 1-stop portal	C 31 L 13 E2	Governor Signed in 2013	7/3/2013	Brown
ESSB 5723	Enhanced raffles	C 310 L 13	Governor Signed in 2013	5/20/2013	Hewitt
2SSB 5732	Adult behavioral health	C 338 L 13	Governor Signed in 2013	5/21/2013	Carrell
ESSB 5744	Logger safety initiative	C 339 L 13	Governor Signed in 2013	5/21/2013	Hargrove
SB 5748	Public hospital distrct brds	C 311 L 13	Governor Signed in 2013	5/20/2013	Roach
SB 5751	Inventory of state fees	C 63 L 13	Governor Signed in 2013	4/23/2013	Schoesler
SSB 5761	Outdoor advertising signs	C 312 L 13	Governor Signed in 2013	5/20/2013	King
SSB 5767	Dairy cattle inspection	C 313 L 13	Governor Signed in 2013	5/20/2013	Hatfield
SB 5770	Conservation districts	C 164 L 13	Governor Signed in 2013	5/7/2013	Honeyford
SSB 5774	Alcohol tasting/age 18	C 59 L 13	Governor Signed in 2013	4/23/2013	Hewitt
SSB 5786	Commercial fishing guides	C 314 L 13	Governor Signed in 2013	5/20/2013	Hargrove
SB 5797	Specialty and therap. courts	C 257 L 13	Governor Signed in 2013	5/15/2013	Hobbs
E2SSB 5802	Greenhouse gas emissions	C 6 L 13	Governor Signed in 2013	4/2/2013	Ranker
SSB 5804	Federal receipts reporting	C 32 L 13 E2	Governor Signed in 2013	7/3/2013	Baumgartner
SB 5806	Property tax credit/timber	C 240 L 13	Governor Signed in 2013	5/14/2013	Smith
SB 5809	Home visiting services acct	C 165 L 13	Governor Signed in 2013	5/7/2013	Litzow
SB 5810	Security threat group info	C 315 L 13	Governor Signed in 2013	5/20/2013	Darneille
ESSB 5849	Electric vehicle charging	C 60 L 13	Governor Signed in 2013	4/23/2013	Tom
ESSB 5882	Tax preferences	C 13 L 13 E2	Governor Signed in 2013	6/30/2013	Hill
ESSB 5891	State tech expenditures	C 33 L 13 E2	Governor Signed in 2013	7/3/2013	Hill
2ESSB 5892	Corrections costs	C 14 L 13 E2	Governor Signed in 2013	6/30/2013	Hargrove
ESSB 5897	State parks	C 15 L 13 E2	Governor Signed in 2013	6/30/2013	Pearson
SB 5904	High quality early learning	C 16 L 13 E2	Governor Signed in 2013	6/30/2013	Hill
E2SSB 5912	Driving under the influence	C 35 L 13 E2	Governor Signed in 2013	7/18/2013	Padden
ESSB 5913	Hospital safety net assessmt	C 17 L 13 E2	Governor Signed in 2013	6/30/2013	Becker
ESSB 5946	Student educational outcomes	C 18 L 13 E2	Governor Partially Vetoed	6/30/2013	Dammeier
SB 5948	State procurement	C 34 L 13 E2	Governor Signed in 2013	7/3/2013	Braun
ESSB 5952	Aerospace tax prefs & exemp	C 2 L 13 E3	Governor Signed in 2013	11/11/2013	Hill
SJM 8001	I-5 "Purple Heart Trail"	S Filed Sec/St	Governor Signed in 2013	4/26/2013	Sheldon
SJM 8005	SR 117 POW/MIA mem. hwy	S Filed Sec/St	Governor Signed in 2013	4/26/2013	Hargrove
SCR 8400	Legislature joint sessions	S Filed Sec/St	Governor Signed in 2013	2/21/2013	Schoesler
ESSCR 8401	Health care oversight comm.	S Filed Sec/St	Governor Signed in 2013	4/26/2013	Keiser
SCR 8402	Cutoff resolution, amending	S Filed	Governor Signed in 2013	3/20/2013	Fain

		Sec/St			
SCR 8403	Governor Booth Gardner	S Filed Sec/St	Governor Signed in 2013	3/26/2013	Tom
SCR 8404	Bills/house of origin	S Filed Sec/St	Governor Signed in 2013	4/28/2013	Tom
SCR 8405	Adjourning SINE DIE	S Filed Sec/St	Governor Signed in 2013	4/28/2013	Tom
SCR 8406	Bills/house of origin	S Filed Sec/St	Governor Signed in 2013	11/9/2013	Tom
SCR 8407	Adjourning SINE DIE	S Filed Sec/St	Governor Signed in 2013	11/9/2013	Tom
SCR 8408	Cutoff dates for legislature	S Filed Sec/St	Governor Signed in 2013	1/21/2014	Tom

GOVERNOR'S VETO MESSAGES

Sixty Third Legislature
2013 Legislative Session

VETO MESSAGE ON SHB 1422

May 1, 2013

To the Honorable Speaker and Members ,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning herewith , without my approval , Substitute House Bill No. 1422 entitled: "AN ACT Relating to the beer and wine tasting endorsement for grocery stores."

This bill authorizes grocery stores licensed by the Washington State Liquor Control Board to sell beer and wine to apply to the Board for an endorsement to offer beer and wine tasting, if they operate a fully enclosed retail area encompassing at least 10,000 square feet. The intent and policy of this bill is fully covered in Substitute Senate Bill 5517, which I previously signed into law on April 23, 2013. This bill , therefore , is unnecessary.

For this reason I have vetoed Substitute House Bill 1422 in its entirety.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON ESHB 1341

May 8, 2013

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 10 and 13, Engrossed Substitute House Bill 1341 entitled:

"AN ACT Relating to creating a claim for compensation for wrongful conviction and imprisonment."

I am pleased to join 27 states and the District of Columbia to provide compensation to individuals who have been wrongly convicted in Washington state of a felony offense and imprisoned as a result. While the impact on the person and his or her family cannot be quantified, some measure of compensation will help those wrongly convicted get back on their feet.

Under this bill, persons who clearly demonstrate that they have been wrongly convicted of a felony offense in superior court and subsequently imprisoned may bring a claim for compensation. Those individuals will receive monetary compensation based on the amount of time spent in prison and be eligible for other assistance programs to help them reintegrate in the community.

Sections 10 and 13 of the bill require payment of any wrongful conviction and imprisonment claims to be made from the state's liability account. This account is a self-insurance pool used to pay state tort claims, judgments, and settlements. State agencies pay premiums to the account based on an analysis for the claim loss history of the state agency. This methodology has passed state and federal audit scrutiny because it is based on the sound actuarial principle of examining actual claims experience. However, payments of wrongful conviction and imprisonment claims from this fund

could draw a challenge from state and federal auditors because there is no state agency engaged in the conduct for which compensation is awarded under the bill. To avoid this risk, I am vetoing Sections 10 and 13 of this bill. Payments of such claims will be paid out of the General Fund and handled in accordance with RCW 4.92.040.

For these reasons, I have vetoed Sections 10 and 13 of Engrossed Substitute House Bill 1341.

With the exception of Sections 10 and 13, Engrossed Substitute House Bill 1341 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON HB 1471

May 21, 2013

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 3, House Bill 1471 entitled:

"AN ACT Relating to updating and aligning with federal requirements hospital health care- associated infection rate reporting."

This bill requires the Department of Health to update hospital reporting requirements for health care-associated infections to align with nationally recommended measures. These measures add value to the public and advance patient safety. The bill also gives the Department important rule-making authority to stay consistent with federal requirements.

However, I am vetoing Section 3 of the bill because Section 3 would make Section 1 expire in 2017. Section 1 makes needed substantive changes that I do not believe should expire, nor was that the intent of the legislature.

For these reasons I have vetoed Section 3 of House Bill 1471. With the exception of bill 1471 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON 2SHB 1723

May 21, 2013

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning, herewith, without my approval as to Section 4, Second Substitute House Bill 1723 entitled:

"AN ACT Relating to expanding and streamlining early learning services and programs"

Section 4 creates a technical working group to review child care and preschool funding sources, eligibility requirements, and system design. A related task force is established in Second Substitute Senate Bill 5595, which involves broader stakeholder participation and a larger scope of the analysis. I am therefore vetoing this section to avoid duplicating efforts that will likely achieve similar results.

I will direct both the Department of Early Learning and Department of Social and Health Services to collaborate with the appropriate legislative committees in developing options to further integrate child care services toward a system that is coordinated, complementary, and user-friendly to parents.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON ESHB 1552

May 21, 2013

To the Honorable Speaker and Members,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 34, Engrossed Substitute House Bill 1552 entitled:

"AN ACT Relating to the reduction of metal theft."

Metal theft causes substantial and often expensive property damage harming, among others, businesses, utilities, state and local governments, and individual citizens. Under certain circumstances, metal theft can also lead to significant safety hazards. Our state has enacted laws over the past several years to curb metal theft by increasing penalties and regulation of businesses purchasing or receiving metal.

This bill is the result of recommendations from a wide array of stakeholders, including businesses, metal recyclers, utilities, local governments, and local law enforcement to enhance our laws to prevent metal theft. New licensing, purchasing, and records retention regulations are instituted. Further, changes are made to penalties associated with metal theft and illegal purchasing of scrap metal, and grants are established for enforcement.

Pursuant to Section 34 of this bill, if \$1.5 million for the purposes of this act is not provided by June 30, 2013, in the omnibus appropriations act, this act is null and void. Unfortunately, the Legislature has not passed a budget at this time. It is my expectation that by passing this bill, the Legislature intends to provide the funding. It is also my expectation that the stakeholders who worked on this act, and will benefit from its enactment, will continue their efforts to secure funding to support the law enforcement grant provisions. To ensure the important, new regulatory provisions of this act are put in place as a means of combating metal theft, I am vetoing Section 34 of this bill.

For these reasons, I have vetoed Section 34 of Engrossed Substitute House Bill 1552. With the exception of Section 34, Engrossed Substitute House Bill 1552 is approved.

Respectfully submitted,
Jay Inslee
Governor

VETO MESSAGE ON ESHB 1652
May 21, 2013

To the Honorable Speaker and Members ,
The House of Representatives of the State of Washington Ladies and Gentlemen:

I am returning herewith, without my approval , Engrossed Substitute House Bill 1652 entitled:

"AN ACT Relating to establishing a process for the payment of impact fees through provisions stipulated in recorded covenants."

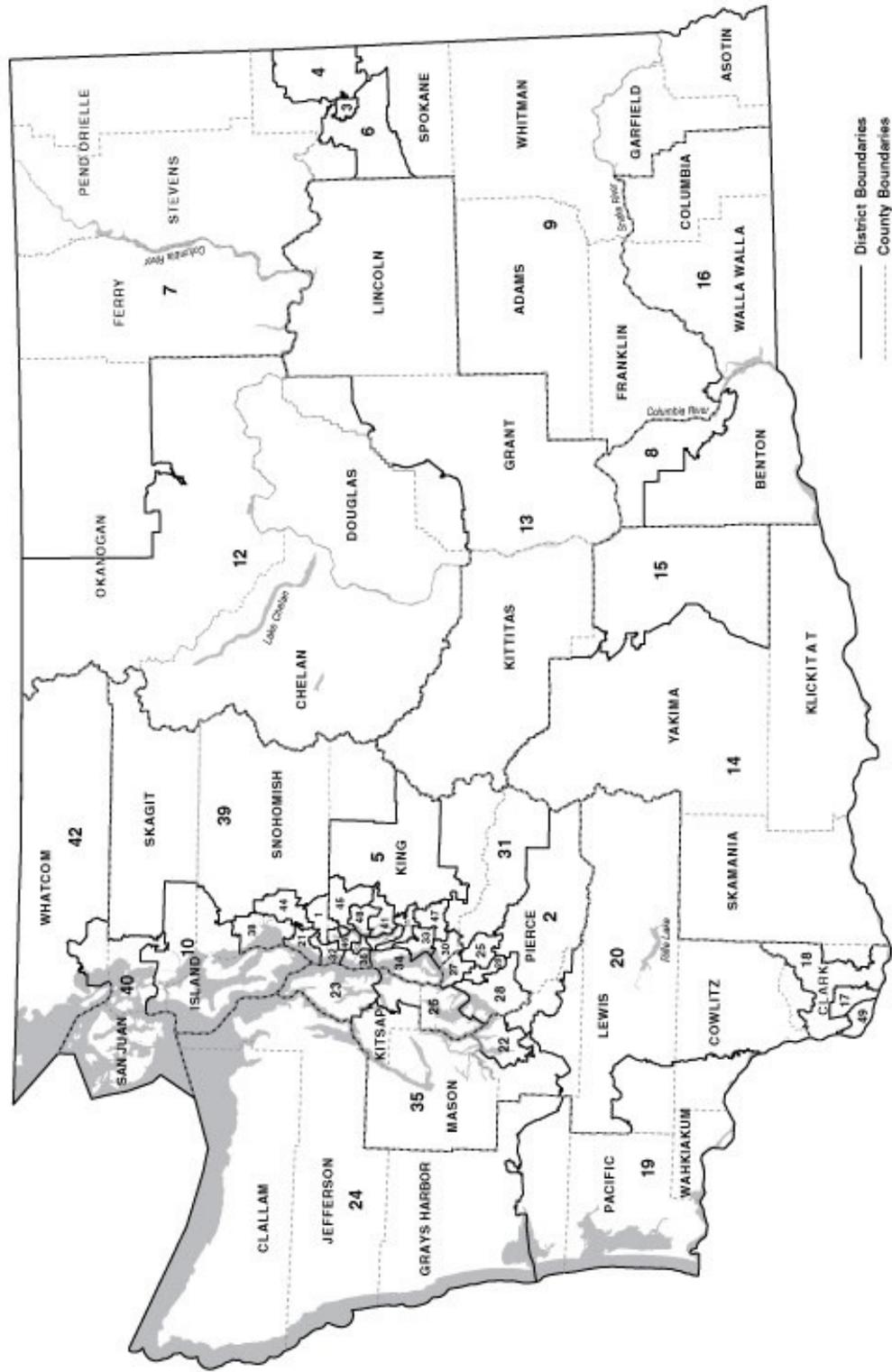
This bill requires local governments that collect impact fees from applicants for residential building permits, pursuant to the Growth Management Act, to adopt a system that defers the payment of the fees.

The deferral of impact fees under the bill would delay funding for schools when the state's paramount duty is to fund education. Many schools require impact fee revenue s early in the calendar year to secure portable classrooms needed by the start of the new school year to ensure that students have appropriate classroom sizes and a healthy learning environment. Delayed payment of the fees can also adversely affect local transportation and fire protection services and other amenities needed to support growth.

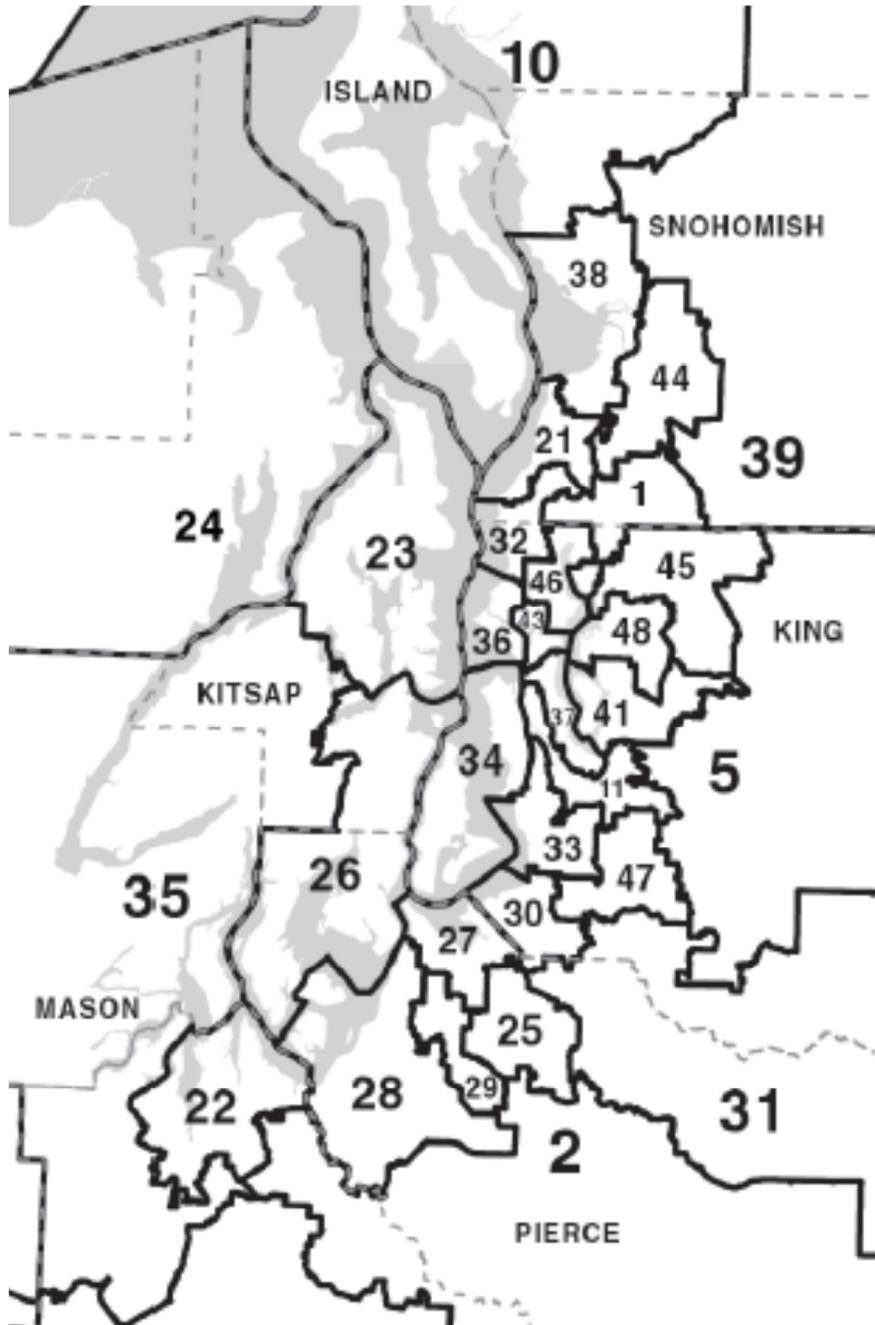
I recognize that our construction industry has not fully recovered from the recession. While the number of new building projects is up, many builders have not returned to work, especially smaller builders who are unable to secure financing. I would support a bill that is targeted to provide assistance to small builders. Because the majority of construction is done by larger builders, a more targeted bill would minimize the effect on schools, cities and others that depend on impact fees. I am prepared to work with the Legislature to pass a new bill during the current Special Session that defers impact fees for small builders.

For these reasons I have vetoed Engrossed Substitute House Bill 1652 in its entirety.

Respectfully submitted,
Jay Inslee
Governor



Statewide Legislative Districts



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State officers, legal actions or proceedings on behalf of, not requiring attorney general to institute or prosecute when related to fiscal appropriation level or sufficiency: HB 2024

Subpoenas, investigative, state auditor application to superior court: HB 1451, ***SB 5446, CH 50 (2013)**

Superior court judges, actions or proceedings on behalf of, attorney general not required to institute or prosecute: ESB 5860

Superior court judges, actions or proceedings on behalf of, provisions concerning attorneys' fees and costs and arbitration requirements: ESB 5860

Uniform collaborative law act: HB 1116

Youth shelter or program, right of action due to noncompliance with reporting requirements: HB 1250, ***SB 5147, CH 4 (2013)**

ACTUARY, OFFICE OF STATE

PSERS, changes in covered employers and members of, state actuary and department of retirement systems to study: EHB 1923

ADMINISTRATIVE HEARINGS, OFFICE

Adjudicative proceedings, service, to include electronic hearing notice and order distribution: ***EHB 1400, CH 110 (2013)**
 Child support, residential schedule adjustment for support obligation determinations, office to develop worksheet for calculating: HB 1694
 Health agency disciplining authorities, mandatory use of administrative law judges from office: HB 1381

ADMINISTRATIVE OFFICE OF THE COURTS

Guardians, professional and lay, publication of information concerning guardians by administrator: HB 1816
 Superior court judges, actions or proceedings on behalf of, provisions concerning attorneys' fees and costs, role of administrator: ESB 5860

ADMINISTRATIVE PROCEDURE

Adjudicative proceedings, service, to include electronic hearing notice and order distribution: ***EHB 1400, CH 110 (2013)**
 Adjudicatory proceedings, by health agency disciplining authorities, using office of administrative hearings: HB 1381
 Constitutional authority, federal or state, requiring citation in legislation and rules: HB 1163
 Regulatory assistance, bill of rights for businesses and others subject to state agency action: HB 2623
 Rule making, emergency, use by public disclosure commission in certain cases: HB 1377, SB 5257
 Rule making, health care disciplining authorities to use process when changing or interpreting scope of practice: HB 2338, HB 2742
 Rule making, legislature to provide specific grants of legislative authority through legislation: HB 1163
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 Rule making, prohibiting required participation in a health care system: HB 1168
 Rule making, regulating of greenhouse gas emissions, prohibiting without legislative authorization: HB 1169
 Rule making, regulatory fairness act of 2013: HB 1162
 Rule making, regulatory freedom and accountability act: HB 1163
 Rule making, requiring citation of constitutional authority in rules: HB 1163
 Rule making, requiring legislative approval of certain rules: HJR 4204
 Rule making, significant legislative rules, requirement that governor sign: SB 5641
 Rule making, specified economic impact notification by agency and enactment into law by legislature: HB 1162, HB 1163
 Rules, review of, certain agencies to conduct for streamlining purposes: HB 1591, ***SSB 5679, CH 30 (2013)**
 Rules, review of, increasing responsibilities of joint administrative rules review committee: HB 2293
 Scientific literature, peer-reviewed, use by department of ecology before taking certain agency actions: ***HB 1113, CH 69 (2013)**, HB 2262
 Scientific literature, peer-reviewed, use by department of fish and wildlife before taking action: ***HB 1112, CH 68 (2013)**, HB 2261

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Birth certificates, provisions concerning adopted persons and birth parents: HB 1525, ESSB 5118
 Improvements to adoption process, implementing certain recommendations: HB 1675
 Sole permanency plan of adoption, when approved petition for termination of parental rights to be filed: HB 2582

ADVERTISING (See also CAMPAIGNS; PUBLIC DISCLOSURE COMMISSION)

Contractor vehicles, advertising on, to include contractor registration number: HB 2652
 Health care professionals, training and qualifications, requiring accurate presentation in advertisements and communications: HB 1586
 Lottery, state, selling internet advertisements for display on lottery web site: HB 2279
 Sex trafficking crimes, use of internet advertisement to facilitate, establishing enhanced penalty: ***SB 5488, CH 9 (2013)**
 Signs, outdoor advertising along highways, adding permit fee, modifying label requirement, and repealing certain prohibitions: HB 1767, ***SSB 5761, CH 312 (2013)**
 Signs, static digital outdoor advertising signs, allowing cities and towns to place along state highways: HB 1408

AERONAUTICS

Aerospace industry, appropriations for permitting and training: ***EHB 2088, CH 1 (2013)**
 Aerospace industry, supporting through tax preference extensions and an expanded sales and use tax exemption: HB 2089, ***ESSB 5952, CH 2 (2013)**
 Aerospace products, sale in import commerce, tax exemptions for, narrowing to provide basic education and higher education funding: HB 2038
 Aerospace technology innovation, joint center for, extending by repealing sunset termination and repeal provisions: HB 1866, SB 5784
 Aircraft systems, public unmanned, establishing standards, protecting citizens, and reducing liability: HB 1771
 Aircraft, registration of, exemption from requirements for aircraft owned by nonresident and registered in another state, conditions: HB 1707, ***ESSB 5882, CH 13 (2013)**
 Airports, public and private parking facilities, rate requirements: EHB 1483
 Commercial airplane, amending definition to extend certain tax preferences to additional aircraft: HB 2203, HB 2693
 Guyed towers, visibility requirements for aeronautic safety: HB 2241
 Unmanned aircraft, prohibitions: HB 2178

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Child welfare system, advisory committee on disproportionate representation of children of color in, membership rules: HB 2665
 Dr. Martin Luther King, Jr., honoring: ***HR 4603 (2013)**, ***HR 4661 (2014)**
 Students of color, partnership pilot project for increasing enrollment in running start program: HB 1526
 Students of color, running start participation plans and program analysis to increase enrollment: HB 2396

AGRICULTURE (See also AGRICULTURE, DEPARTMENT; COMPOSTING; FARMS; FOOD AND FOOD PRODUCTS; LIVESTOCK; PEST CONTROL AND PESTICIDES)

Agricultural activities, critical areas used for, extending voluntary stewardship program county regulations review date: HB 2187
 Agricultural labor skills and safety grant program, department to create and administer: HB 1072
 Agricultural producers and state regulatory agencies, conservation commission to initiate state forum to improve understanding and working relationships: SSB 5766
 Animal health and food safety programs, fee increases for: HB 2748, HB 2749
 Beekeeping, feed, sales to and use by beekeepers, tax exemptions: HB 1558, ***ESSB 5882, CH 13 (2013)**
 Beekeeping, honey bee work group, creation: ***ESSB 5882, CH 13 (2013)**
 Beekeeping, tax relief, extending to apiarists and subject to periodic review: ***ESSB 5882, CH 13 (2013)**
 Cowboy, national day of the, celebrating: ***HR 4644 (2013)**
 Crop protection products, agricultural, hazardous substance tax exemption, conditions: HB 2469
 Daffodils, celebrating daffodil festival: ***HR 4635 (2013)**
 Employees, establishment of farm internship pilot project: SSB 5123
 Employees, vanpool programs for, allowing nonprofits and certain transit providers to provide: HB 2604
 Fairs, central Washington state fair, designating as official state fair: HB 2622
 Fairs, liquor license and craft distillery spirits endorsement for: HB 2154
 Fairs, nonprofit fair associations, modifying property tax exemption provisions: HB 1550, ***E2SSB 5078, CH 212 (2013)**
 Fairs, youth opportunities involving, dedicated revenue to support: HB 1398
 Farm internship pilot project, establishment: SSB 5123
 Fertilizers, turf, excluding exceptional quality biosolids from definition: HB 1314
 Fire sprinkler systems, in agricultural structures, prohibiting mandatory installation: HB 1390
 Food safety and animal health programs, fee increases for: HB 2748, HB 2749
 Fruit and vegetable district fund, extending expiration dates for transfers to: HB 1889
 Greenhouses, propane or natural gas used to heat, sales and use tax exemptions: HB 1722
 Hemp, as commercial feed component, studying: HB 2405
 Hemp, industrial production of, permitting development through licensing and regulatory process: HB 1888
 Hemp, industrial, clarifying marijuana and THC concentration definitions to clearly exclude: HB 2767
 Hops, harvesting equipment, eligibility for sales tax exemption: HB 2597
 Horticulture, land used for commercial, adding to definition of farm and agricultural land for property tax purposes: HB 2493

- Land, agricultural, promoting rural area marijuana production operations on unenclosed outdoor agricultural lands: HB 1991
- Land, agricultural, returning underproducing land back to production: HB 1188
- Land, agricultural, small farms within current use farm and agricultural lands property tax program: HB 1437
- Land, farm and agricultural land, penalty for removing land from current use property tax classification as, allowing prepayment: HB 2584
- Land, farm and agricultural land, revising definition for current use property tax program purposes: HB 2306, HB 2493
- Lilac, Spokane lilac festival, recognizing and honoring: ***HR 4642 (2013)**
- Marijuana, definitions, clarifying to clearly exclude industrial hemp: HB 2767
- Marijuana, environmental impacts of various means of producing, liquor control board to consult with department of ecology to examine: HB 1992
- Marijuana, regulating licensing of producers, preferring and incentivizing rural area production operations on unenclosed outdoor agricultural lands: HB 1991
- Milwaukee Road corridor, allowing motor vehicle access for certain lessees, concessionaires, and agricultural users: HB 1939
- Mint growers and processors, tax exemptions: ***ESSB 5882, CH 13 (2013)**
- Research, funding agricultural production research through property taxation of marijuana-related trademarks, trade names, brand names, patents, and copyrights: HB 1976
- Tulips, Skagit Valley tulip festival, celebrating 30th annual: ***HR 4631 (2013)**

AGRICULTURE, DEPARTMENT

- Animal disease traceability program, electronic reporting of intrastate livestock ownership transfers: HB 2625
- Animal health and food safety programs, fee increases for: HB 2748, HB 2749
- Applications submitted to department, requiring prompt action: HB 1163, HB 1236
- Beekeeping, honey bee work group, department to convene: ***ESSB 5882, CH 13 (2013)**
- Commodity boards, appointment of nonvoting advisory members, authorizing: ***HB 1770, CH 40 (2013)**
- Cottage food operations, repealing annual gross sales limit for maintaining permit: HB 1135
- Dairies, inspection program assessment on milk, extending expiration date: HB 2354
- Dairy cattle, issuance of "green tag" to be placed at certain time on bull calves and free martins, department role: ***SSB 5767, CH 313 (2013)**
- Department of agriculture, celebrating one hundredth anniversary: ***HR 4627 (2013)**
- Diseases, control and traceability activities, electronic reporting of intrastate livestock ownership transfers, department role: HB 2625
- Diseases, control and traceability activities, recovery of department of agriculture data entry costs in connection with: HB 1886
- Environmental justice, department efforts concerning disproportionately adverse health and environmental impacts on low-income and minority populations: HB 1434
- Food safety and animal health programs, fee increases for: HB 2748, HB 2749
- Hemp, as commercial feed component, department to study: HB 2405
- Hemp, industrial production of, permitting development through licensing and regulatory process, department role: HB 1888
- Inspections, exemptions, certain sales of unbranded dairy breed bull calves and free martins: ***SSB 5767, CH 313 (2013)**
- Natural resources management, streamlining through agency independence, department administrative authority: HB 1384
- Permitting decisions, department to enhance transparency and predictability of process: HB 2192
- Pet food, distributors and responsible buyers, paying companion animal spay/neuter fee: HB 1229, SSB 5202
- Sheep, ovine blood, alternative to rendering plant disposal under certain conditions, department role : HB 2716
- Underproducing agricultural land, returning to production, department to work with Washington State University Mount Vernon center: HB 1188

AIR QUALITY AND POLLUTION (See also CLEAN AIR AGENCIES; CLIMATE; ENVIRONMENT)

- Climate legislative and executive work group, creation: HB 1915, ***E2SSB 5802, CH 6 (2013)**
- Diesel fuel, diesel idle reduction account and loan and grant program, creating: HB 2569
- Greenhouse gas emissions, governor to contract with independent organization for evaluation of emissions reduction approaches: HB 1915
- Greenhouse gas emissions, office of financial management to contract with independent organization for evaluation of emissions reduction approaches: ***E2SSB 5802, CH 6 (2013)**

Greenhouse gas emissions, state agency rules regulating, prohibiting without legislative authorization: HB 1169
 Highly impacted communities, including community organizations in permit issuance and clean-up plan adoption: HB 1434
 Highly impacted communities, permit violation enforcement actions, settlement provisions: HB 2312
 Solid fuel burning devices, bans on use, narrowing geographic scope in nonattainment areas: HB 1918
 Transportation system policy goals, including air quality improvement to promote health improvement: HB 1233

ALCOHOL AND DRUG ABUSE (See also TRAFFIC OFFENSES)

Alcohol poisoning, involving person under age 21, limited immunity when seeking medical assistance: ***HB 1404, CH 112 (2013)**
 Alcohol, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206
 Beer, breweries and microbreweries, identification of brewery on private labels: ***HB 1351, CH 107 (2013)**
 Behavioral health services, combined mental health and chemical dependency services, state purchasing of: HB 2639
 Cannabis products, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206
 Chemical dependency professionals and trainees, treatment of patients outside chemical dependency programs: HB 2378
 Chemical dependency services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
 Chemical dependency services, combined with mental health services, state purchasing of behavioral health services: HB 2639
 Chemical dependency, arrest of individual suffering from, police officer options and related procedures: HB 2627
 Controlled substances, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206
 Crisis responders, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
 Drug courts, authority to establish, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**
 Drug courts, authority to merge with DUI and mental health courts, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**
 Drug courts, definition of, including family treatment courts in: HB 1834
 Drug testing, for certain recipients of temporary assistance for needy families: HB 1190
 Family treatment courts, including in definition of drug courts: HB 1834
 Fetal alcohol exposure, requiring posting of warning signs on premises serving alcohol: HB 2737
 Fetal alcohol exposure, work group to address: HB 2737
 Hospitals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
 Juveniles, chemical dependency treatment assessments or screenings, admissibility of statements, admissions, or confessions: HB 1724
 Marijuana, crime-related cannabis product use or possession prohibitions, role in general sentencing provisions: HB 2206
 Marijuana, misdemeanor offenses, vacating of, conditions and exceptions: HB 1661
 Mental health disorders, co-occurring with chemical dependency, authorizing services rule compliance waiver renewal for certain mental health agencies: ***ESSB 5681, CH 303 (2013)**
 Mental health disorders, co-occurring with chemical dependency, developing integrated rule for treatment by an agency: HB 1930
 Service coordination organizations, for alcohol and drug addiction services, establishing accountability measures: HB 1519
 Substance abuse treatment, parental rights when participating in treatment: HB 1284
 Wine, wineries, identification of winery on private labels: ***HB 1351, CH 107 (2013)**
 Worker's compensation benefits, limiting for liquor- or alcohol-caused injuries or diseases: HB 2295
 Youth, troubled, improving school districts' capacity to respond through training and planning: HB 1336

ALCOHOLIC BEVERAGES (See also LIQUOR CONTROL BOARD; TRAFFIC OFFENSES)

Alcohol, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206
 Auction buyers of former state stores, applying for refund of successful bid and selling inventory to spirits retail license holders, authorizing: HB 2026
 Auction buyers of former state stores, exempting from spirits retail license issuance fee: HB 2019, ***ESSB 5644, CH 12 (2013)**
 Beer, additional tax on beer and strong beer, extending and modifying to provide basic education and higher education funding: HB 2038
 Beer, additional tax on beer and strong beer, extending for basic education funding: HB 1122
 Beer, additional tax on beer and strong beer, using certain revenues in connection with health security trust: HB 1085
 Beer, beer and wine theater license: HB 1001

Beer, caterer's license to sell, creating: HB 2680
Beer, day spas offering to customers, creating day spa permit for: SSB 5045
Beer, growlers of, sales of: HB 2327
Beer, in purchaser's container, sales by grocery store licensees: HB 2371
Beer, sampling at specialty shops: HB 1022
Beer, sampling, conducted by microbreweries at farmers markets, allowing: ***SB 5674, CH 238 (2013)**
Beer, tasting, changing criteria for beer and wine tasting endorsement for grocery stores: HB 1422, ***SSB 5517, CH 52 (2013)**
Beer, tasting, permit to allow community and technical college students at least age 18 to taste beer and other alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**
Beer, wine, beer, and spirits theater licenses: ***ESB 5607, CH 237 (2013)**
Cider, sales by certain retail beer sales licensees: HB 1008
Contract liquor store managers, certain former, exempting from spirits retail license issuance fee: HB 2019, ***ESSB 5644, CH 12 (2013)**
Contract liquor stores, certain former, exempting from spirits retail license issuance fee: HB 1962
Contract or state liquor stores, certain former, payment of retail license issuance fee: HB 2490
Craft distillery customers, spirits sales, increasing allowable per day volume per customer: ***HB 1149, CH 98 (2013)**
Craft distillery products, license endorsement for sales by beer and/or wine specialty shop: HB 1133
Culinary arts training educational institutions, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805
Culinary or alcohol-related classes, community or technical college, permit to allow students at least age 18 to taste alcoholic beverages in: ***SSB 5774, CH 59 (2013)**
Day spas, offering of wine or beer to customers, creating day spa permit for: SSB 5045
Distilleries, craft and general, spirits for off-premises consumption or samples for on-premises consumption: HB 2364
Distilleries, craft, spirits endorsement for sales at fairs: HB 2154
Distributors, spirits, modifying license issuance fee and surcharge provisions: HB 2019
Distributors, spirits, modifying license issuance fee provisions: ***ESSB 5644, CH 12 (2013)**
Fairs, liquor license and craft distillery spirits endorsement for: HB 2154
Fetal alcohol exposure, work group to address: HB 2737
Grocery stores, changing criteria for beer and wine tasting endorsement: HB 1422, ***SSB 5517, CH 52 (2013)**
Grocery stores, wine and beer licensees, sales of beer in purchaser's container: HB 2371
Growlers of cider, sales by certain retail beer sales licensees: HB 1008
Growlers of wine or beer, sales of: HB 2327
Growlers of wine, sales by certain retail sales licensees: HB 1742
Health security trust, using certain beer and spirits tax revenues for health care services and maintenance of trust: HB 1085
Licensees, grocery stores, sales of beer in purchaser's container: HB 2371
Licensees, serving alcohol for on-premises consumption, requiring fetal alcohol exposure warning signs: HB 2737
Licenses, beer and/or wine specialty shops, endorsement to sell craft distillery products: HB 1133
Licenses, caterer's license to sell beer, spirits, and wine, creating: HB 2680
Licenses, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805
Licenses, liquor license for fairs: HB 2154
Licenses, multiple for single location, allowing: HB 1711, HB 2355
Licenses, renewals, increasing excise tax revenues with: HB 1503
Licenses, senior center license: HB 1063
Licenses, snack bar beer retailer's license, adding sales of wine by the glass to: HB 2302
Licenses, spirits distributors, modifying license issuance fee and surcharge provisions: HB 2019
Licenses, spirits distributors, modifying license issuance fee provisions: ***ESSB 5644, CH 12 (2013)**
Licenses, spirits retail license, eliminating issuance fee: HB 1282
Licenses, spirits retail license, excluding certain licensees selling spirits for later resale from license issuance fee: HB 2172
Licenses, spirits retail license, exempting certain former contract liquor stores from issuance fee: HB 1962
Licenses, spirits retail license, payment of issuance fees: HB 2412, HB 2435
Licenses, spirits retail licensees, issuance fee exemption for former contract liquor store managers and state store auction buyers with respect to certain sales: HB 2019, ***ESSB 5644, CH 12 (2013)**
Licenses, spirits, craft distillery endorsement for sales at fairs: HB 2154
Licenses, theater, beer, wine, and spirits sales: ***ESB 5607, CH 237 (2013)**

Licenses, theaters, beer and wine sales: HB 1001
 Licenses, various, miscellaneous changes: HB 2305
 Liquor excise taxes, deposit in liquor excise tax fund and transfer to liquor revolving fund, modifying provisions: HB 1368
 Liquor excise taxes, increasing revenue with liquor license renewals: HB 1503
 Liquor revolving fund, distribution of revenues: HB 1368, HB 2067, HB 2314
 Malt beverages, wholesale distributors and suppliers, removing spirits from provisions: HB 1411
 Permits, special, to allow community or technical college students at least age 18 to taste alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**
 Purchases of liquor, confidentiality of liquor control board records of, repealing statute: HB 2764
 Regulation of alcoholic beverages, miscellaneous changes: HB 2305
 Self-checkout for liquor sales, prohibiting certain machines: HB 1009
 Selling price, advertised, to include liquor taxes: HB 1066
 Spirits, caterer's license to sell, creating: HB 2680
 Spirits, craft and general distilleries, for off-premises consumption or samples for on-premises consumption: HB 2364
 Spirits, distributors, modifying license issuance fee and surcharge provisions: HB 2019
 Spirits, distributors, modifying license issuance fee provisions: ***ESSB 5644, CH 12 (2013)**
 Spirits, group purchases by retail licensees in certain cases: HB 1281, HB 2019
 Spirits, removing from malt beverage wholesale distributors and suppliers provisions: HB 1411
 Spirits, retail licensees, license issuance fee exemption for former contract liquor store managers and state store auction buyers with respect to certain sales: HB 2019, ***ESSB 5644, CH 12 (2013)**
 Spirits, retail sales for later resale, excluding from "spirits sales revenues under the license": HB 1161
 Spirits, retail sales for later resale, excluding from retail license issuance fee in certain cases: HB 2172
 Spirits, retailers, prohibited from accepting public assistance electronic benefit cards for purchase of spirits: ESSB 5279
 Spirits, retailers, theft from, liquor control board regulatory authority to reduce: HB 2155
 Spirits, sale and distribution, streamlining collection of taxes, fees, and reports: ***HB 1124, CH 95 (2013)**
 Spirits, sales at fairs, endorsement for craft distilleries: HB 2154
 Spirits, sales tax, additional tax on certain sales by distributors to restaurant retailers: HB 2019
 Spirits, sampling, limited on-premise sampling provided by certain spirits retail license holders: HB 1332, ***SSB 5396, CH 234 (2013)**
 Spirits, tasting, permit to allow community or technical college students at least age 18 to taste spirits and other alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**
 Spirits, using certain spirits tax revenues in connection with health security trust: HB 1085
 Spirits, wine, beer, and spirits theater licenses: ***ESB 5607, CH 237 (2013)**
 Wine, adding sales of wine by the glass to snack bar beer retailer's license: HB 2302
 Wine, beer and wine theater license: HB 1001
 Wine, beer, wine, and spirits theater licenses: ***ESB 5607, CH 237 (2013)**
 Wine, caterer's license to sell, creating: HB 2680
 Wine, day spas offering to customers, creating day spa permit for: SSB 5045
 Wine, group purchases by retail licensees in certain cases: HB 1281, HB 2019
 Wine, growlers of, sales of: HB 1742, HB 2327
 Wine, sales by certain retail beer sales licensees: HB 1742
 Wine, sales, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805
 Wine, sampling at specialty shops: HB 1022
 Wine, sampling, conducted by wineries at farmers markets, allowing: ***SB 5674, CH 238 (2013)**
 Wine, tasting, allowing college and vocational students under age 21 to taste wine in viticulture and enology classes: HB 1459
 Wine, tasting, changing criteria for beer and wine tasting endorsement for grocery stores: HB 1422, ***SSB 5517, CH 52 (2013)**
 Wine, tasting, permit to allow community or technical college students at least age 18 to taste wine and other alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**

ANIMALS (See also LIVESTOCK; WILDLIFE)

Abuse, criminal animal abuse offenders, requiring registration: HB 1786
 Animal disease traceability program, electronic reporting of intrastate livestock ownership transfers: HB 2625
 Attacks by aggressive violent animals, right of self-defense: HB 2664
 Cats, feral and free-roaming, spaying and neutering program: HB 1229, SSB 5202

Companion animals, low-income owner assistance through companion animal safety, population control, and spay/neuter assistance program: HB 1229, SSB 5202

Cruelty to animals, animal fighting, to include causing minor to commit, class C felony: HB 1202

Cruelty to animals, failure to provide care, civil infraction: HB 1202

Cruelty to animals, killing or harming another person's animals with malice, class C felony: HB 1202

Cruelty to animals, pet animals, taking or killing, etc., modifying provisions: HB 1202

Cruelty to animals, prohibiting sale or auction of animals on public property: HB 1201

Cruelty to animals, requiring registration of criminal animal abuse offenders: HB 1786

Cruelty to animals, second degree, modifying provisions: HB 1202

Cruelty to animals, unsafe confinement in vehicle or enclosed space, authority to enter vehicle or space: HB 1202

Cruelty to animals, unsafe confinement in vehicle or enclosed space, civil infraction: HB 1202

Cruelty to animals, veterinarian liability protections when reporting: HB 1186, ***SB 5102, CH 245 (2013)**

Diseases, control and traceability activities, electronic reporting of intrastate livestock ownership transfers: HB 2625

Diseases, control and traceability activities, recovery of department of agriculture data entry costs in connection with: HB 1886

Dog guides, with reckless disregard causing harm to, class C felony: HB 1830

Dogs, breed-based regulations, preventing: HB 2117

Pet food, distributors and responsible buyers, paying companion animal spay/neuter fee: HB 1229, SSB 5202

Search and rescue dogs, on-duty, with reckless disregard causing harm to, class C felony: HB 1830

Service animals, unfair practices related to: HB 1024

Service animals, with reckless disregard causing harm to, class C felony: HB 1830

APPRENTICES AND APPRENTICESHIP PROGRAMS (See also CONTRACTORS; PUBLIC WORKS)

Apprenticeship and training council, transportation workforce development, increasing funding and recruiting women and persons of color: HB 1922

Building code officials apprenticeship program, funding through building permit fee: HB 2214

Electrician certificate of competency, journeyman or residential specialty, apprenticeship program requirement: HB 2500

Higher education apprenticeships, earnings and employment data for those completing, web site publication of: HB 2443

Subsidized public works, apprentice utilization requirements for: HB 1023

Tax preferences, apprentice utilization when contract parties are recipients: HB 1023

ARCHAEOLOGY (See also ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT)

Archaeological objects, forest practices application denials due to presence of, restrictions and procedures: HB 1223

Archaeological resources and traditional cultural places, information concerning, exemption from public disclosure: HB 2724

Cultural resources of Washington state, protecting, relationship to state environmental policy act: HB 1809, HB 2709

ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT (See also ARCHAEOLOGY)

Archaeological resources and traditional cultural places, information concerning, exemption from public disclosure: HB 2724

Business license center, participation by department: HB 1403, E2SSB 5680

Cultural resources of Washington state, protecting, relationship to state environmental policy act: HB 1809

Forest practices applications, department role when archaeological object present: HB 1223

Permitting decisions, department to enhance transparency and predictability of process: HB 2192

ART AND ARTWORKS (See also ARTS COMMISSION)

Contemporary works of art, along with state's ethnic and cultural heritage, parks and recreation commission to increase appreciation of: HB 1530

Cultural access programs, creating to fund cultural organizations: HB 2212

School plant facilities, allocating artwork funds for instructional equipment and technology: HB 1054

Transportation funds, using for artworks and artistic designs, prohibition: HB 2092

ARTS COMMISSION (See also ART AND ARTWORKS)

Artworks for school plant facilities, allocating funds for instructional equipment and technology: HB 1054

ASIAN PACIFIC AMERICAN AFFAIRS, COMMISSION

Rule making by commission, specific grant of legislative authority, requirement: HB 1163

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Assistant attorneys general, collective bargaining for: HB 2274
 Computer spyware, actions concerning unlawful use of, awarding costs and attorneys' fees when action brought by attorney general: HB 2055
 Consumer protection, actions brought by attorney general, awarding of attorneys' fees to attorney general when prevailing party: HB 2055
 Democratic participation principles, attorney general to implement training programs for public officials and employees: HB 1198
 Driving under the influence, creating statewide 24/7 sobriety program and 24/7 sobriety account, role of attorney general's office: HB 2030
 Environmental law violations, involving hazardous waste or fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Federal property, condemnation by state and sale for private forestry uses, attorney general role: HB 1111
 Open public meetings, training concerning, attorney general role: HB 1714
 Service members civil relief, expanding protections through civil actions and proceedings, attorney general role: HB 2171
 Solid waste collection companies, commercial information filed with commission, exemption from disclosure: HB 1697
 State officers, legal actions or proceedings on behalf of, not requiring attorney general to institute or prosecute when related to fiscal appropriation level or sufficiency: HB 2024
 Superior court judges, actions or proceedings on behalf of, attorney general not required to institute or prosecute: ESB 5860
 Superior court judges, actions or proceedings on behalf of, provisions concerning attorneys' fees and costs and arbitration requirements: ESB 5860

ATTORNEYS

Bar association, repealing and recodifying state bar act: HB 1335
 Campaigns, certain attorney legal services for, removing from definitions of "contributions" and "expenditures": HB 2222
 Debt collection by attorneys, amending collection agency act: HB 1031
 Deeds of trust, reconveyances, involvement in: HB 1435
 Dependency proceedings, representation of children, appointing an attorney for a child: HB 1285
 Legal service contractors, regulation of: HB 2691
 Legal service organizations, to cover legal expenses, regulation and registration of: HB 2287
 Motor vehicle owner information, requests by attorneys, notice requirements: HB 1308, ***SSB 5182, CH 232 (2013)**
 Practice of law, requiring that all regulatory and other functions reside in supreme court: HJR 4205
 Prosecuting attorneys, disposition of criminal cases, criminal history record information compliance audits to research: HB 1531, ***SB 5466, CH 62 (2013)**
 Right to counsel, commemorating 50th anniversary of Gideon v. Wainwright: ***HR 4638 (2013)**
 Workers' compensation claims, appeals, fixing of attorney's fees: HB 1354

BAIL AND BAIL BONDS

Agreements, general power of attorney in, prohibiting: HB 2265
 Bail bond agents, amending miscellaneous provisions: HB 1098
 Bonds, property and surety, amending miscellaneous provisions: HB 1098
 Pretrial release, prohibiting for sex and violent offenses without payment of bail: HB 1171

BICYCLES (See also MOTOR VEHICLES; TRAFFIC)

Ayers, Chuck, recognizing: ***HR 4651 (2013)**
 Bicyclists, vehicles overtaking and passing, maintaining safe distance: HB 1743
 Electric-assisted bicycles, removing and modifying certain helmet use requirements: HB 1246
 Sales of certain bicycles, retail, levying retail sale fee on: HB 1954

BLIND

Aged, blind, or disabled program, persons with disability eligible for, continuation of safety net benefits: HB 2069
 Dog guides, with reckless disregard causing harm to, class C felony: HB 1830
 High school transition services, for students with disabilities or section 504 plan, provision of: HB 1735
 High school transition services, for students with disabilities, provision of: E2SSB 5330
 Interpreters, educational, assessments and performance standards: HB 1144
 Service animals, with reckless disregard causing harm to, class C felony: HB 1830

BOATS (See also COMMERCIAL VESSELS AND SHIPPING; FERRIES)

- Abandoned and derelict vessels, adding to and revising removal program, vessel deconstruction, marina, and related provisions: HB 2457
- Abandoned and derelict vessels, reducing numbers through preventive measures and proactive removal: HB 1245, ESSB 5663
- Derelict and abandoned vessels, adding to and revising removal program, vessel deconstruction, marina, and related provision: HB 2457
- Derelict and abandoned vessels, reducing numbers through preventive measures and proactive removal: HB 1245, ESSB 5663
- Financial responsibility, requiring owners of certain vessels to demonstrate: HB 1245
- Floating on-water residences, classifying as conforming preferred use and water-dependent use: HB 2581
- Inspections, prior to transferring vessel, requirements: HB 1245, ESSB 5663
- Invasive species, aquatic, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**
- Marinas, private, options for vessel disposal and eligibility for vessel turn-in program: HB 1245
- Marinas, private, vessel disposal and vessel turn-in program, modifying certain provisions: ESSB 5663
- Moorage facilities, fee immunity for: HB 2631
- Moorage facilities, including private, various provisions involving abandoned and derelict vessels: HB 2457
- Moorage facilities, private, options for vessel disposal and eligibility for vessel turn-in program: HB 1245
- Moorage facilities, private, vessel disposal and vessel turn-in program, modifying certain provisions: ESSB 5663
- Permits, nonresident, revising certain provisions: HB 1366
- Ramps, boat ramps and adjacent parking lots, fee immunity for: HB 2631
- Recreational vessels, large, removing certain sales and use tax disincentives for resident and nonresident owners: HB 1927
- Recreational vessels, operation under influence of THC or other drug, blood test and warrant waiver provisions: HB 2503
- Safety laws or rules, violations of, including drug, alcohol, and THC testing in connection with: HB 1758, ***SSB 5437, CH 278 (2013)**
- Under the influence, of THC or other drug, blood test and warrant waiver provisions: HB 2503
- Under the influence, operating vessel while, to include being under influence of marijuana: HB 1758, ***SSB 5437, CH 278 (2013)**
- Vehicle prowling, including vessels, second degree, class C felony in certain cases: HB 1305, ***ESB 5053, CH 267 (2013)**
- Vessel registrations, confidential, provisions concerning records: HB 1832, ***SSB 5591, CH 336 (2013)**
- Vessel turn-in program, department of natural resources to develop and administer: HB 1245, ESSB 5663
- Vessels for hire, person or employee who has, conditions for leasing or chartering: HB 1758, ***SSB 5437, CH 278 (2013)**

BOILERS AND UNFIRED PRESSURE VESSELS

- Miniature hobby boilers, exemption from certain requirements: HB 2541

BONDS (See also BUDGET)

- Bond authorization bill, governor role in preparing for debt issuance proposed in budget documents: HB 1646, ESSB 5138
- Capital budget, appropriations from proceeds of general obligation bonds to fund public school capital projects: SSB 5445
- Columbia river, I-5 bridge, authorizing general obligation bonds to finance Columbia river crossing project: HB 1975
- Debt, state, creating council on state debt: HB 1646
- Debt, state, debt affordability study: HB 1646, ESSB 5138
- Debt, state, disclosure of estimated debt service costs in capital appropriations bills: SB 5132
- Debt, state, including debt service information in budget documents: HB 1646, ESSB 5138
- Debt-limit general fund bond retirement account, payment of principal and interest on certain bonds: HB 1088, ***ESSB 5036, CH 20 (2013)**
- Flood hazard reduction bonds, authorization: HB 2356, HB 2357
- General obligation bonds, authorizing to finance Columbia river crossing project: HB 1975
- General obligation bonds, financing 2011-2013 and 2013-2015 capital and operating budget projects: ***ESSB 5036, CH 20 (2013)**
- General obligation bonds, financing 2013 connecting Washington projects and improvements in omnibus transportation appropriations act: HB 1956
- General obligation bonds, financing 2013-2015 capital and operating budget projects: HB 1088
- General obligation or revenue bonds, issued by a municipality, using certain lodging tax revenues to repay: HB 1695, HB 2650

Irrigation districts, financing improvements with local improvement district bonds, requirements: HB 1416, SB 5824
 Passenger-only ferry service districts, authority to issue general obligation bonds: HB 2267
 Passenger-only ferry service districts, authority to issue special assessment or revenue bonds: HB 2267
 School district bonds, requiring simple majority of voters voting to authorize: HB 2441, HJR 4216
 Stadium and exhibition center bond issue, providing grants for community athletic facilities: HB 1187
 Stadium, baseball, construction bond issue repayment funding through state lottery account, terminating: HB 1428
 Storm water bonds, authorization: HB 2357
 Transportation, 2013 connecting Washington projects and improvements, general obligation bonds: HB 1956
 Transportation, bonds issued for purposes of, restricting term of: HB 1989
 Voter-approved, for school construction, architectural plans to be public property: HB 2132

BUDGET (See also BONDS; CITIES AND TOWNS; COUNTIES; ECONOMIC AND REVENUE FORECAST COUNCIL; LEGISLATURE; LOCAL GOVERNMENT)

Appropriations legislation, public and legislative review period for omnibus appropriations bills: HB 1721
 Balanced budget, constitutional amendment requiring debt proceeds be spent only for capital purposes: HJR 4202, HJR 4203
 Balanced budget, constitutional amendment to require: HJR 4202, HJR 4203
 Budget documents, including state debt service information: HB 1646, ESSB 5138
 Budget stabilization account, transferring certain funds from account to general fund: HB 2046
 Capital appropriations bills, disclosure of estimated state debt service costs: SB 5132
 Capital budget, directing that HB 2058 concerning budget transparency through geographic coding and searchable web site use be considered: ***HCR 4406 (2013)**
 Capital budget, project expenditure information, adding to searchable state information web site: EHB 1733, ***HB 2058, CH 327 (2013), *HCR 4406 (2013)**
 Capital budget, project investments, coding with geographic information: ***HB 2058, CH 327 (2013)**
 Capital budget, restoring school construction funds to: HB 2244
 Capital, 2013-2015: HB 1089, ***ESSB 5035, CH 19 (2013) PV**
 Capital, appropriations bills, requiring a summary for each legislative district with each: SB 5716
 Capital, appropriations from proceeds of general obligation bonds to fund public school capital projects: SSB 5445
 Capital, supplemental 2013-2015: HB 2224
 Debt issuances proposed in budget documents, preparing bond authorization bill in response: HB 1646, ESSB 5138
 Expenditures by state, modifying state expenditure limit to limit non-education expenditures: 2ESSB 5895
 Facilities review council, creation as advisory group to legislature to review leasing proposals, relation to fiscal stability: HB 2719
 Fiscal analysis, convening work group concerning establishment of nonpartisan fiscal analysis agency: HB 2252
 Forecasts, economic and revenue, shifting to same date during both long and short legislative sessions: HB 2062, SB 5910
 General obligation bonds, financing 2011-2013 and 2013-2015 capital and operating budget projects: ***ESSB 5036, CH 20 (2013)**
 General obligation bonds, financing 2013-2015 capital and operating budget projects: HB 1088
 General obligation bonds, financing 2013-2015 public school capital projects: SSB 5445
 Information technology expenditures in state budget process, evaluation and prioritization of: ***ESSB 5891, CH 33 (2013)**
 Omnibus appropriations bills, higher education tuition, extending institution authority to adopt different levels: HB 1048
 Omnibus appropriations bills, public and legislative review period: HB 1721
 Omnibus operating appropriations act, adjusting certain food safety and animal health program fee increases in: HB 2749
 Omnibus operating appropriations act, relationship of basic education appropriations legislation to act: HB 1174
 Operating, 2013-2015: HB 1057
 Operating, omnibus operating appropriations act, requiring three-fifths vote for approval: HJR 4211
 Operating, omnibus operating appropriations act, to include tax expenditure budget: HB 2721
 Operating, omnibus operating appropriations, 2013-2015 budget and 2011-2013 supplemental budget: ***3ESSB 5034, CH 4 (2013) PV**
 Operating, supplemental 2013: HB 1058
 Operating, supplemental 2014: HB 2185
 Tax exemption transparency and accountability act, requiring tax expenditure budget: HB 2721
 Transportation budget, directing that HB 2058 concerning budget transparency through geographic coding and searchable web site use be considered: ***HCR 4406 (2013)**

Transportation budget, project expenditure information, adding to searchable state information web site: EHB 1733, ***HB 2058, CH 327 (2013), *HCR 4406 (2013)**

Transportation budget, project investments, coding with geographic information: ***HB 2058, CH 327 (2013)**

Transportation funding, additive, adoption and appropriations: HB 1955

Transportation, 2011-2013 and 2013-2015: HB 1864, ***ESSB 5024, CH 306 (2013) PV**

Transportation, supplemental 2013-2015: HB 2762

Urban school turnaround initiative grant, expenditure limitations for appropriations: HB 1812

BUILDING CODE COUNCIL

Amendments to codes, substantial, allowing only at six-year intervals, exception for embodied energy: ESB 5378

Building code council account, using certain unexpended funds for an operating contingency fund: HB 1618

Carbon monoxide alarms, in residential occupancies, extending deadline: HB 1606, SSB 5494

Food and yard waste collection, space for containers for new residential occupancies, council rule making: HB 2481

Greenhouse gas emissions, state agency rules regulating, prohibiting without legislative authorization: HB 1169

Membership, expanding: HB 1605, ESB 5495

Schools, before- and after-school programs, council adoption of rules allowing students to be in school buildings for: HB 1852

Smoke alarms, long-life, council role in converting to: HB 2401

BUILDING CODES/PERMITS (See also HOMES AND HOUSING)

Building code enforcement officials, building permit fee to support apprenticeship program for: HB 2214

Carbon monoxide alarms, in residential occupancies, extending deadline: HB 1606, SSB 5494

Codes, substantial amendments to, allowing only at six-year intervals, exception for embodied energy: ESB 5378

Electrical code, joint legislative task force concerning, creating: HB 2213

Electrical industry, whistleblowers in, protections for: HB 2275

Energy code, shifting certain counties to climate zone 2: HB 2249

Food and yard waste collection, space for containers for new residential occupancies: HB 2481

Permits, fee, funding building code officials apprenticeship program: HB 2214

Schools, before- and after-school programs, building code council adoption of rules allowing students to be in school buildings for: HB 1852

Single-family residential buildings, limiting minimum square footage requirements: HB 2168

Smoke alarms, long-life, converting to: HB 2401

Toilets, efficiency standards for water closets and urinals: HB 1017

Toilets, high efficiency, requiring: HB 2414

BUSINESSES (See also ADVERTISING; ALCOHOLIC BEVERAGES; CONTRACTORS; DISCRIMINATION; DRIVERS AND DRIVERS' LICENSES; INSURANCE; LIQUOR CONTROL BOARD; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; MORTGAGES AND MORTGAGE BROKERS; PHARMACIES AND PHARMACISTS; REAL ESTATE AND REAL PROPERTY; SECURITIES; TAXES - BUSINESS AND OCCUPATION TAX; TAXES - EXCISE TAX; TECHNOLOGY; UTILITIES)

Amusement services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539

Appraisal management companies, liens on property for unpaid balances: HB 2375

Appraisal management companies, surety bond minimum penal sum: HB 1012

Aquaculture, genetically engineered finfish, prohibiting production in state waters: HB 2143

Aquaculture, geoduck operations, department of ecology duties concerning, repealing: HB 1894

Aquaculture, geoduck, coordinating research with ocean acidification research: HB 1761

Aquaculture, marine, authorizing inclusion of net pen facilities siting in shoreline master programs: HB 1599

Aquaculture, shellfish, promoting research and establishing shellfish aquaculture public information center: HB 1894

Bail bond agents, amending miscellaneous provisions: HB 1098

Barbering, miscellaneous provisions, modifying: HB 2512

Beekeeping, feed, sales to and use by beekeepers, tax exemptions: HB 1558, ***ESSB 5882, CH 13 (2013)**

Beekeeping, honey bee work group, creation: ***ESSB 5882, CH 13 (2013)**

Beekeeping, tax relief, extending to apiarists and subject to periodic review: ***ESSB 5882, CH 13 (2013)**

Bill of rights for businesses and others subject to state agency action, establishing: HB 2623

Body art, body piercing, tattooing, and permanent cosmetics, modifying licensing and regulatory provisions: HB 2162

Brunell, Don C., of Association of Washington Business, honoring: ***HR 4648 (2013)**

Business license center act, renaming as business licensing service act: HB 1568

Business license center, expanding required participation by certain cities or city-developed portal alternative: ESSB 5656

Business license center, expanding required participation to additional agencies: HB 1403, E2SSB 5680

Business licensing service program, administrative clean-up changes related to 2012 statutory changes: HB 1568

Business regulatory efficiency program, establishing, department of commerce to regulate: ***HB 1818, CH 324 (2013)**

Call center services, procurement by state agency under personal services contract, prohibiting performance of services at location outside United States: HB 1995

Car rental businesses, rental cars and processing of certain motor vehicle-related violations: HB 2470

Caterers, liquor caterers, creating beer, spirits, and wine sales license for: HB 2680

Charter boat operators, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Charter party and excursion service carriers, annual regulatory fees, modifying deadline for payment: HB 2642

Cigar lounge special license endorsement for tobacco products retailer licensees: HB 1750

Collection agencies, fair debt buyers practices act: HB 1069

Collection agencies, regulating debt buyer collection practices: HB 1069, HB 1822

Collection agency act, debt collection by attorneys: HB 1031

Communication access real-time translation providers, certification and regulation: HB 1511

Concessionaires, allowing motor vehicle access to Milwaukee Road corridor, conditions: HB 1939

Cosmetology, barbering, manicuring, and esthetics, rules for online learning: HB 1038

Cosmetology, miscellaneous provisions, modifying: HB 2512

Cosmetology, training and licensure requirements: HB 2237

Cottage food operations, adding baked candies to list of cottage food products: HB 2698

Cottage food operations, repealing annual gross sales limit for maintaining permit: HB 1135

Court reporters and court reporting firms, contracts for services, prohibitions: HB 1511

Credit cards, surcharge when cardholder uses card in lieu of other payment method, prohibiting: HB 1870

Dancing, excluding charges made for opportunity to dance from sales taxes: HB 1994

Dancing, exemption from sales tax for charges made for opportunity to dance: ***ESSB 5882, CH 13 (2013)**

Day spas, offering of wine or beer to customers, creating day spa permit to allow: SSB 5045

Debt adjusters, fiduciary relationship with debtors: HB 2385

Debt adjusters, nonprofit, defining "fair share" paid by creditor: HB 1572

Debt adjusters, stakeholder group to discuss compensation, including "fair share": ESSB 5338

Debt adjusting services, nonprofit, licensing and regulation: HB 1491

Debt adjusting services, regulating, various provisions: HB 2384

Debt buyers, regulating debt buyer collection practices: HB 1069, HB 1822

Debt collection services, extending sales tax to include: HB 1273

Debt collection services, restrictions in cases of delinquent small consumer installment loans: HB 1657, ESSB 5312

Debt management services, uniform debt management services act: HB 1340

Debt settlement services, licensing of persons providing, debt settlements services act: HB 2670

Debt settlement services, registration of persons providing, debt settlements services act: HB 2142

Drug manufacturers, participation in prescription donation for uninsured persons, including immunity provisions: HB 1382, ***SSB 5148, CH 260 (2013)**

Emergency medical care and transportation services, ensuring direct payment to provider under health care service contract: HB 1263

Esthetics, miscellaneous provisions, modifying: HB 2512

Exchange facilitators, requirements and violations: ***ESSB 5082, CH 228 (2013)**

Excursion service and charter party carriers, annual regulatory fees, modifying deadline for payment: HB 2642

Farmers markets, wine sampling conducted by wineries or beer sampling conducted by microbreweries, allowing in certain cases: ***SB 5674, CH 238 (2013)**

Firearms ammunition, parts, and accessories, manufacturers of, exemptions from various taxes and business licensing and corporation and limited liability company fees: HB 2020

Fishing guides, food fish or game fish, expanding information and other requirements for licensure: ***SSB 5786, CH 314 (2013)**

Fishing guides, food fish or game fish, western Washington steelhead guide stamp requirements for: HB 1917

Fishing guides, unlawfully acting as food or game fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917

Fishing guides, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Florists, defining "florist" and "florist sales" for retail sales and use tax purposes: HB 1489

Food distributors, pass-through wholesale, establishing license for sellers of prepackaged food delivered directly to consumers: HB 1827

Food establishments, unfair practices related to service animals: HB 1024

For hire vehicle businesses, industrial insurance coverage provisions: HB 1718

For hire vehicle businesses, vehicle operator permits and certificates, provisions concerning unfair competition practices: HB 1702

For hire vehicle owners and lessees, industrial insurance coverage provisions: HB 2152

Grocery stores, changing criteria for beer and wine tasting endorsement: HB 1422, ***SSB 5517, CH 52 (2013)**

Grocery stores, wine and beer licensees, sales of beer in purchaser's container: HB 2371

Hair design, miscellaneous provisions, modifying: HB 2512

Hotel management companies, moneys received by company for covered employee costs, business and occupation tax exemption: HB 1932

Hotels, valuables of guests and lodgers, specifying hotel's responsibilities: HB 2300

In-state businesses, bid preference in state purchasing competitive process, conditions: HB 1938

Interpreter services, integrating purchase by certain state agencies and modifying collective bargaining provisions: HB 1753, HB 2617

Investment income, business and occupation tax deduction, eliminating for corporations and other business entities: HB 2048

Investment management companies, international, tax exemptions for financial information sales to and use by companies: HB 1567, ***ESSB 5882, CH 13 (2013)**

Janitorial services, commercial, clarifying retail sales tax exemption for: HB 2477

Janitorial services, commercial, sales tax on, imposing to provide basic education and higher education funding: HB 2038

Janitorial services, commercial, workload standards and a health and safety training program, establishment: HB 2477

Legal service contractors, regulation of: HB 2691

Legal service organizations, to cover legal expenses, regulation and registration of: HB 2287

Limousine businesses, chauffeurs for, modifying provisions concerning certain violations by: HB 1702

Limousine businesses, including chauffeurs, industrial insurance coverage provisions: HB 1718

Limousine chauffeurs owning or leasing vehicle, industrial insurance coverage provisions: HB 2152

Manicuring, miscellaneous provisions, modifying: HB 2512

Massage therapy establishments, licensing of: HB 1981

Medical cannabis dispensaries, marijuana excise tax to be collected from: HB 1789

Minors, work permits for employing, master application procedures: ***SB 5056, CH 156 (2013)**

Money transmitters, amending provisions of uniform money services act: HB 1327, HB 2523

New businesses in high growth sectors, business and occupation tax deduction for: HB 1693

Paymaster services by employer of record, B&O tax deduction for payroll cost reimbursements within affiliated group's centralized payroll reporting system: ***ESSB 5882, CH 13 (2013)**

Paymaster services by employer of record, B&O tax exemption for certain gross proceeds from affiliated business entity: HB 1958

Paymaster services by employer of record, B&O tax exemption for payroll cost reimbursements within affiliated group's centralized payroll reporting system: HB 2076

Permanent cosmetics, licensing and regulatory provisions: HB 2162

Permitting decisions by state agencies, enhancing transparency and predictability of process: HB 2192

Physical fitness services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539

Premises, business owner's, actions for trespass upon: HB 2353

Real estate appraisers, trainee applicants and existing credential holders, fingerprint-based background checks: HB 1740

Real estate brokers, independent contractor status when not under contract with firm: HB 1853

Real estate brokers, original license fee, extending: HB 2370

Real-time captioners, certification and regulation: HB 1511

Recreation services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539

Regulation of businesses by state agencies, regulatory freedom and accountability act: HB 1163

Regulatory assistance, bill of rights for businesses and others subject to state agency action: HB 2623

Regulatory processes, burden on businesses, certain state agencies to conduct rules review for streamlining purposes: HB 1591, ***SSB 5679, CH 30 (2013)**

Regulatory streamlining projects, multijurisdictional, establishment: ***HB 1818, CH 324 (2013)**

Restaurants associated with culinary arts educational institutions, creating culinary class restaurant wine specialty license and special event endorsement for: HB 1805

Restaurants, flavor-imparting cooking products, including charcoal, sales and use tax exemption: HB 1358, ***ESSB 5882, CH 13 (2013)**

Scrap metal businesses, scrap metal transaction and license requirements: HB 1552, HB 1756

Shooting ranges, sport, protecting ranges and range owners and operators: HB 1184

Signature gathering businesses for initiative, referendum, and recall petitions, provisions: HB 2552

Small business incubators, nonprofit, property tax exemption in certain cases: HB 2447

Small business tax credit, increasing by repealing certain farm-related preferences: HB 2286

Small businesses, raising threshold for filing business and occupation and public utility tax returns: HB 2678

Small businesses, raising threshold for filing business and occupation tax return: HB 2520

Snack bars, adding wine by the glass to beer retailer's license for: HB 2302

Start-up businesses, business and occupation tax credit, eligibility and requirements: HB 2052

Start-up businesses, growth and development of, start-up Washington act: HB 2052

Start-up businesses, increasing flow of high-risk capital to aid start-up companies through exemption from securities act for certain offers or sales of securities by issuer: HB 2054

Stevedoring, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038

Storage facilities, self-service, unpaid rent and lien on property, modifying provisions: HB 2424

Tanning facilities, prohibiting use of tanning facility by persons under age eighteen, requirements and violations: HB 1585

Taxicab businesses, industrial insurance coverage provisions: HB 1718

Taxicab operators owning or leasing vehicle, industrial insurance coverage provisions: HB 2152

Tenant screening service providers, information disclosure by, restrictions: HB 1529, ***SSB 5568, CH 54 (2013)**

Theaters, liquor license, beer and wine sales: HB 1001

Theaters, liquor license, beer, wine, and spirits sales: ***ESB 5607, CH 237 (2013)**

Tipped employees, requiring minimum wage for employees age eighteen and older and study group to assess effectiveness: HB 1346

Tobacconist shop, retail, special license endorsement for tobacco products retailer licensees: HB 1750

Tour operators, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038

Tow truck operators, handling unmarked government vehicles, legal jeopardy in cases of, prohibiting: HB 2528

Tow truck operators, impound requirements and disclosure of charges and fees: HB 1625

Tow truck operators, lunch breaks: HB 1611

Tow truck operators, not regulated under chapter 46.55 RCW, regulation of: HB 2663

Training wage, allowing employers to pay for specified period: HB 1150

Travel agents, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038

Travel, sellers of, modifying provisions: HB 2590

Uniform commercial code, article 9A, financing statements to perfect security interests, amending provisions: ESB 5183

Veteran-owned businesses, certification and listing by department of veterans affairs and awarding of contracts by state agencies: HB 1909, SSB 5834

Veteran-owned businesses, certification and listing by department of veterans affairs, modifying qualifications for: HB 2744

Violations by businesses of state laws or agency rules, allowing at least five days to correct: HB 1163

Washington businesses, one-stop state agency portal for, monitoring development of: HB 1757, ***SSB 5718, CH 31 (2013)**

CAMPAIGNS (See also ELECTIONS; PUBLIC DISCLOSURE COMMISSION)

Advertising, sponsored by same committee, providing top five contributors information: HB 1378, ***SB 5258, CH 138 (2013)**

Candidates, write-in, printing in general election ballot, conditions: HB 2750

Contributions, candidates for boards of commissioners of public hospital districts, extending contribution limits: ***SB 5748, CH 311 (2013)**

Contributions, requesting U.S. constitutional amendment to return regulatory authority to congress and state legislatures: HJM 4001

Contributions, soliciting or accepting, modifying time limit for state officials: HB 1385

Donors to candidates and ballot measure campaigns, printing public disclosure commission web address on voters' pamphlets and ballots: HB 1720, ***SSB 5507, CH 283 (2013)**

Finance reports, electronic filing requirement, supporting system with fees: HB 1005

Legal services, by attorney, removing certain services from definitions of "contributions" and "expenditures": HB 2222

Signs, political yard sign display in homeowners' associations: SB 5083

Supreme court, campaigns for, public funding through judicial election reform act: HB 2525

CAPITAL PROJECTS ADVISORY REVIEW BOARD

Membership, adding member representing public ports: HB 1466, SB 5349

Membership, expanding to include regional transit authority member: HB 1210

Membership, modifying: HB 1210, HB 1466, SB 5349

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Naming of facilities, authorizing sale of naming rights, exceptions: HB 1050

State capital historical museum, renaming as heritage outreach center: HB 2277

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Abolishing council and transferring powers and duties to the office of the forecast council, provisions: HB 1940

Developmental disabilities, persons with, council to forecast no paid service case load of department of social and health services: HB 1546

Extended foster care services, council to forecast youth participating in: ***E2SSB 5405, CH 332 (2013)**

Students, enrollments, council to estimate for school district certificated instructional staff budgeting and hiring purposes: EHB 1900

CHARITABLE ORGANIZATIONS (See also ESTATES, TRUSTS, AND PROBATE; NONPROFIT ORGANIZATIONS)

Raffles, enhanced, authorizing charitable organizations serving persons with intellectual disabilities to conduct: HB 1835, ***ESSB 5723, CH 310 (2013)**

CHECKS AND CHECK CASHING

Small loans, borrowing, raising borrower twelve-month loan limit: HB 1658

Small loans, maximum interest rate: HB 1363, HB 1657, ESSB 5312

Small loans, regulating through small consumer installment loan act: HB 1657, ESSB 5312

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Cellular device usage by state employees, officer role in developing statewide cellular device policy: SSB 5381

Central services of state government, including office, conforming amendments prompted by reorganization and streamlining: HB 2098

Data, open data portal for public data sets, implementation and expansion: HB 2202

Electronic signatures on written communications, officer to adopt rules for state agencies: HB 2564

Information technology expenditures in state budget process, office to evaluate and prioritize: ***ESSB 5891, CH 33 (2013)**

Information technology expenditures, by higher education institutions and legislative and judicial agencies, evaluation and approval by office: ***ESSB 5891, CH 33 (2013)**

Information technology expenditures, office role in implementing information technology business management program: ***ESSB 5891, CH 33 (2013)**

Information technology networking equipment and services, agency purchases of, office role in developing statewide standards: ***ESSB 5891, CH 33 (2013)**

Information technology systems and infrastructure, information in, office role in establishing security standards: ***ESSB 5891, CH 33 (2013)**

Information technology systems, executive branch, inventorying, modernizing, and funding of, office reporting role: ***ESSB 5891, CH 33 (2013)**

Telecommunications and information services state agency network, assessment of model and consolidation of network into consolidated technology services agency, office role: ***ESSB 5891, CH 33 (2013)**

Telecommunications and information services state agency network, certain information within, public disclosure exemption: ***ESSB 5891, CH 33 (2013)**

Washington businesses, one-stop state agency portal for, office role in monitoring development of: HB 1757, ***SSB 5718, CH 31 (2013)**

CHILD CARE (See also EARLY LEARNING, DEPARTMENT)

- Abuse or neglect of a child, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**
- Breastfeeding-friendly Washington designation, creating to recognize certain child day care centers: HB 2329
- Care providers, fraud by, referral to department of social and health services for investigation and action: ***2ESSB 5157, CH 29 (2013)**
- Consumers, child care consumer and provider bill of rights: HB 1671
- Consumers, child care consumers and providers, requirements: ***2SSB 5595, CH 337 (2013)**
- Early achievers program, enrollment of child care programs in: HB 1671, HB 1723, HB 2377
- Early learning, funding for, authorizing capital gains tax to provide: HB 2087
- Facilities, compliance with inspections of, limiting alterations required for: HB 2191
- Family day care providers, children of, not included in staff-to-child ratio: HB 1172
- Family day care providers, education requirements, exemption in certain cases: HB 1228, SB 5578
- Fatality reviews, by department of early learning, requirements, including convening of child fatality review committee: HB 2165
- Legislative task force on child care improvements for the future, establishment: HB 1671, ***2SSB 5595, CH 337 (2013)**
- Neglect or abuse of a child, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**
- Obesity, prevention through early learning programs, including among duties of department of early learning : HB 1784
- Preschool, integrating child care with: HB 2377
- Providers, child care consumer and provider bill of rights: HB 1671
- Providers, child care consumer and provider requirements: ***2SSB 5595, CH 337 (2013)**
- Providers, licensed and certified programs, enrollment in early achievers program: HB 1671
- Public records, inspection and copying exemption, personal information for child enrolled in license child care: ***HB 1203, CH 220 (2013)**, SB 5198
- Sleep practices, safe, department of early learning to provide to licensure applicants: HB 2695
- Student child care in higher education account, state board for community and technical colleges to co-administer program: HB 1873
- Subsidy program, provider fraud, referral to department of social and health services for investigation and action: ***2ESSB 5157, CH 29 (2013)**
- Working connections child care, Aclara group report on eligibility requirements, implementing recommendations: HB 1671, ***2SSB 5595, CH 337 (2013)**
- Working connections child care, contracted child care slots: HB 2377
- Working connections child care, eligibility for children in connection with family assessment response services: HB 2519
- Working connections child care, eligibility, limiting change of circumstance impact on: HB 2377
- Working connections child care, extending eligibility for benefits to certain additional educational activities: HB 1671
- Working connections child care, increasing subsidy rate to certain providers and returning copays to earlier levels: HB 1671
- Working connections child care, optional supplemental payment by parents to fund difference between provider rate and state rate: HB 1810

CHILDREN (See also CHILD CARE; DOMESTIC RELATIONS; EARLY LEARNING, DEPARTMENT; FOSTER CARE; JUVENILE COURT AND JUVENILE OFFENDERS; SCHOOLS AND SCHOOL DISTRICTS; SEX OFFENSES AND OFFENDERS)

- 4-H members, educational opportunities at horse racing facilities, dedicated revenue to support: HB 1398
- 4-H youth development program, recognizing: ***HR 4606 (2013), *HR 4670 (2014)**
- Abuse issues course for teachers, adding commercial sexual abuse of a minor and sexual exploitation of a minor to course: ***ESSB 5563, CH 10 (2013)**
- Abuse or neglect, by supervised persons, expanding reporting requirements to various organizations: ***SB 5359, CH 273 (2013)**
- Abuse or neglect, modifying requirements for information for parents: ESSB 5753
- Abuse or neglect, parent with founded finding of, work group to consider creating certificate of rehabilitation for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**
- Abuse or neglect, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**
- Abuse or neglect, suspected, short-term emergency and crisis care for child removed from home: HB 1261
- Abuse, eligibility of child for early learning and child care in connection with family assessment response services: HB 2519
- Abuse, female genital mutilation, class B felony: HB 2190

Abuse, physical abuse or sexual misconduct by school employee, reporting requirements for other school employees when aware that student is likely a victim: ***ESSB 5563, CH 10 (2013)**

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Custody, implementing recommendations of Powell fatality team: ***SSB 5315, CH 254 (2013)**

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Custody, parenting plans, mediation: HB 1353

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Custody, parenting plans, residential provisions for children: HB 1107, HB 1353, HB 2197

Custody, parenting plans, residential provisions for children of military parents: HB 1107

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Neglect or abuse, parent with founded finding of, work group to consider creating certificate of rehabilitation for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**

Neglect or abuse, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**

Neglect, suspected, short-term emergency and crisis care for child removed from home: HB 1261

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Sexual exploitation of a minor, adding to abuse issues course for teachers seeking certification: ***ESSB 5563, CH 10 (2013)**

Sexual misconduct or physical abuse, by school employee, reporting requirements for other school employees when aware that student is likely a victim: ***ESSB 5563, CH 10 (2013)**

Sexual orientation change efforts, practice of, prohibiting when performed on patient under eighteen: HB 2451

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Assaults in court proceedings areas, adding to assault in the third degree provisions: HB 1653, ***ESB 5484, CH 256 (2013)**

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Restoration of opportunity, certificates of, issuance to certain offenders by courts: HB 2399

Search warrant applications, timely review by magistrates: HB 2235

Specialty courts, authority to establish, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**

Specialty courts, encouraging establishment and incorporation of treatment court principles of best practices: ***SB 5797, CH 257 (2013)**

Superior court judges, actions or proceedings on behalf of, attorney general not required to institute or prosecute: ESB 5860

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Superior courts, commissioners, extending authority to issuance of wiretaps and related matters: ***SSB 5165, CH 27 (2013)**

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Supreme court, campaigns for, public funding through judicial election reform act: HB 2525

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Supreme court, requiring that practice of law and administration of justice functions reside in supreme court: HJR 4205

Therapeutic courts, authority to establish, expanding to include all jurisdictions: HB 2556, ***SB 5797, CH 257 (2013)**

Therapeutic courts, authority to merge DUI, drug, and mental health courts, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**

Therapeutic courts, encouraging establishment and incorporation of treatment court principles of best practices: HB 2556, ***SB 5797, CH 257 (2013)**

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Animal abuse, criminal animal abuse offenders, requiring registration: HB 1786

Assault, first and second degree, expanding "destructive or noxious substance" definition: HB 1018, HB 1262

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Assault, third degree, to include assault of a state hospital worker: HB 2703

Assault, third degree, to include assault of legal process servers: HB 1131

Assault, third degree, to include assault of utility worker or other employee: HB 2464

Assault, third degree, to include assaults in court proceedings areas: HB 1653, ***ESB 5484, CH 256 (2013)**

Assault, vehicular, sentences: HB 1388

Body armor, crimes committed while wearing, enhancement for sentencing purposes: HB 1907, HB 2704, SSB 5119

Cannabis, medical use, lawful and unlawful actions: HB 1084, HB 1662, HB 2233

Charter boat operators, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

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Clergy, indecent liberties by member of, felony: HB 2341

Conducting investigation or detainment of U.S. citizen or resident alien, armed forces member prohibited from, class C felony: HB 1581

Contraband, introducing in first, second, and third degrees, to include secure facilities for sexually violent predators: HB 1836

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Criminal assistance, rendering, revising provisions: HB 1080, SB 5059

Cruelty to animals, animal fighting, to include causing minor to commit, class C felony: HB 1202

Cruelty to animals, killing or harming another person's animals with malice, class C felony: HB 1202

Cruelty to animals, pet animals, taking or killing, etc., modifying provisions: HB 1202

Cruelty to animals, prohibiting sale or auction of animals on public property: HB 1201

Cruelty to animals, requiring registration of criminal animal abuse offenders: HB 1786
 Cruelty to animals, second degree, modifying provisions: HB 1202
 Cruelty to animals, unsafe confinement in vehicle or enclosed space, authority to enter vehicle or space: HB 1202
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 Custodial interference, first degree, in connection with court-ordered residential provisions for child, class C felony: HB 2624
 Deeds of trust, trustee's foreclosure sale, false declarations by beneficiary, class C felony: HB 2658
 DNA sample, refusal to provide as sex offender, gross misdemeanor: ESSB 5735
 Dog guides, with reckless disregard causing harm to, class C felony: HB 1830
 Drive-by shooting, adding to list of most serious offenses: HB 1730
 Driving under the influence, blood and breath tests, modifying provisions: HB 2728
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 Driving under the influence, establishing Washington impaired driving work group: ***E2SSB 5912, CH 35 (2013)**
 Driving under the influence, extending time periods for relevance of prior offenses: HB 2701
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 Firearms, certain persons subject to certain no-contact, protection, or restraining orders, firearm surrender requirements and prohibitions: HB 1840
 Firearms, drive-by shooting, adding to list of most serious offenses: HB 1730
 Firearms, failure to register as a firearm offender, gross misdemeanor: HB 1612
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 Firearms, storing or leaving loaded firearm where child can and does gain access to it, to constitute reckless endangerment: HB 1676
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 Firearms, unlawful possession in second degree, to include certain persons subject to certain no-contact, protection, or restraining orders: HB 1840
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 Fish, food fish or shellfish, unlawful misbranding of: HB 1200
 Fishing guides, unlawfully acting as game or food fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917
 Fishing guides, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896
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Ignition interlock devices, circumventing installation and use by acquiring new vehicle, gross misdemeanor: HB 2344
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Indecent liberties, by member of clergy, felony: HB 2341
Indecent liberties, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**
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Intimate images, distributing on internet, class C felony: HB 2250
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Murder, aggravated first degree, eliminating death penalty for: HB 1504
Murder, aggravated first degree, including certain child victims: SB 5015
Murder, aggravated first degree, sentencing, incarceration, and early release when crime committed before age eighteen: HB 1338
Official oppression by a public servant, class C felony: HB 1454
Pharmacy, robbery of, as special allegation for robbery in first or second degree: HB 1931, ***SB 5149, CH 270 (2013)**
Police vehicle, attempting to elude, sentencing enhancement for, to be mandatory: HB 2549
Process servers, assault in third degree to include assault of legal process servers: HB 1131
Profiteering, criminal, adding certain commercial sexual abuse of minor crimes to definition of: HB 1793
Rape, third degree, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**
Rape, victim under age eighteen, modifying statute of limitations: HB 1352, SSB 5100
Reckless endangerment, storing or leaving loaded firearm where child can and does gain access to it: HB 1676
Rendering criminal assistance, revising provisions: HB 1080, SB 5059
Riot, crime of, changing to crime of criminal mischief: ***SSB 5021, CH 20 (2013)**
Robbery in first and second degree, with robbery of a pharmacy as special allegation: HB 1931, ***SB 5149, CH 270 (2013)**
Scrap metal businesses, doing business without scrap metal license, gross misdemeanor and class C felony provisions: HB 1756
Search and rescue dogs, on-duty, with reckless disregard causing harm to, class C felony: HB 1830
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Theft with extenuating circumstances, retail, modifying definition: HB 2077
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Trespass on private property, criminal, ensuring uniform statutory application by eliminating most special immunities from prosecution: HB 1681
 Trespass upon business owners' premises, civil actions for: HB 2353
 Trespass, notice against, posting in a conspicuous manner: HB 2480, ESB 5048
 Unmanned aircraft, with sensing device, operation in Washington airspace to be gross misdemeanor: HB 2178
 Vapor products, selling or giving to minor, gross misdemeanor: ***HB 1937, CH 47 (2013)**
 Vehicle prowling, second degree, class C felony in certain cases: HB 1305, ***ESB 5053, CH 267 (2013)**
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 Vehicles, registration, falsifying, gross misdemeanor: HB 1944
 Vehicular assault, sentences: HB 1388
 Vehicular homicide, due to alcohol or drugs, offender to pay child support for victim's children: HB 1151
 Vehicular homicide, sentences: HB 1388, HB 2507
 Violent offenses, serious, prisoner civil action against victim to require authorization by judge: HB 2102
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 Chemical dependency, arrest of individual suffering from, police officer options and related procedures: HB 2627
 Child support, vehicular homicide due to alcohol or drugs, offender to pay support for victim's children: HB 1151
 Commercial sale of sex, fines to be paid to fund offender education programs: HB 1291
 Commercial sexual abuse of minor crimes, adding to seizure and forfeiture provisions: HB 1792
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 Community placement or supervision, amending mental status evaluation and treatment requirements: HB 2205
 Competency to stand trial, evaluations of, requirements: HB 1627, ***ESSB 5551, CH 284 (2013)**
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 Confinement, total and partial options, modifying provisions: HB 1842
 Conviction records, fees for dissemination by state patrol: HB 2138
 Court records, nonconviction, removing from public access: HB 1497
 Criminally insane, competency restoration in county jail: HB 2649
 Criminally insane, statute restricting outings from state facilities, repealing: HB 1458
 Cruelty to animals, requiring registration of criminal animal abuse offenders: HB 1786
 DNA sample, collecting from adults arrested for any criminal offense: HB 2669
 DNA sample, refusal to provide as sex offender, gross misdemeanor: ESSB 5735
 Drug offenders, sentencing alternatives, modifying: HB 2484
 Early release time, barring offender from receiving when sentence resulted from body armor enhancement: HB 1907, HB 2704, SSB 5119
 Early release, petitioning after certain period, procedures: HB 2316
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 Firearm offender, failure to register as, gross misdemeanor: HB 1612

Good time credit, barring offender from receiving when sentence resulted from body armor enhancement: HB 1907, HB 2704, SSB 5119

Health care for jail inmates, contracting with department of corrections to participate in health care authority provider one system: ***2ESSB 5892, CH 14 (2013)**

Health care for jail inmates, facility requirements when contracting with hospitals: ***2ESSB 5892, CH 14 (2013)**

Health care for jail inmates, hospitals to contract with jails as condition of licensure: HB 1911, ***2ESSB 5892, CH 14 (2013)**

Home detention, defining in connection with electronic offender monitoring and expanding requirements: HB 2543

Identical cards, for incarcerated offenders, pilot program: HB 2518

Incompetency, criminal, amending civil commitment and related procedures: HB 1114, ESSB 5176

Incompetent to stand trial, competency restoration in county jail: HB 2649

Incompetent to stand trial, offender release instead of civil commitment, notification of release: ***ESB 5221, CH 214 (2013)**

Jail time served, certification of, modifying provisions to achieve correctional savings: HB 2050

Juveniles, crimes committed before age eighteen, sentencing, incarceration, and early release provisions: HB 1338

Legal financial obligations of offenders, county clerk collection system, collecting information to assess success: HB 1569

Legal financial obligations of offenders, failure of homeless or mentally ill to pay not willful noncompliance: HB 2231

Legal financial obligations, system of, improving through restitution first act: HB 2751

Mental disability, guilty but with a mental disability, plea or finding of: HB 2496

Offender score, domestic violence against a child, modifying provisions: HB 2194

Offender score, revising aggravating circumstances provisions: HB 1061

Offender score, scoring certain felonies as class C felony equivalent: HB 1060

Pretrial release, prohibiting for violent offenses without payment of bail: HB 1171

Public assistance, prohibiting persons fleeing justice system or violating parole or probation from receiving: HB 2683

Registered sex or kidnapping offenders, comprehensive provisions concerning, modifying: ESSB 5735

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Restoration of opportunity, certificates of, issuance to certain offenders by courts: HB 2399

School employees, certificated, when charged with certain felony crimes, adding compulsory administrative leave and compensation trust account provisions: HB 1850

Transitional housing program for offenders, reimbursement by offender: HB 1842

Violent offenses, offenders charged with, prohibiting pretrial release without payment of bail: HB 1171

Violent offenses, serious, prisoner civil action against victim to require authorization by judge: HB 2102

Wrongful conviction and imprisonment, claim for compensation: HB 1341

Youthful offenders, sentence completed before age 21, access to rehabilitative and reentry services: HB 2714

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Alcohol poisoning, involving person under age 21, limited immunity when seeking medical assistance: ***HB 1404, CH 112 (2013)**

Animal abuse, criminal animal abuse offenders, requiring registration: HB 1786

Arresting without warrant, modifying provisions: HB 2057

Biological material from criminal investigations, preservation, requirements and study of standards for: HB 2468

Border patrol, employee or agent of, restricting interviews of certain persons in custody by, conditions: HB 1874

Braden and Charlie Powell act of 2013, prohibiting child custody award to suspect in active homicide investigation: SSB 5162

Chemical dependency, arrest of individual suffering from, police officer options and related procedures: HB 2627

Competency to stand trial, evaluations of, requirements: HB 1627, ***ESSB 5551, CH 284 (2013)**

Competency to stand trial, evaluations, reimbursement of county for certain costs in certain cases: ***ESSB 5551, CH 284 (2013)**

Court records, nonconviction, removing from public access: HB 1497

Criminal history record information, state patrol to audit criminal justice agencies for compliance: HB 1531, ***SB 5466, CH 62 (2013)**

Criminally insane, competency restoration in county jail: HB 2649

Criminally insane, involuntary medication to maintain competency while in jail, court authorization: HB 2195

Criminally insane, statute restricting outings from state facilities, repealing: HB 1458

Cruelty to animals, requiring registration of criminal animal abuse offenders: HB 1786

Death penalty, eliminating: HB 1504

Defense, materials provided to prosecutor by, public records inspection and copying exemption: HB 1449
 Defensive force, including deadly force, person using to be immune from prosecution in certain cases: HB 2324
 Disposition of criminal cases, criminal history record information compliance audits to research: HB 1531, ***SB 5466, CH 62 (2013)**
 DNA sample, collecting from adults arrested for any criminal offense: HB 2669
 Domestic violence, nonfelonious, responding officer placement options for certain juveniles arrested for: HB 2455, HB 2722
 Driving under the influence, probable cause for arresting and taking into custody without warrant: HB 2083
 Evidence, preservation of, establishing work group on preservation of evidence for criminal justice purposes: HB 2468
 Homicide investigations, prohibiting child custody award to suspect in active investigation: SSB 5162
 Immigration detainer, detaining individual on basis of, prohibiting law enforcement officers from, exception: HB 1874
 Immigration warrant, administrative, arresting or detaining individual based on, prohibiting law enforcement officers from: HB 1874
 Immigrations and customs enforcement agency, employee or agent of, restricting interviews of certain persons in custody by, conditions: HB 1874
 Incompetency, criminal, amending civil commitment and related procedures: HB 1114, ESSB 5176
 Incompetent to stand trial, competency restoration in county jail: HB 2649
 Incompetent to stand trial, offender release instead of civil commitment, notification of release: ***ESB 5221, CH 214 (2013)**
 Indigent defense, cost recovery fees: HB 2497
 Indigent defense, revising provisions: HB 2497
 Juveniles, crimes committed before age eighteen, sentencing, incarceration, and early release provisions: HB 1338
 Juveniles, mental health diversion and disposition, strategies: HB 1524
 Legal financial obligations, county clerk collection system, collecting information to assess success: HB 1569
 Legal financial obligations, system of, improving through restitution first act: HB 2751
 Marijuana, misdemeanor offenses, vacating of, conditions and exceptions: HB 1661
 Mental disability, guilty but with a mental disability, plea or finding of: HB 2496
 No-contact orders, certain persons subject to, firearm surrender requirements and prohibitions: HB 1840
 No-contact stalking orders, provisions: SSB 5452
 No-contract orders, certain persons subject to, applicability of unlawful firearm possession in the second degree to: HB 1840
 Prescription drug donation for uninsured persons, criminal immunity provisions: HB 1382, ***SSB 5148, CH 260 (2013)**
 Prostitution convictions, vacating if offender is victim of certain trafficking and related crimes: HB 1292
 Protection orders, certain persons subject to, applicability of unlawful firearm possession in the second degree to: HB 1840
 Protection orders, certain persons subject to, firearm surrender requirements and prohibitions: HB 1840
 Protection orders, sexual assault, provisions: HB 1307
 Protection orders, stalking protection order act: HB 1383
 Protection orders, stalking protection orders, provisions: SSB 5452
 Restitution, restitution first act, improving system of legal financial obligations: HB 2751
 Restraining orders, certain persons subject to, applicability of unlawful firearm possession in the second degree to: HB 1840
 Restraining orders, certain persons subject to, firearm surrender requirements and prohibitions: HB 1840
 Search warrant applications, timely review by magistrates: HB 2235
 Sex offenses with victim under age eighteen, modifying statute of limitation provisions: HB 1352, SSB 5100
 Stalking, protection and no-contact orders, provisions: SSB 5452
 Stalking, protection orders, stalking protection order act: HB 1383
 Statute of limitations, sex offenses with victim under age eighteen, modifying provisions: HB 1352, SSB 5100
 Tax evasion by electronic means, seizure and forfeiture of property: HB 1427, ***SB 5715, CH 309 (2013)**
 Victims, rights of victims, statement of rights to be read at all criminal proceedings: HB 1389

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Constitutional currency restoration act, use of gold and silver as legal tender: HB 2542

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Dog guides, with reckless disregard causing harm to, class C felony: HB 1830

Hearing aids, including in health care coverage: HB 1356

High school transition services, for students with disabilities or section 504 plan, provision of: HB 1735

High school transition services, for students with disabilities, provision of: E2SSB 5330
 Interpreter services, authorizing purchase by certain agencies for sensory-impaired injured workers, crime victims, or public assistance applicants and recipients: HB 1753
 Interpreters, educational, assessments and performance standards: HB 1144
 Service animals, with reckless disregard causing harm to, class C felony: HB 1830

DENTAL QUALITY ASSURANCE COMMISSION (See also DENTISTS AND DENTISTRY)

Advanced function dental auxiliaries, licensing requirements and scope of practice, commission role: HB 1514
 Credentials, renewal of, commission authority to adopt requirements: HB 2379
 Dental hygiene practitioners, commission to serve as disciplining authority: HB 1516, HB 2321
 Dental practitioners, commission to serve as disciplining authority: HB 1516, HB 2321
 Expanded function dental auxiliaries, expanding scope of practice: HB 1514
 Impaired dentist program, increasing license surcharge: ***HB 1534, CH 129 (2013)**
 Membership, expanding to include dental practitioner and dental hygiene practitioner: HB 1516, HB 2321
 Membership, modifying to include dental auxiliaries: HB 1514

DENTISTS AND DENTISTRY (See also DENTAL QUALITY ASSURANCE COMMISSION; HEALTH CARE; INSURANCE)

Advanced function dental auxiliaries, licensing requirements and scope of practice: HB 1514
 Credentials, renewal of, adoption of requirements: HB 2379
 Dental assistants, applying topical anesthetic agents under dentist's supervision: ***HB 1330, CH 87 (2013)**
 Dental benefits, Washington state health benefit exchange, allowing offering separately or in health plan: HB 2467
 Dental health aide services, for Indian tribes, authorization to train, employ, or contract for: HB 2466
 Dental hygiene practitioners, licensing and scope of dental therapy practice: HB 1516, HB 2321
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 Dental practitioners, licensing and scope of dental therapy practice: HB 1516, HB 2321
 Dentists, licensure status, modifying provisions concerning expiration and late renewal fees: HB 1603
 Denturists, expanding services included in practice of denturism: HB 1271
 Denturists, licensed, establishing board of denturism as disciplining authority: HB 1270
 Denturists, licensed, providing documentation of certain training to the board of denturists: HB 1271
 Expanded function dental auxiliaries, continuing education requirements for licensure: HB 2379
 Health professional loan repayment and scholarship program, extending participation to health care residents: ***SSB 5615, CH 298 (2013)**
 Health professional loan repayment and scholarship program, increasing funding by contracting with fund-raiser: ***SSB 5615, CH 298 (2013)**
 Hygienists, applying topical anesthetic agents under dentist's supervision: ***HB 1330, CH 87 (2013)**
 Impaired dentist program, increasing license surcharge: ***HB 1534, CH 129 (2013)**
 Pediatric oral services, stand-alone coverage through Washington health benefit exchange: HB 1846

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Adult patients with development disabilities, grant program for training medical professionals to work with: HB 2611
 Aging and disability issues, joint legislative executive committee on, establishment: HB 1631
 Commitment, civil, amending provisions concerning offenders found incompetent to stand trial: HB 1114, ESSB 5176
 Community access services, accessing of, allowing at same time as accessing of employment services: HB 2734
 Community developmental disability services, determining amount of property tax levy allocation for: HB 1432
 Community residential services and supports, funding investigations of vulnerable adult mistreatment with provider certification fees: HB 1574
 Community residential services and supports, provider certification fees: HB 1574
 Community residential services providers, reimbursement rate, adjusting rates by inflation factor: HB 1333
 Dependency proceedings, parents with intellectual or developmental disabilities involved in: HB 2616
 Developmental disabilities service system task force, recommendations: HB 1928
 Employment services, accessing of, allowing at same time as accessing of community access services: HB 2734
 Future needs of persons with intellectual and developmental disabilities, stakeholder work groups to examine: HB 2432
 Hiring individuals with developmental disabilities, business and occupation tax credit for employers, conditions: HB 1622, HB 2660

Home and community-based services, eligibility of recipients for Washington telephone assistance program: HB 2696
 Incompetency, criminal, amending civil commitment and related procedures: HB 1114, ESSB 5176
 Informing families building trust communication project, department of social and health services to expand: HB 1546
 Medicaid personal care services, refinancing under community first choice option: HB 2746
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 HB 1895, ***SSB 5556, CH 285 (2013)**
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 Personal care services, medicaid, refinancing under community first choice option: HB 2746
 Raffles, enhanced, authorizing charitable and nonprofit organizations serving persons with intellectual disabilities to
 conduct: HB 1835, ***ESSB 5723, CH 310 (2013)**
 Residential habilitation centers, discharge plans for residents: HB 1527
 Residential habilitation centers, various provisions: HB 1527, HB 1928
 Residential services and support account, creation: HB 2634
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 HB 1574
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 Residential services and supports, providers, application of enforcement standards to: HB 2634
 Respite care, for persons on no paid service case load, department of social and health services to provide: HB 1546
 Respite care, providing in residential habilitation centers and in the community: HB 1928
 Service options, allowing accessing of community access services and employment services at same time: HB 2734
 Special education, for students with disabilities, funding for: HB 2051
 Special education, training requirements for teachers of, including high school transition services for students with
 disabilities: E2SSB 5330
 Supported living facilities, contracting and contractors, instituting comprehensive provisions, including debarment of
 contractors: HB 1747
 Vulnerable adult, definition of, expanding to include persons with developmental disabilities for investigation purposes:
 HB 2633

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Diking and drainage special districts, elections, allowing legal entities to vote: HB 1269
 Diking districts, annexation of certain territory outside district: HB 2188

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Accessible van rental companies, authorizing application for special parking privileges by: HB 2463
 Adult day health programs, encouraging expansion through challenge grant program: HB 1983
 Aged, blind, or disabled program, persons with disability eligible for, continuation of safety net benefits: HB 2069
 Aging and disability issues, joint legislative executive committee on, establishment: HB 1631
 Alzheimer's or dementia, senior citizens with, development and implementation of silver alert plan: HB 1689
 Children, from to birth to age three, early intervention services, department of early learning to be lead agency: HB 2598
 City disability boards, membership: ***SB 5220, CH 213 (2013)**
 Dog guides, with reckless disregard causing harm to, class C felony: HB 1830
 Electric personal assistive mobility device, expanding definition to include certain devices with one wheel: HB 2404
 Hearing aids, including in disability health care coverage: HB 1356
 Higher education students with disabilities, legislative task force on improving access to higher education, establishing:
***SSB 5180, CH 231 (2013)**
 Insurance, disability, prohibiting discrimination in medical eye care and vision care in benefits or providers: HB 1942
 Insurance, eosinophilia gastrointestinal associated disorders treatment, providing coverage: HB 1216
 Insurance, wellness programs, allowing offering of programs with inducements or incentives: HB 1410
 Missing endangered persons, including persons with disabilities, adding to missing children clearinghouse: HB 1895, ***SSB**
5556, CH 285 (2013)
 Morningside's fiftieth anniversary, celebrating: ***HR 4645 (2013)**
 Motorcycles, with stabilizing conversion kits, excluding from definition of motorcycle for sake of persons with disabilities:
 HB 1334
 Parking placards and special license plates, provisions concerning improper display illegal obtainment, and unauthorized
 use: HB 1946

Parking placards and special license plates, provisions concerning improper display, illegal obtainment, and unauthorized use: HB 2463

Parking placards and special license plates, work group to develop plan to end abuse of: HB 1946

Property tax deferral, persons retired due to physical disability, raising qualifying income thresholds: HB 1170

Property tax exemption, persons retired due to physical disability, raising qualifying income thresholds: HB 1170

Property tax exemption, persons retired due to physical disability, to include property leased to mobile home owner: HB 1479

Property tax exemption, veterans with disabilities, raising qualifying income thresholds: HB 1170

Property tax relief programs, modifying disposable income calculation: HB 1728

Safety net benefits, continuation for certain persons with a disability: HB 2069

Sales and use tax exemption, add-on automotive adaptive equipment for veterans and armed forces members with disabilities: HB 1831, ***SSB 5072, CH 211 (2013)**

Service animals, unfair practices related to: HB 1024

Service animals, with reckless disregard causing harm to, class C felony: HB 1830

Sidewalks, not accessible, persons with disabilities in wheelchairs, using adjacent roadway: HB 2599

Silver alert plan, development and implementation by state patrol for recovering senior citizens with Alzheimer's or dementia: HB 1689

Special education, for students with disabilities, funding for: HB 2051

State employment disability parity act, increasing hiring of persons with disabilities by state agencies: HB 2450

Students, high school transition services, provision by certain agencies: HB 1735, E2SSB 5330

Veterans with disabilities, discounted hunting and fishing licenses to include nonresidents: HB 1192

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Employees, discrimination and retaliation against, protections: HB 2333

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Retirement, survivors of PERS plan 2 and 3 members in domestic partnerships, benefits for: HB 2485

State employees, eligibility for health care benefits, technical changes relevant to domestic partnerships: HB 2437

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Abduction of child by parent, educating parents concerning harmful effects: HB 1021

Child support, child support schedule work group recommendations: HB 1027

Child support, mandatory, for postsecondary education of adult children, prohibiting: HB 2504

Child support, noncompliance-based suspension of fishing and hunting licenses, violations of suspension: ***HB 1218, CH 102 (2013)**

Child support, noncompliance-based suspension of licenses, sending notice to responsible parent: HB 1227

Child support, residential schedule adjustment for support obligation determinations: HB 1694

Child support, revising uniform interstate family support act to include foreign support orders: HB 1118

Child support, support obligation credit for veteran's benefits paid for veteran's child: HB 1145

Child support, vehicular homicide due to alcohol or drugs, offender to pay support for victim's children: HB 1151

Children, decisions regarding, making decisions to be recognized as fundamental parental right: HB 2174

Custodial interference, first degree, in connection with court-ordered residential provisions for child, class C felony: HB 2624

Divorce, provisions: HB 1021, HB 1107, HB 1353

Family and medical leave insurance program, implementing by amending provisions of family leave insurance program: HB 1457

Family assessment response services, eligibility of child for early learning and child care in connection with: HB 2519

Family engagement coordinators in schools, funding allocation: HB 1560, HB 2051

Family leave insurance program, delaying implementation until funding and benefits payment authorized in law: ***HB 2044, CH 26 (2013)**

Family leave insurance program, establishing joint legislative task force on family and medical leave insurance: ESB 5903

Family leave insurance program, repealing family and medical leave insurance act if not funded: ESB 5903

Family treatment courts, including in definition of drug courts: HB 1834

Grandparents, visitation with grandchild, right to seek through courts: HB 1934

Home visiting and parent and caregiver support, department of early learning to reserve funds for: HB 1723
 Incarcerated, parental rights when: HB 1284
 Indecent liberties, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**
 Marriage, dissolution, court to consider domestic violence history when ordering maintenance: HB 2444
 Marriage, dissolution, harmful effects of parental child abduction during custody disputes: HB 1021
 Marriage, dissolution, maintenance order that leads to public assistance eligibility, not granting: HB 2483
 Marriage, dissolution, mediation for parenting plan issues: HB 1353
 Marriage, dissolution, parenting plan modification, objection to relocation of child's residence: HB 2197
 Marriage, dissolution, residential provisions for children of military parents: HB 1107
 Marriage, legal separation, maintenance order that leads to public assistance eligibility, not granting: HB 2483
 Marriage, solemnizations of, authorizing without requiring certain judges and elected officials to perform: HB 1589
 Marriage, solemnizations of, requirements and procedures for surname changes, as well as exemption from certain name change requirements: HB 1838
 Marriage, solemnizing by tribal court judges: HB 1083
 Parent involved with dependency system, work group to consider creating certificate of suitability for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**
 Parent with founded finding of child abuse or neglect, work group to consider creating certificate of rehabilitation for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**
 Parentage, adjudication of, public inspection of final order and subsequent records: ***SSB 5135, CH 246 (2013)**
 Parentage, adjudication of, public inspection of judicial proceeding documents and pleadings: HB 1446
 Parental rights, making decisions regarding child to be recognized as fundamental right: HB 2174
 Parental rights, requesting that Congress propose parental rights amendment to states for ratification: HJM 4004
 Parental rights, termination of, filing of petition after sole permanency plan of adoption approved: HB 2582
 Parental rights, when incarcerated or in residential substance abuse treatment: HB 1284
 Parenting plans, dissolution of marriage, residential provisions for children: HB 1107, HB 1353
 Rape, pregnant survivor of, assistance of court to avoid parenting interactions with rapist: HB 2559
 Rape, third degree, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**
 School, child's success in, analyzing data on effect of family factors on: HB 2739
 Schools, public, developing model language access policy and procedure for adoption by districts to aid diverse parents: HB 1815
 Stillbirth, certificates of, issuance by county registrar to mother or father: HB 1137
 Substance abuse treatment, participating in, parental rights when: HB 1284
 Support, child and spousal, revising uniform interstate family support act to include foreign support orders: HB 1118
 Surname changes after solemnization of marriage, requirements, procedures, and exemption from certain name change requirements: HB 1838
 Threats against family members, mental status evaluation and treatment for individual who threatens to kill: HB 2508
 Uniform interstate family support act, revising to include foreign support orders: HB 1118
 Visitation, grandparents of child, right to seek through courts: HB 1934
 Visitation, persons with ongoing and substantial relationship with child, right to seek through courts: HB 1934
 Visitation, seeking through courts, impact of criminal record on: HB 1934
 Visitation, sibling visitation after dependency proceedings dismissed: HB 1140
 Visitation, sibling visitation for children in foster care: HB 1204, ***E2SSB 5389, CH 316 (2013)**
 Visitation, third-party, conditions and procedures: HB 1506
 Working families' tax exemption for eligible low-income persons, for certain sales taxes paid, modifying provisions: HB 1890

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Children's services caseworkers, requiring domestic violence training for: SSB 5162, ***SSB 5315, CH 254 (2013)**
 Children, domestic violence against, modifying offender score provisions: HB 2194
 Juveniles, arrested for nonfelonious domestic violence, responding officer placement options for certain juveniles: HB 2455, HB 2722
 Marriage, dissolution, court to consider domestic violence history when ordering maintenance: HB 2444
 Powell fatality team, implementing recommendations: ***SSB 5315, CH 254 (2013)**
 Victims, paid sick and safe leave, establishing minimum standards: HB 1313
 Victims, paid sick and safe leave, geographic limitations on local leave programs: HB 1781, ESB 5726
 Victims, paid sick and safe leave, state preemption of local leave regulation: HB 1780

Wounds, bullet and stab, requiring hospitals to follow their established procedures when patient indicates domestic violence caused their injury: ***ESB 5305, CH 252 (2013)**

DRIVERS AND DRIVERS' LICENSES (See also IDENTIFICATION; LICENSING, DEPARTMENT; MOTOR VEHICLES; TRAFFIC; TRAFFIC OFFENSES; TRAFFIC SAFETY EDUCATION)

Ambulances, requirements for driver training: HB 2255
 Commercial drivers, license applicants, allowing chiropractors to conduct physical examinations for: HB 1573
 Commercial drivers, license holders, employer notification when license suspended: HB 1070
 Commercial drivers, licenses and learner's permits, modifying provisions: HB 1752
 Commercial drivers, licenses, issuance to certain veterans with truck-driving experience: HB 2453
 Commercial drivers, licenses, modifying fee provisions: ESSB 5857
 Commercial drivers, texting or use of hand-held mobile telephone by, adding to list of serious traffic violations: HB 1752
 Community trip reduction plans, creation and implementation by cities and counties: HB 2688
 Commute trip reduction tax credit, modifying provisions: HB 2687
 Commute trip reduction, tax credit, extending expiration date for: HB 1974, HB 2687
 Drayage truck operators, provisions concerning contracts with port districts: HB 1719
 Fees, various, modifying distribution to improve transportation system revenue: HB 1954
 For hire vehicle operators, industrial insurance coverage provisions: HB 1718
 For hire vehicles and for hire vehicle operators, provisions: HB 1702
 Instruction permits, applying for, proof of Washington residency: HB 1041
 Instruction permits, fee for, modifying distribution of moneys to improve transportation system revenue: HB 1954
 Instruction permits, for minors, design to indicate age of holder: HB 2471
 Insurance and financial responsibility program, modifying provisions: HB 2713
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 Insurance, liability and financial responsibility, modifying provisions: HB 2448, HB 2713
 Insurance, proof of financial security, to include proof on portable electronic device: ***ESSB 5095, CH 157 (2013)**
 Insurance, proof of sufficient liability policy, random sampling program to determine financial responsibility of vehicle owners, establishment: HB 1803
 Insurance, proof of sufficient liability policy, to include proof on mobile electronic device: HB 1813
 Licenses, applying for, charging fee for driver licensing examination and vision test: HB 1973
 Licenses, applying for, proof of Washington residency: HB 1041
 Licenses, authorizing veteran designation on driver's license, application process: HB 2343, SB 5775
 Licenses, confidential, issuance for certain law enforcement purposes, including records provisions: HB 1832, ***SSB 5591, CH 336 (2013)**
 Licenses, enhanced, for crossing state border with Canada, setting fee for: ESSB 5857
 Licenses, examination and vision test, charging fee: HB 1973
 Licenses, for minors, design to indicate age of holder: HB 2471
 Licenses, issuance and renewal of, modifying distribution of fees to improve transportation system revenue: HB 1954
 Licenses, public employee, exempting license number from public inspection and copying: HB 2376
 Limousine businesses, chauffeurs for, modifying provisions concerning certain violations by: HB 1702
 Limousine businesses, including chauffeurs, industrial insurance coverage provisions: HB 1718
 Limousine chauffeurs owning or leasing vehicle, industrial insurance coverage provisions: HB 2152
 Off-road vehicles, including nonhighway and wheeled all-terrain vehicles, driver provisions: HB 2675
 Records, driving records and juvenile traffic charges, modifying distribution of fees to improve transportation system revenue: HB 1954
 Studded tires, use of, issuance of permit and payment of permit fee: ESSB 5857
 Taxicab businesses, industrial insurance coverage provisions: HB 1718
 Taxicab operators owning or leasing vehicle, industrial insurance coverage provisions: HB 2152

DRUGS (See also MEDICINE AND MEDICAL DEVICES; PHARMACIES AND PHARMACISTS)

Cannabis products, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206
 Cannabis, medical use, amending provisions: HB 1084, HB 1662, HB 2233
 Cannabis, medical use, levying marijuana excise tax to be collected from medical cannabis dispensaries: HB 1789
 Cannabis, medical use, Ric Smith memorial act: HB 1084
 Controlled substances act, certain provisions, state preemption of local government laws and ordinances: HB 2638
 Controlled substances, crime-related use or possession prohibitions, role in general sentencing provisions: HB 2206

Controlled substances, possession without prescription, downgrading to misdemeanor: HB 2116
 Dextromethorphan, finished drug products containing, retail sale requirements: HB 2163
 Driving under the influence, comprehensive amendments to provisions, including adding of marijuana and THC in certain cases: HB 1482, HB 2030, *E2SSB 5912, CH 35 (2013)
 Driving under the influence, creating statewide 24/7 sobriety program and 24/7 sobriety account: HB 2030
 Driving under the influence, creating statewide 24/7 sobriety program and pilot project and 24/7 sobriety account: *E2SSB 5912, CH 35 (2013)
 Driving under the influence, eliminating ten-year look back periods from class C felony criteria: HB 2085
 Driving under the influence, extending time periods for relevance of prior offenses: HB 2701
 Driving under the influence, probable cause for arresting and taking into custody without warrant: HB 2083
 Driving under the influence, reducing prior offense threshold for class C felony: HB 2084
 Drug courts, authority to establish, expanding to include all jurisdictions: *SB 5797, CH 257 (2013)
 Drug courts, authority to merge with DUI and mental health courts, expanding to include all jurisdictions: *SB 5797, CH 257 (2013)
 Drug courts, definition of, including family treatment courts in: HB 1834
 Family treatment courts, including in definition of drug courts: HB 1834
 Health departments, local, drug and device dispensing policies and procedures: EHB 1538
 Hydrocodone combination products, allowing use by optometrists: HB 2173
 Marijuana, adding marijuana and THC to various driving under the influence provisions: HB 1482, HB 2030, *E2SSB 5912, CH 35 (2013)
 Marijuana, crime-related cannabis product use or possession prohibitions, role in general sentencing provisions: HB 2206
 Marijuana, criminal acts by or with minors, new provisions: HB 2706
 Marijuana, dedicated local jurisdiction marijuana fund, creation: HB 2566
 Marijuana, definitions, clarifying to clearly exclude industrial hemp: HB 2767
 Marijuana, environmental impacts of various means of producing, liquor control board to consult with department of ecology to examine: HB 1992
 Marijuana, excise tax revenues, distribution to cities and counties: HB 2566, HB 2732
 Marijuana, exhibiting effects of having consumed, including in negligent driving in first degree provisions: HB 2028
 Marijuana, legal marketplace for, regulation by liquor control board, deleting certain fees and fines: HB 2000
 Marijuana, legal marketplace for, technical changes to facilitate liquor control board creation of regulatory scheme: HB 2000
 Marijuana, licensed commercial recreational marijuana businesses, prohibiting local governments from impeding: HB 2322
 Marijuana, local control over marijuana commerce act, authorizing prohibition of production and retail facilities: HB 2510
 Marijuana, local control over marijuana use and possession act, authorizing prohibition of possession: HB 2509
 Marijuana, marijuana excise tax, from marijuana sales, depositing revenue in dedicated local jurisdiction marijuana fund: HB 2144
 Marijuana, medical use, provider and patient permits to grow or provide: HB 2511
 Marijuana, medical use, sales and use tax exemptions for purchases by qualifying patients: HB 2198
 Marijuana, medical, amending provisions: HB 1084, HB 1662, HB 2233
 Marijuana, medical, legal amounts left at retail stores holding pharmacy license, notification and disposal requirements: *EHB 1808, CH 133 (2013)
 Marijuana, medical, levying marijuana excise tax to be collected from medical cannabis dispensaries: HB 1789
 Marijuana, medical, revising and renaming Washington state medical use of cannabis act: HB 2149
 Marijuana, misdemeanor offenses, vacating of, conditions and exceptions: HB 1661
 Marijuana, prohibiting purchases of marijuana and marijuana paraphernalia with public assistance electronic benefit cards: ESSB 5279
 Marijuana, property taxation of marijuana-related trademarks, trade names, brand names, patents, and copyrights: HB 1976
 Marijuana, purchase by minors, specifying criminal acts and penalties: HB 2303
 Marijuana, purchase by minors, using certain minors in controlled purchase compliance check programs: HB 2303
 Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409
 Marijuana, recreational, tax stamp system for sale of: HB 2411
 Marijuana, regulating licensing of producers, preferring and incentivizing rural area production operations on unenclosed outdoor agricultural lands: HB 1991
 Marijuana, retail licenses, to include processing and processors: HB 2304
 Marijuana, statutory provisions, state preemption of local government laws and ordinances: HB 2638

Marijuana, technical corrections to marijuana law: HB 1597

Marijuana, THC concentration, correcting definition of: ***EHB 2056, CH 116 (2013)**

Marijuana, THC concentration, directing that HB 2056 correcting definition be considered: ***HCR 4405 (2013)**

Marijuana, use by offender during community custody: SSB 5010

Prescription drug manufacturers, participation in prescription donation for uninsured persons, including immunity provisions: HB 1382, ***SSB 5148, CH 260 (2013)**

Prescription drugs and supplies, donated, authorizing dispensing to uninsured persons: HB 1382, ***SSB 5148, CH 260 (2013)**

Prescription drugs, controlled substances, electronic communication of prescription or refill authorization: HB 1155, ***SSB 5416, CH 276 (2013)**

Prescription drugs, direct patient-provider practices: HB 1480

Prescription drugs, insurer or utilization review entity clinical review criteria, allowing off-label uses and repeat prescriptions: HB 1943

Prescription drugs, legend drug act, including pharmacists: ***HB 1182, CH 71 (2013)**

Prescription drugs, ninety-day supply limit, placing conditions on dispensing in keeping with: HB 1583, ***SSB 5459, CH 262 (2013)**

Prescription drugs, prior authorization process, work group to develop criteria for streamlining: ***E2SSB 5267, CH 215 (2013)**

Prescription drugs, through medicaid managed care, enrollee comprehensive medication management: ***2SSB 5213, CH 261 (2013)**

Prescription drugs, through medicaid managed care, enrollee comprehensive medication management process: HB 1637

Prescription drugs, warehousing and reselling, repealing preferential business and occupation tax rate to provide basic education and higher education funding: HB 2038

Prescription monitoring database, access for clinical laboratories: EHB 1593

Prescription monitoring program, department of health, funding program entirely from medicaid fraud penalty account: ***HB 1565, CH 36 (2013)**

Prescriptions written by physician and osteopathic physician assistants in other states, authorizing pharmacies to fill: HB 1596, ***SSB 5524, CH 12 (2013)**

Uniform controlled substances act, revising definition of THC concentration for purposes of: ***EHB 2056, CH 116 (2013)**

EARLY LEARNING, DEPARTMENT (See also CHILD CARE)

Background check clearance cards, issued by department, use by educational employees and their contractors: HB 2350

Business license center, participation by department: HB 1403, E2SSB 5680

Care providers, fraud by, referral to department of social and health services for investigation and action: ***2ESSB 5157, CH 29 (2013)**

Child care consumer and provider bill of rights, department role: HB 1671

Child care consumer and provider requirements, department role: ***2SSB 5595, CH 337 (2013)**

Child care facilities, compliance with inspections of, limiting alterations department can require for: HB 2191

Child care providers and facilities, department recovery of final debt through office of financial recovery: HB 1708

Child care subsidy program, provider fraud, referral to department of social and health services for investigation and action: ***2ESSB 5157, CH 29 (2013)**

Child care, integrating preschool with: HB 2377

Disabilities, children from birth to age three with, department to be lead agency for early intervention services: HB 2598

Early achievers program, data collection and evaluation: HB 2377

Early achievers program, enrollment of child care programs in, department role: HB 1671, HB 2377

Early achievers program, for licensed or certified child care centers and homes, implementation: HB 1723

Early childhood education and assistance program, department to develop implementation plan for increasing enrollments: ***SB 5904, CH 16 (2013)**

Early childhood education and assistance program, eligibility for children in connection with family assessment response services: HB 2519

Early childhood education and assistance program, evaluating program outcomes and analyzing return on investment: ***SB 5904, CH 16 (2013)**

Early childhood education and assistance program, expanding to serve more children: E2SSB 5237, ***SB 5904, CH 16 (2013)**

Early childhood education and assistance program, licensing standards, aligning with child care standards: HB 2377

Early learning advisory council, duties and membership, modifying: HB 2282

Early start act, aligning early learning and child care: HB 2377
 Early start program, integrated high quality continuum of early learning program, phasing in: HB 1723
 Early start program, integrated high quality continuum of early learning, prioritizing funding for: HB 2065
 Educational or recreational programming for school-aged children, requirements for entities providing: ***HB 1547, CH 130 (2013)**
 Family day care providers, children of, not included in staff-to-child ratio required by department: HB 1172
 Family day care providers, education requirements, exemption in certain cases: HB 1228, SB 5578
 Fatality reviews, by department, requirements, including convening of child fatality review committee: HB 2165
 Federal receipts, requiring that department report concerning federal financial assistance: ***SSB 5804, CH 32 (2013)**
 Funding for early learning, authorizing capital gains tax to provide: HB 2087
 Home visiting and parent and caregiver support, department to reserve funds for: HB 1723
 Home visiting services account, modifying provisions: ***SB 5809, CH 165 (2013)**
 Home visiting system development, department to be lead agency and oversee home visiting services account: ***SB 5809, CH 165 (2013)**
 Indian tribes, department to convene working group for pilot birth-to-kindergarten programs: HB 1134
 Legislative task force on early learning and technical working group, establishment: HB 1723
 Obesity, prevention through early learning programs, including among duties of department: HB 1784
 Outcomes for education, improving through high quality learning opportunities and integration of funding for birth-to-five services: HB 1723
 Preschool, integrating child care with: HB 2377
 Public records, inspection and copying exemption, personal information in department files for child enrolled in license child care: ***HB 1203, CH 220 (2013)**, SB 5198
 Recreational or educational programming for school-aged children, requirements for entities providing: ***HB 1547, CH 130 (2013)**
 Sleep practices, safe, department to provide to child care licensure applicants: HB 2695
 Student programs, before- and after-school, department to adopt licensing standards to allow students to be in school buildings for: HB 1968
 Working connections child care, Aclara group report on eligibility requirements, implementing recommendations, department role: HB 1671, ***2SSB 5595, CH 337 (2013)**
 Working connections child care, contracted child care slots, department duties: HB 2377
 Working connections child care, eligibility for children in connection with family assessment response services: HB 2519
 Working connections child care, eligibility, limiting change of circumstance impact on: HB 2377
 Working connections child care, extending eligibility for benefits to certain additional educational activities: HB 1671
 Working connections child care, increasing subsidy rate to certain providers and returning copays to earlier levels: HB 1671
 Working connections child care, optional supplemental payment by parents to fund difference between provider rate and state rate: HB 1810

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Administration of various programs, modifying to create flexibility: HB 1206, HB 1948, HB 1952
 Agricultural land, pollution violation due to livestock, adding determination and voluntary compliance to penalty process: HB 2478
 Ammunition components, manufacturing of, limited regulation of chemicals used in process to department and Washington state: HB 2020
 Appeals of department decisions, excluding certain appeals from pollution control hearings board jurisdiction: HB 1206, HB 1948, HB 1952
 Applications submitted to department, requiring prompt action: HB 1163, HB 1236
 Applications, water rights, changes in water right certificates to reflect certain changes in water right uses: 2SSB 5199
 Applications, water rights, department processing role: HB 1548, HB 1549
 Architectural paint recovery program, creation, department to enforce: HB 1579
 Asbestos-containing building materials, labeling requirements, enforcement by department or local air authorities: HB 1926, ***ESSB 5458, CH 51 (2013)**
 Batteries, small rechargeable battery stewardship act, department role: HB 1364
 Brownfield properties, cleanup and reuse, using prioritized revenues under model toxics control act, department role: ***2E2SSB 5296, CH 1 (2013)**
 Business license center, participation by department: HB 1403, E2SSB 5680

Clean-up plans, department to include community organizations in certain permit issuance processes: HB 1434

Composting, using litter tax revenues to support programs: HB 1309

Diesel fuel, diesel idle reduction account and loan and grant program, creating, department role: HB 2569

Environmental justice, department efforts concerning disproportionately adverse health and environmental impacts on low-income and minority populations: HB 1434, HB 2312

Environmental policy, department to include community organizations in permit issuance and clean-up plan adoption: HB 1434

Environmental reports, by department, modifying provisions to streamline: HB 2636

Environmental statutes of department, technical changes: HB 2438

Environmental statutes of department, updating various for efficiency and local government flexibility: HB 2439

Federal receipts, requiring that department report concerning federal financial assistance: ***SSB 5804, CH 32 (2013)**

Flame retardants, limiting presence in upholstered furniture and children's products, department role: HB 1294

Geoduck clams, aquaculture operations, repealing department of ecology duties concerning: HB 1894

Greenhouse gas emissions, rules regulating, prohibiting without legislative authorization: HB 1169

Health programs of department, funding through use of public utility tax collected from water distribution businesses: HB 1685

Litter reduction, using litter tax revenues to support programs: HB 1309

Local economy trust water account, transferring state agency water rights to account, department role: E2SSB 5219

Marijuana, environmental impacts of various means of producing, liquor control board to consult with department to examine: HB 1992

Mercury-containing light product stewardship program, repealing program and account: SB 5658

Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658

Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity, department role: HB 1444, HB 2246

Natural resources management, streamlining through agency independence, department administrative authority: HB 1384

Oil, crude oil and refined petroleum, measures to ensure safety when transporting, department role: HB 2347

Permits, various, department to include community organizations in certain permit issuance processes: HB 1434

Permitting decisions, department to enhance transparency and predictability of process: HB 2192

Pollutant discharge elimination permit system applications and reports, department to provide for electronic filing: SB 5407

Recycling, using litter tax revenues to support programs: HB 1309

Rule making by department, specific grant of legislative authority, requirement: HB 1163

Rules, review of, department to conduct for streamlining purposes: HB 1591, ***SSB 5679, CH 30 (2013)**

Scientific literature, peer-reviewed, use by department before taking certain agency actions: ***HB 1113, CH 69 (2013)**, HB 2262

Shellfish aquaculture regulatory committee, shifting emphasis from regulation to research: HB 1894

Solid waste management, amending certain statutes: HB 2439

Steam electric generating plants, repealing statutes: HB 2439

Storm water, competitive grant program to reduce pollution, department role: ***HB 2079, CH 28 (2013)**

Storm water, compliance pilot project, department to conduct: HB 1237

Storm water, department of ecology storm water pollution account, creation: HB 1954

Storm water, financial assistance for management of runoff, prioritizing: HB 1235

Storm water, new requirements for phase I jurisdictions, department to delay: HB 1234

Toxic waste sites, cleanup of, prioritizing spending of revenues under model toxics control act, department role: ***E2SSB 5296, CH 1 (2013)**

Transportation projects, environmental and compensatory mitigation, restricting imposition by permitting agency of land acquisition requirements: HB 2095

Transportation projects, environmental review and permitting, department to convene work group: HB 2070

Transportation projects, environmental review and permitting, prohibiting adoption or maintaining of requirements by department when more stringent: HB 1996

Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making, department role: HB 1978, HB 2070

Transportation projects, environmental review and protection, applying federal requirements: HB 2093

Vessels, abandoned and derelict, department authority to board in certain cases: HB 1245, ESSB 5663

Waste reduction and management programs, various, modifying to create administrative flexibility: HB 1206, HB 1948, HB 1952
 Water pollution control facilities, loans for, department authority to include publicly owned industrial wastewater treatment facilities: HB 1557
 Water quality determinations by department, basing on preponderance of site-based, source-specific testing: HB 2472
 Water quality trading program, exploring options for developing, department role: HB 2454
 Watershed planning grants, modifying provisions, including role of department: HB 1924
 Yakima river basin, integrated water resource management plan, department role in implementing plan: HB 1196, HB 1414, ***SSB 5367, CH 11 (2013)**

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 Forecasts, economic and revenue, shifting to same date during both long and short legislative sessions: HB 2062, SB 5910
 Reports, state revenue collections, role in state agency rule making moratorium: HB 1163, HB 1478

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Abandoned or vacant properties in urban growth areas, loans to municipalities for revitalizing: HB 1079
 Business regulatory efficiency program, establishing, department of commerce to regulate: ***HB 1818, CH 324 (2013)**
 Community redevelopment financing, levying property tax in apportionment districts: HB 1967, HB 2349, HJR 4210, HJR 4214
 Digital cross-system infrastructure maps, creating and using for state economic development prioritizing: HB 1819
 Economic resilience of manufacturing in Washington, joint task force on, establishment: HB 2580
 Industrial/manufacturing facilities, new construction on undeveloped or underutilized lands, property tax exemption: HB 1443
 Projects of statewide significance, involving economic development, mechanism for governments to perform project reviews: HB 1754
 Public facilities loans and grants, expanding community economic revitalization board funding role: HB 1260
 Regulatory streamlining projects, multijurisdictional, establishment: ***HB 1818, CH 324 (2013)**
 State lands, consideration of economic development by managing agencies: HB 1111

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ECONOMIC DEVELOPMENT FINANCE AUTHORITY

Members from legislature, to be nonvoting members: HB 2417
 Rule making by authority, specific grant of legislative authority, requirement: HB 1163

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Foreign language interpreters, K-12 public schools, office to study feasibility of state foreign language education interpreter training program: HB 1709
 Schools, public, developing model language policy and procedure for adoption by districts, office role: HB 1815

EDUCATION, BOARD

Accountability framework, board to develop Washington achievement index for schools and districts: ***E2SSB 5329, CH 159 (2013)**
 Accountability system, phases I and II, modifying to provide assistance and intervention, board role: HB 1177
 Assessments of learning, high school, board to establish performance scores for new assessments: ***EHB 1450, CH 22 (2013)**
 Career and college ready graduation proposal, implementing requirements: HB 1692, HB 2051, HB 2181, HB 2242
 Financial education public-private partnership, board role: HB 1173
 Grading of schools and districts, performance-based, board to grade using accountability index: ESSB 5328
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 Graduation requirements, career and college ready graduation proposal, implementing requirements: HB 1692, HB 2051, HB 2181, HB 2242
 Graduation requirements, credit and course distribution requirements, modifying: HB 1656

High school and beyond plan, board role in improving value for career and college pathways: HB 2383
 Indicators of educational system health, statewide, establishment as basis for performance goals and measurements, board role: ***ESSB 5491, CH 282 (2013)**
 Occupational education requirement, board to redesignate as career and technical education requirement and adopt associated rules: HB 1650
 Opportunity gaps, districts failing to close, board to identify: ESSB 5242
 Private schools, offering online school programs, approval by board: HB 1304, ***SB 5496, CH 161 (2013)**
 Renewal school district, statewide, board role: HB 1641
 Required action districts, districts with a lowest-achieving school to be designated as, board role in requirements and options: ***E2SSB 5329, CH 159 (2013)**

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Ballots, drop boxes, auditors to place throughout county: HB 1290
 Ballots, mail in ballot deadline act: HB 2561
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 Ballots, printing public disclosure commission web address on: HB 1720, ***SSB 5507, CH 283 (2013)**
 Ballots, processing and counting on day of election: HB 1102
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 Candidates, nonpartisan offices, choosing between top two candidates in general elections: ***HB 1474, CH 143 (2013)**
 Candidates, positions with one candidate, excluding from ballot: HB 1509
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 Costs and inefficiencies in elections, reducing: HB 1966
 County partisan offices, filling unexpired term, canceling primary when just one candidate has filed: HB 2106
 Districts, various, authorizing district-based elections: HB 1413
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 Election laws, reconciling: HB 2215
 House of representatives, members, house and legislative district population and location provisions: HB 1121
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 Motor voter registration, preregistration for persons age sixteen and seventeen: EHB 1279
 Political parties, state committees for, naming chair and vice chair: HB 2263
 Presidential elections, provisions concerning electors: HB 1091
 Presidential electors, compensation: ***HB 1639, CH 38 (2013)**
 Primaries, positions with one candidate, excluding from ballot: HB 1509, HB 2106
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 Redistricting and new elections, requiring in some cases: HB 1413
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 Signs, political yard sign display in homeowners' associations: SB 5083
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 Voters' pamphlets, primary elections, modifying provisions: HB 1211
 Voters' pamphlets, printing public disclosure commission web address on: HB 1720, ***SSB 5507, CH 283 (2013)**
 Voters' pamphlets, removing requirement that complete text of initiatives be included in printed version of: HB 2033, HB 2066
 Voting, for write-in candidate, conditions: HB 1510
 Voting, lack of voter opportunity, cause of action to redress: HB 1413
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 Voting, registration, motor voter preregistration for persons age sixteen and seventeen: EHB 1279
 Voting, registration, Washington voting rights act of 2013, enacting: HB 1413
 Voting, registration, young voter registration equality act: EHB 1279
 Water-sewer districts, assumption by city or town, requiring voter approval: HB 2413

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- Amusement machines, electronic or electromechanical, use and possession, excluding from definition of gambling: HB 2673
- Appliances, like-in-kind replacement, exempting use of certified HVAC/refrigeration specialty electrician from various requirements: HB 1760
- Battery charger systems, efficiency standards: HB 1017
- Insurance for portable electronics, issued on commercial inland marine policy: HB 1032, ***SSB 5008, CH 152 (2013)**
- Insurance for portable electronics, program provisions: HB 1032, ***SSB 5008, CH 152 (2013)**
- Recycling program, excluding licensors from required participation: HB 1507
- Recycling program, improving electronic waste collection reporting: HB 1498
- Recycling program, revising provisions: ***ESB 5699, CH 305 (2013)**
- Tax evasion by electronic means, seizure and forfeiture of automated sales suppression devices, phantom-ware, etc.: HB 1427, ***SB 5715, CH 309 (2013)**
- Televisions, reception improvement district excise tax, exemption for owners, modifying provisions: HB 1068

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- Ambulance services, interlocal agreements with fire protection districts, removing rural limitation: HB 2278
- Ambulances, requirements for seat belts, air bags, and driver training: HB 2255
- Call location, wireless providers to provide location information to law enforcement responding to emergency: HB 1897
- Emergency medical care and transportation services, ensuring direct payment to provider under health care service contract: HB 1263
- Emergency medical services, property tax levy, adjusting levy cap to increase funding: HB 1136
- Emergency medical services, property tax levy, modifying requirements for placing countywide proposal on ballot: HB 2428
- Emergency medical technician, extending physician-patient privilege to: HB 1772
- Enhanced 911 emergency communications services, excise tax for: HB 1971
- Enhanced 911 emergency communications system, exempting caller identity from disclosure: HB 2239
- First responder, extending physician-patient privilege to: HB 1772
- Kelsey Smith act, providing wireless communications call location information to law enforcement responding to emergency: HB 1897
- Medical program directors, clarifying authority in relation to certain emergency medical personnel: HB 2127
- Missing endangered persons, adding to missing children clearinghouse: HB 1895, ***SSB 5556, CH 285 (2013)**
- Physician's trained emergency medical service intermediate life support technician and paramedic, extending physician-patient privilege to: HB 1772
- Privilege, physician-patient, extending to emergency responders: HB 1772
- Receiving care centers, licensing of, short-term emergency and crisis care for child removed from home: HB 1261
- Schools, emergency response systems for, designing: ***2SSB 5197, CH 233 (2013)**
- Signs, static digital outdoor advertising signs, use along state highways for emergency information: HB 1408
- Yellow dot program for motor vehicles: HB 1002

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- Federal property, condemnation by state and sale for private forestry uses: HB 1111
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- Agricultural employees, vanpool programs for, allowing nonprofits and certain transit providers to provide: HB 2604
- Applications for employment, prohibiting employers from asking about or using nonconviction information: HB 2545
- Asbestos abatement projects, employee respirator requirements: HB 1110
- Breastfeeding-friendly Washington designation, creating to recognize certain workplaces: HB 2329
- Court records, nonconviction, removing from public access to remove employment and housing barriers: HB 1497
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- Employee fair classification act, improving compliance with wage-related laws: HB 1440, HB 2334
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Employment laws and contracts, local, preemption by state of Washington: HB 2591
 Expenses, work-related, employer reimbursement of employees: HB 2230
 Family and medical leave insurance program, implementing by amending provisions of family leave insurance program: HB 1457
 Family leave insurance program, delaying implementation until funding and benefits payment authorized in law: ***HB 2044, CH 26 (2013)**
 Family leave insurance program, establishing joint legislative task force on family and medical leave insurance: ESB 5903
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 Health care facility employees, mandatory overtime provisions: HB 1153
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 Horse racing employees, grooms, industrial insurance premium assessment for, payment: ***HB 1469, CH 80 (2013)**
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 New employees, training wages for, authorizing: HB 2614
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 Retaliation against employees, protections for employees: HB 2333
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 Tipped employees, requiring minimum wage for employees age eighteen and older and study group to assess effectiveness: HB 1346
 Tow truck operators, lunch breaks: HB 1611
 Underground economy, improving employer compliance with wage-related laws: HB 1440, HB 2334
 Unions, information concerning union membership and dues rights, placement in workplace posters: HB 1461
 Wage-related laws, employer compliance with, improving: HB 1440, HB 2333, HB 2334
 Working families' tax exemption for eligible low-income persons, for certain sales taxes paid, modifying provisions: HB 1890

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Unemployment compensation, department's settlement authority, modifying: ***EHB 1394, CH 122 (2013)**
 Unemployment compensation, implementing certain unemployment insurance integrity provisions, including commissioner role: EHB 1395, ***SB 5355, CH 189 (2013)**
 Unemployment compensation, overpayment recovery, disclosure of personally identifying information from fish and wildlife licenses to department: HB 1393
 Unemployment compensation, shared work program, adopting certain short-time compensation provisions: ***EHB 1396, CH 79 (2013)**
 Unemployment compensation, suitable work, modifying requirements to include work with minimum age requirements: HB 1684

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Biomass facilities, value of, including in property tax levy limit calculation: HB 1634
 Biomass, densified biomass wood fuel, pilot project at Washington State University, to be developed by university's energy program: ***ESSB 5709, CH 308 (2013)**
 Biomass, from certain liquid organic fuels, as qualified alternative energy resource: HB 2223, HB 2708
 Coal transition power, kilowatt-hours from, subtracting from utility's overall load: HB 1221
 Coal transition power, use by qualifying utilities complying with annual targets: HB 1222, ***SB 5297, CH 158 (2013)**
 Efficiency, including information in residential home inspection reports: HB 1181

Efficiency, standards for battery charger systems: HB 1017

Electric transmission line siting compact, adoption: HB 1030

Electricity generation from certain sources, extending expiration of sales and use tax exemptions for machinery and equipment: HB 1910, ***ESSB 5882, CH 13 (2013)**

Electricity generation from certain sources, sales and use tax exemptions for machinery and equipment, adding survey, review, and reporting provisions: ***ESSB 5882, CH 13 (2013)**

Electricity, utility net metering provisions: HB 1106

Energy storage facilities, using to meet annual renewable energy conservation targets: HB 1289

Energy storage systems, assessment by electric utilities, including in integrated resource plans: HB 1296

Energy supply and energy conservation, joint committee on, role in shaping state energy policy: HB 2183

Geothermal facilities, value of, including in property tax levy limit calculation: HB 1634

Geothermal resources, distribution of funds from geothermal account: ***SSB 5369, CH 274 (2013)**

Geothermal resources, use for commercial electricity production: ***SSB 5369, CH 274 (2013)**

Hog fuel, extending sales and use tax exemptions when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**

Hydroelectric generation, as renewable energy resource: HB 1347, HB 1415, HB 1950, HB 2112, HB 2676, HB 2733, HJR 4200, ESSB 5290

Nonpower attributes, in energy independence act, definition: ***HB 1154, CH 99 (2013)**, SB 5408

Projects of statewide significance, involving energy development, conservation, or efficiency, mechanism for governments to perform project reviews: HB 1754

Renewable energy system cost recovery incentive program, adding certain solar energy systems to definition of customer-generated electricity: HB 1690

Renewable energy system cost recovery incentive program, creation as new program: HB 1105

Renewable energy system cost recovery, allowing participation by qualifying utility-owned distributed solar energy systems on certain premises: HB 1977

Renewable energy system cost recovery, excluding new applicants for existing program and initiating phase II program: HB 1301

Renewable energy system cost recovery, incentives, measuring effectiveness through performance milestones: HB 1301

Renewable energy systems, customer access via low-cost loan or lease program: HB 2176

Renewable energy systems, ten-year annual investment cost recovery incentive payment: HB 1138

Renewable energy targets, annual, use of qualifying utility-owned distributed solar energy system to help meet: HB 1977

Renewable energy, annual conservation targets, using energy storage facility to meet targets: HB 1289

Renewable energy, hydroelectric generation as renewable resource: HJR 4200

Renewable energy, qualifying utilities complying with annual targets, modifying certain compliance requirements: HB 1699

Renewable energy, qualifying utilities complying with annual targets, use of coal transition power: HB 1222, ***SB 5297, CH 158 (2013)**

Renewable energy, qualifying utilities complying with annual targets, use of conservation acquired in excess of biennial target: HB 1699

Renewable energy, qualifying utilities, subtracting coal transition power from utility's overall load: HB 1221

Renewable resources, complying by using utility's BPA-marketed hydroelectric electricity output share: HB 1347, HB 2112, HB 2676

Renewable resources, eligible, customer- or investor-owned utility customer purchase of, creating tariff schedule or contract to allow: HB 2059

Renewable resources, hydroelectric generation by irrigation districts, qualifying as eligible renewable resource: HB 1415, HB 1950

Renewable resources, hydroelectric generation in irrigation pipes and canals and water and wastewater pipes, qualifying as eligible renewable resource: HB 2733, ESSB 5290

Renewable resources, within other states, allowing utilities to use in certain cases: ***SSB 5400, CH 61 (2013)**

Renewable resources, within western electricity coordinating council area, allowing utilities to use: HB 1426

Resource plans, integrated electric utility, updating requirements: ***EHB 1826, CH 149 (2013)**

Siting multi-state electric transmission lines, adopting compact and creating commission: HB 1030

Solar energy machinery and equipment, heat-generating, sales and use tax exemptions: HB 1705, ***ESSB 5882, CH 13 (2013)**

Solar energy systems, adding to definition of customer-generated electricity for sake of cost recovery incentives: HB 1690

Solar energy systems, distributed, allowing qualifying utility-owned system to participate in renewable energy system cost recovery incentive program: HB 1977

Solar energy systems, distributed, helping to meet annual renewable energy targets when qualifying utility-owned: HB 1977

Solar energy systems, including community projects, modifying renewable energy system cost recovery program: HB 1301

Solar energy systems, installation, promoting through creation of green jobs tax credit account within sustainable energy trust program: HB 1301

Solar energy systems, manufacture and wholesale, extending business and occupation tax rate to solar grade silicon: ***ESSB 5882, CH 13 (2013)**

Solar energy systems, manufacture and wholesale, extending expiration date for business and occupation tax rate: HB 1912, ***ESSB 5882, CH 13 (2013)**

Solar facilities, value of, including in property tax levy limit calculation: HB 1634

State energy policy, joint committee on energy supply and energy conservation role: HB 2183

Sustainable energy trust account, creation, including certain tax credit for contributions to account: HB 1856

Sustainable energy trust program, green jobs tax credit account within program for promoting renewable energy system installation: HB 1301

Sustainable energy trust program, green jobs tax credit account within program, measuring effectiveness through performance milestones: HB 1301

Washington state energy freedom act, prohibiting state agency regulation of greenhouse gas emissions without legislative authorization: HB 1169

Wind turbines, applications to construct, notifying landowners: HB 1193

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Deposits and cost reimbursements of council, administrative processes for: HB 2406

Energy facilities, council to adopt standards for siting, construction, operation, and decommissioning: HB 1374

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Central services of state government, including department, conforming amendments prompted by reorganization and streamlining: HB 2098

Contracts, for capital and transportation projects, providing information online, department role: HB 2104

Contracts, outsourcing services, requiring impact statement: HB 2743

Enterprise services account, modifying provisions: HB 1972

Fuel, local government usage, department recommendations for purchasing decisions: HB 1602

Interpreter services, defining "language access providers" for state agency purchasing purposes, including department role: HB 1753, HB 2617

Outsourcing services to private sector or nonprofit, establishing taxpayer protection act concerning: HB 2743

Personnel service fund, discontinuing use by department of enterprise services: HB 1972

Procurement by state or local government, contract length limitation and termination prohibition: HB 1143

Procurement by state or local government, nonsubstantive changes to statutes: HB 2374

Procurement by state, reasons for debarment of contractors to include fraud and false medicaid claims: ***SB 5948, CH 34 (2013)**

Purchasing of goods and services, competitive bid process, preference for in-state businesses, department role: HB 1938

Real property, surplus governmental, selling or leasing by department for affordable low-income housing: HB 1563

Risk management office, claims for damages due to tortious conduct, electronic presentment: HB 1762, ***SB 5136, CH 188 (2013)**

Rule making by department, specific grant of legislative authority, requirement: HB 1163

State agency employees, payroll parking and transit fee deductions, authorizing pretax payment, conditions: HB 1456

Vessels, publicly owned, transfer by department: HB 1245, ESSB 5663

ENVIRONMENT (See also CLIMATE; COMPOSTING; ECOLOGY, DEPARTMENT; LITTERING; RECYCLING)

Cultural resources of Washington state, protecting, relationship to state environmental policy act: HB 1809, HB 2709

Energy facility site certification, energy facility site evaluation council environmental review and impact statement: HB 1374

Environmental decision making by certain state agencies, including community organizations in permit issuance and clean-up plan adoption: HB 1434

Environmental impact statement, nonproject, recovery of preparation costs by city or county: HB 1104, HB 1682, HB 1717

Environmental impact statement, transportation projects, expedited process for review and approval: HB 2070

Environmental justice, state agency efforts concerning disproportionately adverse health and environmental impacts on low-income persons and minorities: HB 1434, HB 2312

Environmental legacy stewardship account, using moneys for competitive grant program to reduce storm water pollution: ***HB 2079, CH 28 (2013)**

Environmentally designated land, existing, satisfying mitigation requirements for public infrastructure projects with: HB 2269

Green jobs tax credit account, promoting installation of renewable energy systems through incentive payments from account: HB 1301

Marijuana, environmental impacts of various means of producing, liquor control board to consult with department to examine: HB 1992

Mercury-containing light product stewardship program, repealing program and account: SB 5658

Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658

Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246

Off-road vehicles, increasing safe, legal, and environmentally acceptable recreation opportunities for: HB 1632

Private property rights, protecting from United Nations Agenda 21 policies: HB 1165

State environmental policy act, categorical exemption for certain short plat and subdivision actions: HB 2595

State environmental policy act, categorical exemptions for certain development proposals: HB 2090

State environmental policy act, environmental impact statement provisions: HB 1104, HB 1682, HB 1717, HB 2090, HB 2096

State environmental policy act, exemption for street, highway, or ferry facility construction or maintenance implementing best management practices: HB 2097

State environmental policy act, judicial review of decisions made under, cause of action for persons adversely affected by: HB 2271

State environmental policy act, traffic impacts mitigation fees imposed under, limiting city authority to impose in certain cases: HB 2161

State environmental policy act, wireless communications structures: HB 1183, SB 5098

Transportation projects, environmental and compensatory mitigation, meeting requirements with existing environmentally designated land: HB 2095

Transportation projects, environmental review and permitting, minimizing permit delays for compensatory mitigation projects: HB 1999, HB 2070

Transportation projects, environmental review and permitting, prohibiting adoption or maintaining of requirements by certain agencies when more stringent: HB 1996

Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making: HB 1978, HB 2070

Transportation projects, environmental review and protection, applying federal requirements: HB 2093

Transportation projects, in local comprehensive plans subject to environmental analysis, state environmental policy act exemption: HB 2096

Transportation projects, new construction or maintenance activities using best management practices, removing certain limits and environmental requirements: HB 2097

Violations of environmental law, involving hazardous waste or fish and wildlife enforcement code, attorney general authority and power: HB 1655

Wireless communications structures, modifying requirements for exemption from certain environmental policies: HB 1183, SB 5098

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Dispute resolution, judicial proceeding commenced as new action: HB 1446, ***SSB 5135, CH 246 (2013)**

Guardians or limited guardians, of incapacitated persons with estates, requirements: HB 1508

Guardians, for incapacitated adults, improving protections for adults by modifying guardianship provisions: HB 1816

Guardians, standby or standby limited, modifying provisions: ***SB 5692, CH 304 (2013)**

Real property transfer, Washington uniform real property transfer on death act: HB 1117

Trusts and trustees, revising various statutes: ***SB 5344, CH 272 (2013)**

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Complaints and investigations, modifying provisions: ***ESSB 5577, CH 190 (2013)**

Ethics advisor or advisors, each agency to designate, requirements: ***ESSB 5577, CH 190 (2013)**

Investigation records, identity of state employee or officer filing ethics board complaint, exemption from public inspection and copying: ***ESSB 5577, CH 190 (2013)**

Municipal employees, to be included in certain contract beneficial interest provisions of municipal officer code of ethics: HB 1867

Municipal officers, code of ethics for, modifying certain contract beneficial interest provisions to include municipal employees: HB 1867

State employees, de minimis use of state facilities to communicate certain health care, insurance, or retirement information to: HB 1785

Whistleblowers, prohibiting reprisals or retaliatory actions: ***ESSB 5577, CH 190 (2013)**

EXECUTIVE ETHICS BOARD

Complaints and investigations, modifying provisions: ***ESSB 5577, CH 190 (2013)**

Eliminating board and transferring duties to public disclosure commission: HB 1005

FAMILY AND CHILDREN'S OMBUDSMAN, OFFICE

Adoption process improvements, implementing certain recommendations of report by ombudsman and department of social and health services: HB 1675

Rule making by office, specific grant of legislative authority, requirement: HB 1163

FARMS (See also AGRICULTURE; LIVESTOCK)

Commercial crops, damage by wildlife, payment of claims for compensation: SSB 5760

Dairies, inspection program assessment on milk, extending expiration date: HB 2354

Dropout prevention through farm engagement pilot project, establishing: EHB 1276

Employees, establishment of farm internship pilot project: SSB 5123

Farm internship pilot project, establishment: SSB 5123

Farm laborers, vanpool programs for, allowing nonprofits and certain transit providers to provide: HB 2604

Farmers markets, wine sampling conducted by wineries or beer sampling conducted by microbreweries, allowing in certain cases: ***SB 5674, CH 238 (2013)**

Fertilizers, turf, excluding exceptional quality biosolids from definition: HB 1314

Fire sprinkler systems, in agricultural structures, prohibiting mandatory installation: HB 1390

Greenhouses, propane or natural gas used to heat, sales and use tax exemptions: HB 1722

Hops, harvesting equipment, eligibility for sales tax exemption: HB 2597

Horticulture, land used for commercial, adding to definition of farm and agricultural land for property tax purposes: HB 2493

Lands, farm and agricultural land, penalty for removing land from current use property tax classification as, allowing prepayment: HB 2584

Lands, farm and agricultural land, revising definition for current use property tax program purposes: HB 2306, HB 2493

Lands, small farms within current use farm and agricultural lands property tax program: HB 1437

Small farms, current use farm and agricultural lands property tax program: HB 1437

Tax preferences, certain farm-related, repealing to increase small business tax credit: HB 2286

Vehicles, allowing farm vehicles on public highways in certain cases: ***ESB 5616, CH 299 (2013)**

FERRIES (See also MARINE EMPLOYEES' COMMISSION)

Accidents and incidents, comprehensive investigation procedures for, process for developing: HB 2756

Administration of ferry system, limiting department of transportation authority in some cases: HB 1880

Advisory board, creating ferries advisory board, including membership and duties: HB 2758

Advisory committee system, expanding role of executive committee of state ferry users to annual ferry fare setting, duties of committee: HB 1879

Alteration, contracts for, awarding for projects using design-build procedure: HB 1993

Alteration, contracts for, requiring that department of transportation obtain at least three bids: HB 1990

Budgets, state ferries to develop improved online ferry system operating budget display: HB 1879

Capital vessel replacement account, deposit of vehicle registration renewal service fee revenues: HB 1954
 Construction of auto ferries, modifying provisions concerning planning, construction, purchase, analysis, and design work: HB 2759
 Construction or maintenance or repair activities involving facilities, following best management practices, removing limits and modification requirements: HB 2097
 Construction or maintenance or repair activities involving facilities, following best management practices, state environmental policy act exemption: HB 2097
 Construction, contracts for, awarding for projects using design-build procedure: HB 1993
 Construction, contracts for, requiring that department of transportation obtain at least three bids: HB 1990
 Construction, issuance of proposals for, removing in-state construction requirement statement from: HB 1990
 Construction, of new small ferry vessels, repealing certain provision concerning: HB 1990
 Deficit reimbursement agreements with counties, modifying reimbursement limits: HB 2184
 Fares, modifying roles of transportation commission and executive committee of state ferry users in annual ferry fare setting: HB 1879
 Fares, transportation commission role in reducing: HB 1082
 Ferry districts, county, transfer of functions and taxing authority to county, conditions and process: HB 1324, HB 2182
 Passenger-only ferry service districts, establishment by public transportation benefit areas, including revenue sources and related authority: HB 2267
 Replacement of ferries, funding with motor vehicle registration service fee: HB 1129
 Vessels and terminals, work by state forces on, increasing funding level for: HB 2684

FINANCE COMMITTEE, STATE

Debt, state, levels and types to be authorized for capital and transportation projects, committee to governor and legislature concerning: ESSB 5138
 Debt, state, repealing certain capital bond budget development working debt limit provision: HB 1646
 General obligation bonds, authorizing to finance Columbia river crossing project, committee role: HB 1975
 General obligation bonds, financing 2011-2013 and 2013-2015 capital and operating budget projects, committee role:
 ***ESSB 5036, CH 20 (2013)**
 General obligation bonds, financing 2013 connecting Washington projects and improvements in omnibus transportation appropriations act: HB 1956
 General obligation bonds, financing 2013-2015 capital and operating budget projects, committee role: HB 1088
 Rule making by committee, specific grant of legislative authority, requirement: HB 1163

FINANCIAL INSTITUTIONS (See also CHECKS AND CHECK CASHING; CREDIT UNIONS; FINANCIAL INSTITUTIONS, DEPARTMENT; LOANS; MORTGAGES AND MORTGAGE BROKERS)

Banks, amending various provisions: HB 1325, ESSB 5208
 Banks, comprehensive clarification, reorganization, and amendment of existing laws: HB 2141
 Banks, in-state and out-of-state, defining "loan" for business and occupation tax apportionable income purposes: HB 1751
 Banks, in-state and out-of-state, providing equal tax treatment of investment securities for: HB 1751
 Banks, Washington commercial bank act: HB 2141
 Financial information, disclosure, implementing sunshine committee recommendations: HB 1298
 Lenders, appraisal services, liens on property for unpaid balances: HB 2375
 Money transmitters, amending provisions of uniform money services act: HB 1327, HB 2523
 Nondepository institutions, regulatory provisions: HB 2452
 Savings associations and banks, amending various provisions: HB 1325, ESSB 5208
 Savings associations and banks, comprehensive clarification, reorganization, and amendment of existing laws: HB 2141
 Savings associations, renaming RCW Title 33 as Washington savings association act: HB 2141
 Savings banks, renaming RCW Title 32 as Washington savings bank act: HB 2141
 Trust businesses, comprehensive clarification, reorganization, and amendment of existing laws: HB 2141
 Trust companies, amending various provisions: HB 1325, ESSB 5208
 Trust institutions, Washington trust institutions act: HB 2141

FINANCIAL INSTITUTIONS, DEPARTMENT (See also FINANCIAL INSTITUTIONS; LOANS; MORTGAGES AND MORTGAGE BROKERS)

Banks, savings banks and associations, and trust companies, amending various provisions, department role: HB 1325, ESSB 5208

Banks, savings banks and associations, and trust companies, comprehensive changes, department role: HB 2141
 Business license center, participation by department: HB 1403, E2SSB 5680
 Debt adjusting services, nonprofit, licensing and regulation by department: HB 1491
 Debt management services, uniform debt management services act, department role: HB 1340
 Debt settlement services act, licensing of persons providing services, department role: HB 2670
 Debt settlement services act, registration of persons providing services, department role: HB 2142
 Licensing and enforcement, payday lenders, regulating through small consumer installment loan act: HB 1657, ESSB 5312
 Money transmitters, amending provisions of uniform money services act: HB 1327, HB 2523
 Mortgage brokers, department regulation of, amending provisions: HB 1328, *SSB 5210, CH 30 (2013)
 Mortgage loans, residential loan modification services, department regulatory authority: HB 1328, *SSB 5210, CH 30 (2013)
 Nondepository institutions, regulatory provisions, department role: HB 2452
 Rule making by department, specific grant of legislative authority, requirement: HB 1163

FINANCIAL MANAGEMENT, OFFICE

Corrections, department of, review staff safety, office role: HB 2421
 Education data center, contracting with nonprofit to analyze data on effect of family factors on student success: HB 2739
 Education data center, data-sharing and research agreements with office of the courts, researching juvenile educational and workforce outcomes: HB 1680
 Education data center, educational and workforce outcomes of youth in juvenile justice system, center to report on: HB 1680
 Education data center, reporting on postsecondary education and employment outcomes of state public high school graduates: HB 1650
 Education data center, students with disabilities, center to monitor educational outcomes after graduation: E2SSB 5330
 Education data center, web site publication of higher education completers' earnings and employment data: HB 2443
 Education funding, modifying allocation rates, maximum levy percentages, and local effort assistance provisions to increase education funding, role of office: SSB 5898
 Expenditure information web site, searchable state, links or access to annual state fee inventory, office role: *SB 5751, CH 63 (2013)
 Facilities review council, creation as advisory group to legislature, duties to include six-year plans recommended by office: HB 2719
 Fees imposed by state agencies, inventorying as part of state fee inventory, office role: *SB 5751, CH 63 (2013)
 Fiscal analysis, convening work group concerning establishment of nonpartisan fiscal analysis agency: HB 2252
 Fiscal notes, dealing with corrections, child welfare, and mental health issues, to include fiscal impacts on other program expenditures: HB 2252
 Greenhouse gas emissions, office to contract with independent organization for evaluation of emissions reduction approaches: *E2SSB 5802, CH 6 (2013)
 Health care innovation plan for state, public and private implementation, role of office: HB 2572
 Higher education institutions, reporting requirements, office role in reviewing and reporting for sake of streamlining and coordinating: *HB 1736, CH 218 (2013)
 Human resources director, position of, eliminating: HB 2514
 Information technology for state agencies, establishing information technology investment pool, office role: *ESSB 5891, CH 33 (2013)
 Oil, transportation by railcars, office to study state's preparedness and accident-response capacity: HB 2347
 Paramount duty trust fund, office to audit: HB 1545
 Parks and recreation commission, fiscal opportunity cost incurred via fee reductions and exemptions, office to deliver report: HB 1530
 Population enumeration data, limiting use and retention in certain cases: HB 2515
 State lands, occupied or under jurisdiction of state agency, modifying duties of director of office: HB 2516
 STEM education, office to contract with statewide nonprofit organization to promote and support: HB 1872, SSB 5755
 Student enrollment enumeration data, limiting use and retention and exempting from public inspection and copying: HB 2515

FIRE PROTECTION (See also FIREFIGHTERS; UNIFORMED PERSONNEL)

Annexation, of unincorporated territory within a code city or town, modifying provisions related to fire protection districts: *EHB 2068, CH 27 (2013)

Fire departments, authority to develop community assistance referral and education services program: EHB 1554, ***SB 5145, CH 247 (2013)**

Fire departments, local, wildfire individualized community-wide protection plans: HB 1127

Fire departments, use of personnel in small public works projects: HB 2266

Fire marshal, state, consultative role in adoption of licensing standards to allow students to be in school buildings for before- and after-school programs: HB 1968

Fire marshal, state, statewide prefire mitigation plan duties: HB 1127

Fire protection districts, ambulance service interlocal agreements with cities, removing rural limitation: HB 2278

Fire protection districts, imposition of benefit charges by, voter approval: HB 1488, ***SSB 5332, CH 49 (2013)**

Fire protection districts, partial mergers, modifying provisions: HB 1264

Fire sprinkler systems, dwelling unit, professional licensing and certification provisions: HB 2260

Fire sprinkler systems, in agricultural structures, prohibiting mandatory installation: HB 1390

Flame retardants, limiting presence in upholstered furniture and children's products manufactured, sold, or distributed for use in state: HB 1294

Indian tribes, land owned by, fire protection services when located within fire protection district or regional service authority: EHB 1287

Regional fire protection service authorities, establishment within boundaries of single city: HB 1654

Regional fire protection service authorities, imposition of benefit charges by, voter approval: HB 1486

Regional fire protection service authorities, use of personnel in small public works projects: HB 2266

Smoke alarms, long-life, converting to: HB 2401

Smoke detection devices, in dwelling units, requiring installation of certain lithium battery devices: HB 2053

State fire service, mobilization, to include all risk resources: HB 1126

Student programs, before- and after-school, director of fire protection role in adopting standards to allow students to be in school buildings for: HB 1968

Water, fire suppression water facilities and services, provision for critical public services by water purveyors: HB 1512, SB 5606

Wildfires, caused by incendiary devices, discharging devices during or outside closed season, prohibiting: HB 2427

Wildfires, public works wildfire damage repair projects, exemption from prevailing wage requirements in certain cases: HB 1249

Wildfires, statewide prefire mitigation plan: HB 1127

FIREARMS (See also HUNTING)

Ammunition, parts, and accessories, increasing availability through Washington state firearms ammunition, parts, and accessories jobs act: HB 2020

Animals, attacks by aggressive violent animals, right of self-defense: HB 2664

Background checks, consolidating statewide involuntary commitment information for firearm background check purposes, work group to make proposal: ***SSB 5282, CH 216 (2013)**

Background checks, extending to all gun sales and transfers: HI 594

Background checks, prohibiting without uniform national standard: HI 591

Background checks, various provisions: HB 1588, HB 1839, ***SSB 5282, CH 216 (2013)**, HI 591, HI 594

Clay targets, purchased and provided by nonprofit gun clubs, sales and use tax exemptions: ***ESSB 5882, CH 13 (2013)**

Confiscation of firearms, prohibiting without due process: HI 591

Dealers, firearm deliveries to law enforcement officers, requirements: HB 2502

Defensive force, including deadly force, right to use in certain cases: HB 2324

Drive-by shooting, adding to list of most serious offenses: HB 1730

Emergency, state of, prohibiting placing of restrictions on firearm possession, sale, or use during: HB 2551

Firearm-related injury and death prevention education program, creation, with funding from firearm retail sale fee: HB 1703

Firearms accident prevention, Eddie Eagle GunSafe program, use in schools of instructional materials from: SJM 8006

Gangs, criminal street gang associate or member, including in unlawful possession in first degree provisions: HB 1729

Gun locks, sales and use tax exemptions: HB 1703

Juvenile firearm offenders, evidence- and research-based interventions: HB 2164

Juvenile firearms and weapons crimes, provisions: HB 1096

Less lethal weapon, peace officers using, immunity from liability: HB 1678

Manufacturers of ammunition, parts, and accessories, exemption from business license and corporation and limited liability company fees: HB 2020

Offenders, registration requirements and crime of failure to register as firearm offender: HB 1612
 Pistols, concealed pistol license, renewal notice procedures: HB 1318
 Possession, by certain persons subject to certain no-contact, protection, or restraining orders, firearm surrender requirements and prohibitions: HB 1840
 Reckless endangerment, storing or leaving loaded firearm where child can and does gain access to it: HB 1676
 Rifles, short-barreled, possessing, transporting, acquiring, or transferring when legal under federal law: HB 1561
 Rifles, short-barreled, state and federal law consistency: HB 2475
 Safe storage, requirements for dealers in connection with, violations and penalties: HB 1676
 Safe storage, requirements for, in relation to reckless endangerment: HB 1676
 Safer schools act of 2013, authorizing permanent employees to possess firearms on school grounds in some cases: HB 1788
 Sale of firearms, by unlicensed person to another unlicensed person, background check requirements: HB 1588
 Sale or transfer, exempting purchaser from criminal background check when producing valid concealed pistol license: HB 1839
 Sales of firearms, fee on each retail sale, levying and collecting: HB 1703
 Sales, firearms and ammunition, sales and use tax exemptions: HB 2529
 Schools, prohibiting firearms on school premises or transportation, expanding exemptions: HB 1908
 Sentencing for crimes, certain firearm sentencing enhancements to be doubled if body armor was worn: HB 1907, HB 2704, SSB 5119
 Shooting ranges, sport, protecting ranges and range owners and operators: HB 1184
 Shotguns, short-barreled, state and federal law consistency: HB 2475
 Unlawful possession in first degree, adding to list of most serious offenses: HB 1731
 Unlawful possession in first degree, amending provisions: HB 1147, HB 1729, HB 1731
 Unlawful possession in second degree, to include certain persons subject to certain no-contact, protection, or restraining orders: HB 1840
 Washington state firearms ammunition, parts, and accessories jobs act: HB 2020
 Washington state firearms freedom act of 2013: HB 1371
 Washington state gun and ammunition sales tax exemption act: HB 2529

FIREFIGHTERS (See also FIRE PROTECTION; RETIREMENT AND PENSIONS)

Chaplains for volunteer fire departments, retirement system membership: HB 1120
 Occupational disease, firefighters, workers' compensation mandatory exposure reporting requirement for: HB 2576

FISH (See also FOOD AND FOOD PRODUCTS; SALMON; STEELHEAD)

Aquaculture, genetically engineered finfish, prohibiting production in state waters: HB 2143
 Aquaculture, marine, authorizing inclusion of net pen facilities siting in shoreline master programs: HB 1599
 Barriers to fish passage associated with transportation, removal of, fish habitat enhancement projects: HB 2765
 Barriers to fish passage associated with transportation, removal or correction of: HB 2251, HB 2346
 Environmental law violations, involving fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Family forest fish passage program, distributions from forest and fish support account: HB 2747
 Finfish, genetically engineered, prohibiting production in state waters: HB 2143
 Forest and fish support account, distributions to and use of funds from: HB 2747
 Habitat, department of transportation fish habitat enhancement projects, limiting regulatory requirements for: HB 2765
 Invasive species, integrated management approach and enforcement: HB 2458
 Property improvements benefitting habitat, property tax exemption: HB 1570, *SB 5593, CH 236 (2013)
 Shark fins, unlawful trade in second degree, prohibiting all commercial activities: SB 5081
 Transgenic salmon or salmon products, labeling as, during sale: HB 2630

FISH AND WILDLIFE COMMISSION

Advisory committee on hunters and fishers with disabilities, extending discounted licenses to nonresident veterans: HB 1192
 Endangered predator species, gray wolf, permitting livestock owner to kill gray wolf without a permit, conditions: SSB 5187
 Endangered predator species, permitting livestock owner to kill any predator without a permit, conditions: HB 1191
 Hunting, hunter education training courses and certificates, related commission rule making: HB 1199, HB 2459
 Land, habitat and recreation, process for acquisition by commission: SSB 5054

Members, ensuring balanced representation of interests: HB 1189
 Rule making by commission, specific grant of legislative authority, requirement: HB 1163
 Transportation projects, environmental and compensatory mitigation, restricting imposition by permitting agency of land acquisition requirements: HB 2095
 Wildlife, damage to crops and livestock by, payment of claims for compensation, commission rule making concerning: HB 1219, ***ESSB 5193, CH 329 (2013)**
 Wolves, conservation and management plan, funding source for: HB 1501
 Wolves, gray wolf, permitting livestock owner to kill gray wolf without a permit, conditions: SSB 5187
 Wolves, restricting commission classification of gray wolf as threatened or endangered, conditions: HB 1337

FISH AND WILDLIFE, DEPARTMENT (See also FISH; FISHING, COMMERCIAL; FISHING, RECREATIONAL; OUTDOOR RECREATION; PUBLIC LANDS; SALMON; STEELHEAD)

Applications submitted to department, requiring prompt action: HB 1163, HB 1236
 Aquatic invasive species, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**
 Aquatic invasive species, integrated management approach and enforcement, department role: HB 2458
 Bighorn sheep, damage to commercial crops by, payment of claims for compensation by department: SSB 5760
 Day-use permit, requiring for motor vehicle operation, exempting certain department-managed roads: ***ESSB 5897, CH 15 (2013)**
 Discover pass, bulk sales at reduced rate in certain cases: SSB 5289, ***ESSB 5897, CH 15 (2013)**
 Discover pass, complimentary pass for department customers spending certain amount: HB 2199
 Discover pass, complimentary, for spouses doing collective agency-sanctioned volunteer work: SB 5097
 Discover pass, requiring for motor vehicle operation, exempting certain department-managed roads: ***ESSB 5897, CH 15 (2013)**
 Enforcement actions against Indian tribal members, hunting-related, referring action to tribal enforcement authority in certain cases: HB 1496
 Enforcement, merging department of natural resources officers with fish and wildlife enforcement: HB 1849
 Enforcement, of fish and wildlife law provisions, various violations : HB 2460
 Environmental justice, department efforts concerning disproportionately adverse health and environmental impacts on low-income and minority populations: HB 1434
 Environmental law violations, involving fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Federal receipts, requiring that department report concerning federal financial assistance: ***SSB 5804, CH 32 (2013)**
 Fish habitat, department of transportation fish habitat enhancement projects, limiting regulatory requirements, department role: HB 2765
 Fish passage barrier removal task force, renaming as fish passage barrier removal board: HB 2251
 Fish passage barriers associated with transportation, removal of, fish habitat enhancement projects, department role: HB 2765
 Game lands owned by department, property tax on, modifying in lieu payments provisions: HB 2045
 Game lands owned by department, property tax on, repealing in lieu payments provisions: HB 1073
 Hatcheries, salmonid, department-partner management agreements: HB 1071
 Hunting, hunter education training courses and certificates, department role: HB 1199, HB 2459
 Hydraulic permits and projects, environmental review when involving transportation, prohibiting adoption or maintaining of requirements by department when more stringent: HB 1996
 Hydraulic permits and projects, prospecting, suction dredge use and mineral prospecting and mining permit: HB 2579
 Hydraulic permits and projects, removal of sediment from freshwater by volunteers, exemption from permit requirement under certain conditions: HB 2021
 Indian tribal members, hunting-related enforcement actions against, referring action to tribal enforcement authority in certain cases: HB 1496
 Invasive species, aquatic, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**
 Invasive species, integrated management approach and enforcement, department role: HB 2458
 Land management, department consideration of economic development: HB 1111
 Land, habitat and recreation, process for acquisition by department: SSB 5054
 Lands acquired by fish and wildlife commission, department authority to manage using best available management techniques: HB 1372

Lands and their resources, coordinated state and local management, department role: HB 1163

Lands managed by department, exempting certain roads from motor vehicle operation day-use permit, discover pass, or vehicle access pass requirement: ***ESSB 5897, CH 15 (2013)**

Lands managed by department, recreation access, waiving penalty for failure to display day-use permit, discover pass, or vehicle access pass: HB 2156

Lands, department-owned game lands, property tax on, modifying in lieu payments provisions: HB 2045

Lands, department-owned game lands, property tax on, repealing in lieu payments provisions: HB 1073

Lands, department-purchased, retaining water rights for later transfer to local economy trust water account: E2SSB 5219

Licenses, child support noncompliance-based suspension, additional suspension due to violation of suspension: ***HB 1218, CH 102 (2013)**

Licenses, commercial and recreational, various provisions: HB 2460

Licenses, commercial fishing, charter boat operators unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Licenses, commercial fishing, food fish or game fish guide licensees, western Washington steelhead guide stamp requirements for: HB 1917

Licenses, commercial fishing, food fish or game fish guides licensing, expanding information and other requirements: ***SSB 5786, CH 314 (2013)**

Licenses, commercial fishing, guides unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Licenses, geoduck clam diver licenses, provisions: HB 1764, HB 2574

Licenses, hunting and fishing, personally identifying information from, disclosure for unemployment compensation overpayment recovery: HB 1393

Licenses, veterans with disabilities, discounted hunting and fishing licenses to include nonresidents: HB 1192

Livestock damage by wolves, payment by department of claims for compensation: HB 1501

Natural resource management, department use of best available land management techniques: HB 1372

Natural resources management, streamlining through agency independence, department administrative authority: HB 1384

Permitting decisions, department to enhance transparency and predictability of process: HB 2192

Scientific literature, peer-reviewed, use by department before taking action: ***HB 1112, CH 68 (2013)**, HB 2261

Sediment, removal from freshwater by volunteers, exemption from hydraulic project permit requirement under certain conditions: HB 2021

Trails, official recreational trail policy, department to develop and implement: HB 2151

Transportation projects, environmental and compensatory mitigation, restricting imposition by permitting agency of land acquisition requirements: HB 2095

Transportation projects, environmental review and permitting, prohibiting adoption or maintaining of requirements by department when more stringent: HB 1996

Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making, department role: HB 1978, HB 2070

Vehicle access pass, requiring for motor vehicle operation, exempting certain department-managed roads: ***ESSB 5897, CH 15 (2013)**

Vessels, publicly owned, transfer by department: HB 1245, ESSB 5663

Wildlife, bighorn sheep, damage to commercial crops by, payment of claims for compensation by department: SSB 5760

Wildlife, damage to crops and livestock by, additional personalized license plate registration fee to be used for payment of claims for compensation: ***E2SSB 5193, CH 329 (2013)**

Wildlife, damage to crops and livestock by, expenditures from wildlife conflict account for: HB 2517

Wildlife, damage to crops and livestock by, payment of claims for compensation: HB 1219, ***E2SSB 5193, CH 329 (2013)**

Wolves, department management of, use of Washington's wolves license plate fees: HB 1219, HB 1500, HB 1501

Wolves, gray wolf translocation to western Washington, department to institute program: HB 1258

Wolves, livestock damage caused by, payment of claims for compensation: HB 1501

FISHING, COMMERCIAL (See also FOOD AND FOOD PRODUCTS; SALMON)

Aquaculture, geoduck operations, department of ecology duties concerning, repealing: HB 1894

Aquaculture, geoduck, coordinating research with ocean acidification research: HB 1761

Aquaculture, marine, authorizing inclusion of net pen facilities siting in shoreline master programs: HB 1599

Aquaculture, shellfish aquaculture regulatory committee, shifting emphasis from regulation to research: HB 1894

Aquaculture, shellfish, promoting research and establishing shellfish aquaculture public information center: HB 1894

Charter boat operators, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Crab, Puget Sound Dungeness crab fishery, number of licenses per vessel: HB 1075

Enforcement, of fish and wildlife law provisions, various violations : HB 2460
 Environmental law violations, involving fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Geoduck clams, aquaculture operations, repealing department of ecology duties concerning: HB 1894
 Geoduck clams, aquaculture, coordination of research on geoducks with ocean acidification research: HB 1761
 Geoduck clams, diver licenses, provisions: HB 1764, HB 2574
 Geoduck safety advisory committee, establishment by department of natural resources: HB 1764
 Guides, food fish or game fish, expanding information and other requirements for licensure: ***SSB 5786, CH 314 (2013)**
 Guides, food fish or game fish, western Washington steelhead guide stamp requirements for: HB 1917
 Guides, unlawfully acting as food or game fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917
 Guides, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896
 Indian tribal members, convictions prior to 1975 for certain tribal fishing activities, vacating: HB 2080
 Licenses, child support noncompliance-based suspension, additional suspension due to violation of suspension: ***HB 1218, CH 102 (2013)**
 Licenses, commercial and recreational, various provisions: HB 2460
 Licenses, personally identifying information from, disclosure for unemployment compensation overpayment recovery: HB 1393
 Oysters, *Ostrea lurida*, designating as official state oyster: HB 2387
 Sea cucumbers, dive fishery license surcharges, modifying provisions: HB 1323
 Shark fins, unlawful trade in second degree, prohibiting all commercial activities: SB 5081
 Shellfish aquaculture regulatory committee, shifting emphasis from regulation to research: HB 1894
 Shellfish, aquaculture, promoting research and establishing shellfish aquaculture public information center: HB 1894
 Unemployment compensation, excluding services by certain persons on boat catching fish from definition of employment: ***HB 1311, CH 75 (2013)**
 Washington state commercial fishing fleet, 2013 blessing of the fleet: ***HR 4653 (2013)**

FISHING, RECREATIONAL (See also SALMON; STEELHEAD)

Enforcement, of fish and wildlife law provisions, various violations : HB 2460
 Environmental law violations, involving fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Indian tribal members, convictions prior to 1975 for certain tribal fishing activities, vacating: HB 2080
 Licenses, child support noncompliance-based suspension, additional suspension due to violation of suspension: ***HB 1218, CH 102 (2013)**
 Licenses, commercial and recreational, various provisions: HB 2460
 Licenses, personally identifying information from, disclosure for unemployment compensation overpayment recovery: HB 1393
 Licenses, veterans with disabilities, discounted licenses to include nonresidents: HB 1192
 Oysters, *Ostrea lurida*, designating as official state oyster: HB 2387

FLOOD CONTROL

Flood control districts, administration and contracts: HB 1049, HB 2189
 Flood control districts, elections, allowing legal entities to vote: HB 1269
 Flood control zone districts, controlling mosquitos using integrated pest management: ***ESSB 5324, CH 209 (2013)**
 Flood control zone districts, district supervisor per diem: HB 1039, HB 2157
 Flood control zone districts, functions and taxing authority, transfer to county, conditions and process: HB 1324
 Flood control zone districts, inhibiting mosquito breeding in storm water retention ponds through certain measures: ***ESSB 5324, CH 209 (2013)**
 Flood hazard reduction bonds, authorization: HB 2356, HB 2357

FOOD AND FOOD PRODUCTS (See also BUSINESSES)

Breakfast after the bell programs in certain public schools, implementing: HB 2536
 Caterers, liquor caterers, creating beer, spirits, and wine sales license for: HB 2680
 Cottage food operations, adding baked candies to list of cottage food products: HB 2698
 Cottage food operations, repealing annual gross sales limit for maintaining permit: HB 1135

Dairy products, business and occupation tax deduction for value of products or gross proceeds of sales in certain cases:

***ESSB 5882, CH 13 (2013)**

Dairy products, business and occupation taxation of, provisions: HB 1748, ***ESSB 5882, CH 13 (2013)**

Dairy products, preferential business and occupation tax rate for dairy producers: ***ESSB 5882, CH 13 (2013)**

Distributors, pass-through wholesale, establishing license for sellers of prepackaged food delivered directly to consumers:
HB 1827

Energy drinks, prohibiting selling or giving away to person under age eighteen: HB 1807

Fish, food fish and shellfish, labeling for sale, requirements and penalties: HB 1200

Fish, transgenic salmon or salmon products, labeling as, during sale: HB 2630

Food safety and animal health programs, fee increases for: HB 2748, HB 2749

Genetically engineered foods, disclosure for retail sale: HI 522

Milk and milk products, examination of, requirements and penalties for violations: HB 1220, ***SB 5139, CH 7 (2013)**

Milk, processed in state, extending expiration of dairy inspection program assessment on: HB 2354

State agencies, food and beverage provision and service standards, adoption and implementation: HB 1321

FOREST LAND (See also FIRE PROTECTION; FOREST PRACTICES AND PRODUCTS; TAXES - PROPERTY TAX)

Community forest land trust, purchase of land for trust to help protect Yakima river basin: ***2SSB 5367, CH 11 (2013)**

Community forest trust account, creation: HB 2126

Designated forest land program, county option to merge with open space timber program: HB 1156

Federal forest lands, counties with, discontinuing reduction of basic education allocation to districts in: HB 2207

Fire damage, to public or private forested land, civil action to recover damages for: HB 2103

Small forest landowners, prohibiting participation in forestry riparian easement program when conducting certain harvests:
HB 1600

Small forest landowners, providing with incentives to keep land in long-term forestry: HB 1600

State lands, divestiture, sale of land not being used for forestry: HB 1111

Timber land, open space program, county option to merge with designated forest land program: HB 1156

Timber on public land, credit against property taxes paid on, repealing: ***SB 5806, CH 240 (2013)**

Timber sale program, department of natural resources, modifying expiration dates: HB 1243, ***SB 5337, CH 255 (2013)**

Timber, privately owned, extending expiration date for purchaser reporting requirements: HB 2099

FOREST PRACTICES AND PRODUCTS (See also FOREST LAND; FOREST PRACTICES BOARD)

Applications, denials of, restrictions and procedures when archaeological object is present: HB 1223

Christmas tree grower licensure, extending program: ***HB 1209, CH 72 (2013)**, SB 5377

Family forest fish passage program, distributions from forest and fish support account: HB 2747

Forest harvest excise tax, distributing proceeds through various accounts: HB 2747

Forestry riparian easement program, distributions from forest and fish support account: HB 2747

Industrial insurance, logger safety initiative, department of labor and industries to report concerning: ***ESSB 5744, CH 339 (2013)**

Logging operations, industrial insurance, department of labor and industries to report concerning logger safety initiative:
***ESSB 5744, CH 339 (2013)**

Pulp and paper mill workers, thanking: ***HR 4610 (2013)**

Riparian open space and critical habitat program, distributions from forest and fish support account: HB 2747

Timber tax distribution account, distributions to forest and fish support account: HB 2747

Trees, Washington state tree special license plates, creating: HB 2752

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Natural resources management, streamlining through agency independence, board authority: HB 1384

Transportation projects, environmental and compensatory mitigation, restricting imposition by permitting agency of land acquisition requirements: HB 2095

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Extended foster care services, provision for certain nonminor dependents: HB 1302, HB 2335, ***E2SSB 5405, CH 332 (2013)**

Passport to college promise program, eligibility of student formerly in foster care: HB 1566

Schooling support for youth residing in foster family home, provision of: HB 1566

Sibling visitation for children in foster care: HB 1204, ***E2SSB 5389, CH 316 (2013)**

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 Biodiesel blend or E85 motor fuel-related sales and services, prevailing wage requirement for tax exemptions: HB 1025
 Biodiesel blend or E85 motor fuel-related sales and services, resident workers requirement for tax exemptions: HB 1026
 Biofuel and biodiesel, state agency use requirements, exemptions: HB 2091
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 Excise tax, distribution of taxable fuel, imposing for student transportation: HB 1122
 Extracted fuels, use tax exemption for, modifying in connection with biomass fuel and refinery fuel gas: HB 2465
 Extracted fuels, use tax exemption for, modifying in connection with hog fuel and refinery fuel gas: HB 2038
 Gas distribution businesses, sales of compressed or liquefied natural gas for transportation use, public utility tax exemption: HB 2753
 Natural gas or propane used to heat greenhouses, sales and use tax exemptions: HB 1722
 Natural gas, compressed or liquefied, various excise taxation provisions concerning use as transportation fuel: HB 2753
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 Oil or oils, definition of, modifying for purposes of petroleum transportation and oil spill prevention and response: HB 2440
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Amusement machines, electronic or electromechanical, use and possession, excluding from definition of gambling: HB 2673
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Business license center, participation by commission: HB 1403, E2SSB 5680
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 Raffles, enhanced, authorizing charitable and nonprofit organizations serving persons with intellectual disabilities to conduct, commission role: HB 1835, ***ESSB 5723, CH 310 (2013)**

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Seismic scenario catalog, state geologist to improve and update for manufacturing industrial centers: HB 2580

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Bond authorization bill, governor role in preparing for debt issuance proposed in budget documents: HB 1646, ESSB 5138

Climate legislative and executive work group, creation, governor to chair: HB 1915, ***E2SSB 5802, CH 6 (2013)**

Commercially sexually exploited children statewide coordinating committee, establishing: ***SSB 5308, CH 253 (2013)**

Emergencies and disasters, continuity of government and operations in the event of, role of governor: HB 2124

Gardner, Booth, former Governor, joint legislative session to honor: ***SCR 8403 (2013)**

Gardner, William Booth, former Governor, celebrating the life and legacy of: ***HCR 4404 (2013)**

Governor's council for the healthiest next generation, establishment and duties: HB 2643

Greenhouse gas emissions, governor to contract with independent organization for evaluation of emissions reduction approaches: HB 1915

Greenhouse gas emissions, office of financial management to contract with independent organization for evaluation of emissions reduction approaches: ***E2SSB 5802, CH 6 (2013)**

Inaugural ball, governor's official inaugural ball committee, creation: HB 1205

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Rule making, significant legislative rules, requirement that governor sign: SB 5641

State of emergency, proclamation of, effective upon governor's signature: HB 1059, ***SB 5025, CH 21 (2013)**

State of emergency, prohibiting placing of restrictions on firearm possession, sale, or use during: HB 2551

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Tax exemption transparency and accountability act, creating tax expenditure budget requirement, role of governor: HB 2721

Washington coastal marine advisory council, establishment in office of governor: ***ESB 5603, CH 318 (2013)**

Washington marine resources advisory council, creation in office of governor: ***ESB 5603, CH 318 (2013)**

Wellness programs for state employee health care benefit plans, governor to appoint health and wellness advisory committee: ESSB 5811

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Comprehensive plans and development regulations, development proposals consistent with, SEPA categorical exemptions for: HB 2090

Comprehensive plans and development regulations, parts found invalid, invalidity of permitting under: HB 2234

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Comprehensive plans, impact fee collection delays, impact on timing of certain improvements and strategies: HB 1652, HB 2498, HB 2677

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 Land banks, industrial, designation by county before next periodic review, extending date: HB 1360
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Asbestos, abatement projects, employee respirator requirements: HB 1110
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 Brownfield properties, cleanup and reuse, using prioritized revenues under model toxics control act: ***2E2SSB 5296, CH 1 (2013)**
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 Electronic products recycling program, improving waste collection reporting: HB 1498
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 Highly impacted communities, permit violation enforcement actions, settlement provisions: HB 2312
 Mercury-containing light product stewardship program, repealing program and account: SB 5658
 Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658
 Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246

Paint, architectural, producers to establish paint stewardship program: HB 1579

PCBs, contamination at public used oil recycling collection sites, best management practices for dealing with: HB 2745

Reduction and management of hazardous waste, various programs, modifying to create administrative flexibility: HB 1206, HB 1948, HB 1952

Toxic waste sites, cleanup of, prioritizing spending of revenues under model toxics control act: ***2E2SSB 5296, CH 1 (2013)**

HEALTH CARE (See also DENTISTS AND DENTISTRY; DRUGS; EMERGENCY SERVICES; HEALTH CARE AUTHORITY; HEALTH CARE PROFESSIONS AND PROVIDERS; HOSPITALS; LONG-TERM CARE; MEDICINE AND MEDICAL DEVICES; MENTAL HEALTH; PUBLIC ASSISTANCE; PUBLIC HEALTH AND SAFETY; WORKERS' COMPENSATION)

Alcohol poisoning, involving person under age 21, limited immunity when seeking medical assistance: ***HB 1404, CH 112 (2013)**

Behavioral health services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**

Birth control, requiring dispensing of contraceptive drugs for medicaid enrollees: HB 2022

Blood, tissue, or blood and tissue banks, business and occupation tax exemption for, modifying definitions, including "qualifying blood bank": HB 1766, ***ESSB 5882, CH 13 (2013)**

Brain injury awareness organizations and individuals, honoring the efforts of: ***HR 4637 (2013)**

Cannabis, medical use, amending provisions: HB 1084, HB 1662, HB 2233

Cannabis, medical use, levying marijuana excise tax to be collected from medical cannabis dispensaries: HB 1789

Cannabis, medical use, Ric Smith memorial act: HB 1084

Cardiopulmonary resuscitation, requiring instruction for high school graduation: HB 1556

Chemical dependency services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**

Co-occurring chemical dependency and mental disorders, authorizing services rule compliance waiver renewal for certain mental health agencies: ***ESSB 5681, CH 303 (2013)**

Co-occurring chemical dependency and mental disorders, developing integrated rule for treatment by an agency: HB 1930

Community health centers, use of certain funds for health care services and maintenance of health security trust: HB 1085

Defibrillators, medical emergency response and automated external defibrillator program for high schools: HB 1556

Diabetes epidemic, agency collaboration to identify goals and develop agency plans: HB 1795

East Asian medicine, adding reflexology to definition: HB 1339

Electronic health record technology, donation by certain health care entities: HB 1636, ***SSB 5601, CH 297 (2013)**

Eosinophilic gastrointestinal associated disorders, insurance coverage for medically necessary elemental formula in cases of: HB 2153

EPI pens, placing in schools: ***ESB 5104, CH 268 (2013)**

Epinephrine autoinjectors, placing in schools: HB 1578, ***ESB 5104, CH 268 (2013)**

Facilities, disclosure of records related to mental health services and sexually transmitted diseases, expanding statutes: HB 1679

Facilities, donation of electronic health record technology by certain health care entities: HB 1636, ***SSB 5601, CH 297 (2013)**

Facilities, employee meals and rest breaks, requirements: HB 1152

Facilities, employees, mandatory overtime provisions: HB 1153

Facilities, hospital safety net assessment and fund, modifying assessment and fund provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**

Facilities, hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**

Facilities, hospitals and ambulatory surgery centers, provisions concerning requests for prior facility names and other information from providers: ***ESB 5666, CH 301 (2013)**

Facilities, hospitals, business and occupation surtax on, extending to provide basic education and higher education funding: HB 2037, HB 2038

Facilities, hospitals, contracting with health care authority each fiscal biennium: ***ESSB 5913, CH 17 (2013)**

Facilities, hospitals, contracting with jails for inmate health care as condition of licensure: HB 1911, ***2ESSB 5892, CH 14 (2013)**

Facilities, hospitals, requirements for jails when contracting with and reimbursing: ***2ESSB 5892, CH 14 (2013)**

Facilities, hospitals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963

Facilities, noncritical access hospitals, designing system of hospital quality incentive payments for: HB 2016, ***ESSB 5913, CH 17 (2013)**

Facilities, patient-authorized health care information disclosure by, determining reasonable fee for: HB 2074

Facilities, process for reviewing medical staff, other employees, and associated providers: HB 1436

Facilities, rural hospitals that are sole community hospitals, enhanced medicaid payment rates for: HB 1916

Good samaritans, exposed to infectious disease, free testing of source patient: HB 2530

Health care implementation and oversight, joint select committee on, establishing: HB 2568

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Health care oversight, joint select committee on, abolishing: HB 2568

Health care oversight, joint select committee on, establishing, with expiration date: ***ESSCR 8401 (2013)**

Health reform implementation, joint select committee on, abolishing: ***ESSCR 8401 (2013)**

Health security trust, creation: HB 1085

Hearing aids, replacing hearing instrument fitter/dispenser license with hearing aid specialist license and adding apprentice permit: HB 2108

Information, related to health care, disclosure: HB 2339

Injuries due to provider negligence, actions based on, removing intention to commence notice requirement: ***HB 1533, CH 82 (2013)**

Insurance, access to, for certain LEOFF plan 2 members catastrophically disabled in line of duty: HB 1868

Insurance, allowing out-of-state carriers to offer insurance products in state: HB 2221

Insurance, association or member-governed group health benefit plans: HB 1700, SSB 5605

Insurance, basic health plan, limiting enrollment to citizens of United States and qualified aliens: HB 1391

Insurance, carriers offering health benefit plans outside health benefit exchange, clarifying requirements: HB 2061

Insurance, coverage for voluntary termination of pregnancy, plan requirements and right of objection: EHB 1044, HB 2148

Insurance, creation of Washington health security trust: HB 1085

Insurance, direct patient-provider practices, prescription drugs: HB 1480

Insurance, disability, allowing offering of wellness programs with inducements or incentives: HB 1410

Insurance, disability, hearing aid coverage: HB 1356

Insurance, disability, prohibiting discrimination in medical eye care and vision care in benefits or providers: HB 1942

Insurance, eligibility of separated members of PERS, SERS, and TRS plan 2 for insurance plans and contracts: HB 1668

Insurance, emergency medical care and transportation services, ensuring direct payment to provider: HB 1263

Insurance, employee wellness programs, governor to appoint health and wellness advisory committee: ESSB 5811

Insurance, eosinophilia gastrointestinal associated disorders treatment, providing coverage: HB 1216

Insurance, essential health benefits benchmark plan, modifying provisions in connection with affordable care act implementation: HB 1712

Insurance, family and medical leave insurance program, implementing by amending provisions of family leave insurance program: HB 1457

Insurance, family leave insurance program, delaying implementation until funding and benefits payment authorized in law: ***HB 2044, CH 26 (2013)**

Insurance, family leave insurance program, establishing joint legislative task force on family and medical leave insurance: ESB 5903

Insurance, family leave insurance program, repealing family and medical leave insurance act if not funded: ESB 5903

Insurance, federal basic health program, health care authority to develop blueprint for: HB 2594

Insurance, health and dental, for enlisted members of Washington national guard: HB 2668

Insurance, health benefit plan rate review, including carrier surplus: HB 1349

Insurance, health care innovation plan for state, public and private implementation: HB 2572

Insurance, health maintenance organizations, prohibiting discrimination in medical eye care and vision care in benefits or providers: HB 1942

Insurance, hearing aid coverage: HB 1356

Insurance, long-term care, requiring prompt payment and denials: HB 1441, ***SB 5216, CH 8 (2013)**

Insurance, medical eye care and vision care, participation of optometrists: HB 1942

Insurance, medical eye care and vision care, prohibiting discrimination in benefits or providers: HB 1942

Insurance, medically necessary elemental formula coverage in cases of eosinophilic gastrointestinal disorders: HB 2153

- Insurance, out-of-state carriers, allowing purchase of health care coverage from foreign insurers that are qualifying reciprocal plans: 2SSB 5540
- Insurance, prescribing of drugs, insurer or utilization review entity clinical review criteria, allowing off-label uses and repeat prescriptions: HB 1943
- Insurance, prior authorization forms and procedures, requirements: HB 1380
- Insurance, prior authorization process, work group to develop criteria for streamlining: *E2SSB 5267, CH 215 (2013)
- Insurance, provider compensation, instituting filing and public disclosure requirements: HB 1543, *SSB 5434, CH 277 (2013)
- Insurance, reciprocal interstate insurance policy sales agreements: HB 2220
- Insurance, requiring wellness programs in state employee health care benefits: ESSB 5811
- Insurance, retirees of political subdivisions of state, participation in state insurance or self-insurance programs: HB 1741
- Insurance, state employee collective bargaining concerning health care benefits, modifying provisions: ESSB 5811
- Insurance, telemedicine health plan coverage, provider reimbursement: HB 1448
- Insurance, third-party reimbursement programs, prohibiting provider participation as a licensure condition: *E2SSB 5215, CH 293 (2013)
- Insurance, unfair and deceptive contracting and delivery practices, prohibiting: HB 2550
- Insurance, uninsured persons, authorizing receiving of donated prescription drugs and supplies: HB 1382, *SSB 5148, CH 260 (2013)
- Insurance, Washington health benefit exchange, allowing dental benefits to be offered separately or in health plan: HB 2467
- Insurance, Washington health benefit exchange, allowing plans outside exchange: HB 2220, HB 2221
- Insurance, Washington health benefit exchange, business and occupation tax exemption: HB 1517
- Insurance, Washington health benefit exchange, carriers offering health benefit plans outside of, clarifying requirements: HB 2061
- Insurance, Washington health benefit exchange, continuity of care during grace periods: HB 2571
- Insurance, Washington health benefit exchange, creation as state agency: HB 2340
- Insurance, Washington health benefit exchange, funding exchange operations with insurance carrier assessment: HB 1947
- Insurance, Washington health benefit exchange, limiting information provided by in connection with affordable care act implementation: HB 1712
- Insurance, Washington health benefit exchange, requesting waiver to authorize enrollment in exchange rather than medicaid: HB 1713
- Insurance, Washington health benefit exchange, stand-alone pediatric oral services coverage: HB 1846
- Insurance, Washington health benefit exchange, using for school district, state agency, and higher education part-time employees' health benefits: ESSB 5905
- Insurance, Washington state health care freedom act of 2013, prohibiting required participation in a health care system: HB 1168
- Insurance, Washington state health insurance pool, administrative provisions: HB 2328
- Insurance, Washington state health insurance pool, providing limited access for some residents: *ESSB 5449, CH 279 (2013)
- Insurance, wellness programs, allowing offering of programs with inducements or incentives: HB 1410, HB 1776
- Jail inmates, contracting of jails with department of corrections to participate in health care authority provider one system: *2ESSB 5892, CH 14 (2013)
- Jail inmates, hospitals to contract with jails as condition of licensure: HB 1911, *2ESSB 5892, CH 14 (2013)
- Malpractice, state's standard of care for, protecting through standard of care protection act: HB 2419
- Marijuana, medical use, provider and patient permits to grow or provide: HB 2511
- Marijuana, medical use, sales and use tax exemptions for purchases by qualifying patients: HB 2198
- Marijuana, medical, amending provisions: HB 1084, HB 1662, HB 2233
- Marijuana, medical, legal amounts left at retail stores holding pharmacy license, notification and disposal requirements: *EHB 1808, CH 133 (2013)
- Marijuana, medical, levying marijuana excise tax to be collected from medical cannabis dispensaries: HB 1789
- Marijuana, medical, revising and renaming Washington state medical use of cannabis act: HB 2149
- Marijuana, medical, technical corrections to marijuana law: HB 1597
- Newborn screening, hospitals to collect blood sample for certain screening tests: HB 2544
- Ophthalmic-related services, allowing physician assistants to perform, conditions: HB 1584
- Pain awareness month, recognizing: *HR 4614 (2013)
- Patients, designating July 25th as patient safety day: HB 1101

Patients, discharge data in comprehensive hospital abstract reporting system, maintaining confidentiality: HB 2380
 Patients, Washington state patient safety act: HB 1095
 Phototherapy, used by licensed physicians, exempting from ultraviolet tanning device prohibition for persons under eighteen: HB 1585
 Physical examinations, student athletes and commercial driver's license applicants, allowing chiropractors to conduct: HB 1573
 Quality assurance committees, information and records created for, modifying provisions: ***ESB 5666, CH 301 (2013)**
 Quality improvement programs and committees, information and records created for, modifying provisions: ***ESB 5666, CH 301 (2013)**
 Records, disclosure when related to mental health services and sexually transmitted diseases, expanding statutes: HB 1679
 Records, electronic health record technology, donation by certain health care entities: HB 1636, ***SSB 5601, CH 297 (2013)**
 Records, patient-authorized disclosure by provider or facility, determining reasonable fee for: HB 2074
 Service coordination organizations, establishing accountability measures: HB 1519
 Social investment steering committee, Washington, establishment of, duties to include pilot programs: HB 2337
 Spinal manipulation, authority of physical therapists to perform: HB 2160
 State employees, de minimis use of state facilities to communicate certain health care information to: HB 1785
 Telemedicine, health plan coverage, provider reimbursement: HB 1448
 Telemedicine, physicians providing through hospitals, requirements and conditions: HB 1448
 Traumatic brain injury, honoring the efforts of brain injury awareness organizations and individuals: ***HR 4637 (2013)**
 Washington global health technologies and product development competitiveness program, eliminating board of directors: HB 2029
 Washington health security trust, creation: HB 1085
 Washington state health care freedom act of 2013, prohibiting required participation in a health care system: HB 1168
 Wounds, bullet and stab, requirements when patient indicates domestic violence caused their injury: ***ESB 5305, CH 252 (2013)**
 Wounds, bullet and stab, requiring hospitals to follow their established procedures when patient indicates domestic violence caused their injury: ***ESB 5305, CH 252 (2013)**

HEALTH CARE AUTHORITY (See also HEALTH CARE; INSURANCE; PUBLIC ASSISTANCE)

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 Adult behavioral health system, improvement of, role of authority: ***2SSB 5732, CH 338 (2013)**
 Basic health plan, limiting enrollment to citizens of United States and qualified aliens: HB 1391
 Behavioral health services, combined mental health and chemical dependency services, state purchasing of, authority role: HB 2639
 Birth control, requiring dispensing of contraceptive drugs for medicaid enrollees: HB 2022
 Dental health aide services, for Indian tribes, health care authority role: HB 2466
 Diabetes epidemic, agency collaboration to identify goals and develop agency plans, authority involvement: HB 1795
 Federal basic health program, health care authority to develop blueprint for: HB 2594
 Federal receipts, requiring that authority report concerning federal financial assistance: ***SSB 5804, CH 32 (2013)**
 Health benefit exchange, Washington, allowing dental benefits to be offered separately or in health plan: HB 2467
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 Health benefit exchange, Washington, continuity of care during grace periods: HB 2571
 Health benefit exchange, Washington, creation as state agency: HB 2340
 Health benefit exchange, Washington, funding exchange operations with insurance carrier assessment deposited in health benefit exchange account: HB 1947
 Health benefit exchange, Washington, limiting information provided by in connection with affordable care act implementation: HB 1712
 Health benefit exchange, Washington, requesting waiver to authorize enrollment in exchange rather than medicaid: HB 1713
 Health benefit exchange, Washington, stand-alone pediatric oral services coverage: HB 1846
 Health benefit exchange, Washington, using for school district, state agency, and higher education part-time employees: ESSB 5905
 Health care innovation plan for state, authority role in public and private implementation: HB 2572
 Hearing aids, including coverage in state-purchased health care: HB 1356

- Hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**
- Hospitals, contracting with health care authority each fiscal biennium: ***ESSB 5913, CH 17 (2013)**
- Interpreter services, authorizing purchase by authority for limited-English speaking or sensory-impaired public assistance applicants and recipients: HB 1753
- Interpreter services, authorizing purchase by authority for limited-English speaking public assistance applicants and recipients: HB 2617
- Managed care organizations, contracts with authority, including performance measures for service coordination organizations: HB 1519
- Medicaid enrollees, services to, allowing nurses and physicians to satisfy continuing education credits by performing: HB 1628
- Medicaid, contraceptive drugs, requiring dispensing of: HB 2022
- Medicaid, false claims, reasons for debarment of state procurement contractors to include: ***SB 5948, CH 34 (2013)**
- Medicaid, hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Medicaid, hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**
- Medicaid, managed care, enrollee comprehensive medication management: ***2SSB 5213, CH 261 (2013)**
- Medicaid, managed care, enrollee comprehensive medication management process: HB 1637
- Medical assistance program, complex rehabilitation technology products and services, authority to establish separate recognition for: HB 1445
- Medical assistance, authority to establish low-income disproportionate share hospital payment mechanism: HB 1635
- Medical assistance, hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Medical assistance, hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**
- Medical assistance, noncritical access hospitals, designing system of hospital quality incentive payments for: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Medical care services, restricting eligibility to certain legal immigrants: HB 2069
- Part-time employees of school districts, state agencies, and higher education institutions, using Washington health benefit exchange for: ESSB 5905
- Political subdivisions of state, employee participation in state insurance or self-insurance programs, to include retirees: HB 1741
- Provider one system, jails contracting with department of corrections to participate in system for inmate health care: HB 1911, ***2ESSB 5892, CH 14 (2013)**
- Public employees' benefits board, creating public employees' benefits board benefits account: HB 2436
- Public employees' benefits board, eligibility for health care benefits, technical changes relevant to domestic partnerships: HB 2437
- Public employees' benefits board, eligibility of separated members of PERS, SERS, and TRS plan 2 for insurance plans and contracts: HB 1668
- Public employees' benefits board, employee eligibility for benefits, modifying board provisions concerning: HB 1587, HB 2437, ESSB 5905
- Public employees' benefits board, employee eligibility for benefits, modifying provisions to be consistent with patient protection and affordable care act: ESSB 5905
- Public employees' benefits board, pilot project for uniform medical plan enrollees testing mutual accountability model: HB 2565
- Service coordination organizations, accountability measures, authority to incorporate into contracts: HB 1519
- State employee wellness programs, governor to appoint health and wellness advisory committee: ESSB 5811
- State employee wellness programs, to be required in all state employee health care benefit plans: ESSB 5811
- Telemedicine, health plan coverage, provider reimbursement: HB 1448

HEALTH CARE PROFESSIONS AND PROVIDERS (See also COUNSELORS AND COUNSELING; DENTISTS AND DENTISTRY; HEALTH, DEPARTMENT; MEDICINE AND MEDICAL DEVICES; PHARMACIES AND PHARMACISTS; PSYCHIATRY AND PSYCHIATRISTS; PSYCHOLOGISTS; PUBLIC HEALTH AND SAFETY)

Athletic trainers, modifying provisions: HB 2430

Audiologists, applied doctorate level degrees in audiology, Western Washington University authority to offer: HB 1614, ***SB 5472, CH 281 (2013)**

Breastfeeding-friendly Washington designation, creating to recognize certain providers: HB 2329

Cannabis, medical use, health care professional responsibilities and immunities: HB 1084, HB 1662

Chemical dependency professionals and trainees, treatment of patients outside chemical dependency programs: HB 2378

Chiropractors, conducting physical examinations for school athletes and commercial driver's license applicants: HB 1573

Chiropractors, suicide assessment, treatment, and management training: HB 2315

Development disabilities, adult patients with, grant program for training medical professionals to work with: HB 2611

Dietitians and nutritionists, online access to University of Washington health sciences library: ***ESB 5206, CH 249 (2013)**

Direct patient-provider practices, prescription drugs: HB 1480

East Asian medicine practitioners, adding reflexology to definition and removing written plan requirement: HB 1339

Emergencies, providers responding to, immunity from liability in certain cases: HB 2492

Emergency life-sustaining treatment, providing or withholding, medical order form requirement: HB 1000

Emergency life-sustaining treatment, providing or withholding, provider immunity: HB 1000

Emergency medical care and services, clarifying authority of medical program directors: HB 2127

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Foreign medical school graduates, licensing as allopathic physicians, requirements: HB 1409

Health care assistants, discontinuing certifications and certifying as medical assistants, modifying provisions: HB 1515

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Health care peer review committees, information and records created for, modifying provisions: ***ESB 5666, CH 301 (2013)**

Health professional loan repayment and scholarship program, extending participation to health care residents: ***SSB 5615, CH 298 (2013)**

Health professional loan repayment and scholarship program, increasing funding by contracting with fund-raiser: ***SSB 5615, CH 298 (2013)**

Hearing instrument fitter/dispenser, replacing licensing category with hearing aid specialist and adding apprentice permit: HB 2108

Hospital medical staff, other employees, and associated providers, review process requirements: HB 1436

Insurance, medical malpractice, removing exemption for various data filed in connection with claims and actions: HB 1299

Involuntary treatment act, evaluations and detentions under, decisions by mental health professionals and physicians: HB 1778, ***SSB 5456, CH 334 (2013)**

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Marijuana, medical, health care professional responsibilities and immunities: HB 1084, HB 1662

Marijuana, medical, provider and patient permits to grow or provide: HB 2511

Massage therapy, licensing massage therapy establishments: HB 1981

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Medical assistant-registered, duties, modifying: HB 1515

Medical assistants, delegation of functions to, modifying health care practitioner requirements: HB 1515

Medical assistants, duties, modifying: HB 1515

Medical program directors, clarifying authority in relation to certain emergency medical personnel: HB 2127

Medical specialty technicians, registration and duties: HB 1623

Mental health professionals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963

Midwifery, duties and licensing requirements, modifying: HB 1773

Naturopaths, suicide assessment, treatment, and management training: HB 2315

Negligence resulting in health care injuries, actions based on, removing intention to commence notice requirement: ***HB 1533, CH 82 (2013)**

- Nurses at schools, authority to practice nursing without supervision of person who is not licensed nurse: HB 1664
- Nurses, adult day services, delegation: HB 1630
- Nurses, continuing education requirements, satisfying through providing services to medicaid enrollees or the uninsured: HB 1628
- Nurses, hospital staffing practices, requirements: HB 1095
- Nurses, licensed practical, online access to University of Washington health sciences library: ***ESB 5206, CH 249 (2013)**
- Nurses, long-term care, credentialing and continuing education requirements: HB 1629
- Nurses, registered and licensed practical, removing additional licensing surcharge expiration date: HB 1343
- Nurses, registered public health, safe dispensing of certain drugs and devices: EHB 1538
- Nurses, registered, exemptions from continuing competency requirements when seeking advanced nursing degree: ***SB 5092, CH 229 (2013)**
- Nurses, school nurses, youth suicide screening and referral training: HB 1336
- Nurses, standardized clinical affiliation agreements for clinical placements, work group to study: HB 1660
- Nurses, suicide assessment, treatment, and management training: HB 2315
- Nutritionists and dietitians, online access to University of Washington health sciences library: ***ESB 5206, CH 249 (2013)**
- Occupational therapists, online access to University of Washington health sciences library: HB 1344, ***ESB 5206, CH 249 (2013)**
- Occupational therapy assistants, online access to University of Washington health sciences library: ***ESB 5206, CH 249 (2013)**
- Ophthalmic-related services, allowing physician assistants to perform, conditions: HB 1584
- Optometrists, allowing use of hydrocodone combination products by: HB 2173
- Optometrists, participation in medical eye care and vision care insurance plans: HB 1942
- Osteopathic physician assistants, in other states, authorizing pharmacies to fill prescriptions written by: HB 1596, ***SSB 5524, CH 12 (2013)**
- Osteopathic physician assistants, provisions concerning physician practice arrangements with assistants, utilization at remote sites, and delegation agreements: HB 1737
- Osteopathic physicians and surgeons, standardized clinical affiliation agreements for clinical placements, work group to study: HB 1660
- Osteopathic physicians, assistants, and surgeons, requiring suicide assessment, treatment, and management training: HB 2315
- Out-of-state health care professionals, limiting practice in-state to limited voluntary basis: HB 2351
- Parking, special privileges for persons with disabilities, provider role in authorizing: HB 2463
- Peer review bodies, provider lawsuits for actions taken by, limitations on remedies: HB 1436
- Physical therapist assistants, exemption from licensure in certain cases when supervised by a licensed physical therapist assistant: HB 1230, ***SB 5465, CH 280 (2013)**
- Physical therapists and assistants, suicide assessment, treatment, and management training: HB 2315
- Physical therapists, authority to perform spinal manipulation: HB 2160
- Physical therapists, exemption from licensure in certain cases when supervised by a licensed physical therapist assistant: ***SB 5465, CH 280 (2013)**
- Physical therapists, suicide screening and referral training: HB 1376
- Physical therapy, expanding definition to include chiropractic spinal adjustments: HB 1551
- Physician assistants, allowing performance of ophthalmic-related services, conditions: HB 1584
- Physician assistants, in other states, authorizing pharmacies to fill prescriptions written by: HB 1596, ***SSB 5524, CH 12 (2013)**
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- Physician assistants, provisions concerning physician practice arrangements with assistants, utilization at remote sites, and delegation agreements: HB 1737
- Physician assistants, quality improvement program, establishment: HB 2139
- Physician assistants, suicide assessment, treatment, and management training: HB 2315
- Physician's trained emergency medical service intermediate life support technician and paramedic, extending physician-patient privilege to: HB 1772
- Physicians, allopathic, licensing of foreign medical school graduates by medical quality assurance commission: HB 1409
- Physicians, continuing education requirements, satisfying through providing services to medicaid enrollees or the uninsured: HB 1628

Physicians, family practice residency programs, developing through hospital partnerships with medical school: HB 2109
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 Physicians, suicide assessment, treatment, and management training: HB 2315
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 Professionals, training and qualifications, requiring accurate presentation in advertisements and communications: HB 1586
 Provider compensation by insurance carriers, instituting filing and public disclosure requirements: HB 1543, ***SSB 5434, CH 277 (2013)**
 Providers, staff privileges for, provisions concerning hospital request for prior facility names and disclosure of information by facilities and provider: ***ESB 5666, CH 301 (2013)**
 Quality assurance committees, information and records created for, modifying provisions: ***ESB 5666, CH 301 (2013)**
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 Reimbursement programs, third-party, prohibiting provider participation as a licensure condition: ***E2SSB 5215, CH 293 (2013)**
 Scope of practice, changing or interpreting, requiring disciplining authorities to use rule-making process: HB 2338, HB 2742
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 Sexual orientation change efforts, practice of, prohibiting when performed on patient under eighteen: HB 2451
 Speech-language pathologists, online access to University of Washington health sciences library: ***ESB 5206, CH 249 (2013)**
 Suicide assessment, treatment, and management training for health care providers, modifying requirements: HB 1376, HB 2315
 Surgical technologists, registration, education requirements, and authorized duties: HB 1555
 Telemedicine health plan coverage, provider reimbursement: HB 1448
 Vulnerable adult care, license suspension and practice prohibition: ***HB 1003, CH 86 (2013)**

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 Dental practitioners, licensing by department: HB 1516, HB 2321
 Dentists, licensure status, modifying provisions concerning expiration and late renewal fees, department role: HB 1603
 Diabetes epidemic, agency collaboration to identify goals and develop agency plans, department involvement: HB 1795
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 Foreign medical school graduates, licensing as allopathic physicians, requirements: HB 1409
 Health care provider peer review bodies, provider lawsuits for actions taken by, limitations on remedies: HB 1436

Health programs of department, funding through use of public utility tax collected from water distribution businesses: HB 1685

Hearing instrument fitter/dispenser, replacing licensing category with hearing aid specialist, department role: HB 2108

Licensing, third-party reimbursement programs, prohibiting provider participation as a licensure condition: ***E2SSB 5215, CH 293 (2013)**

Marijuana, medical, revising Washington state medical use of cannabis act, expanding department role: HB 2149

Massage therapy, licensing massage therapy establishments: HB 1981

Medical quality assurance commission, additional authority over budget development, spending, staffing, and other matters, modifying provisions: HB 1518

Medical quality assurance commission, allopathic physicians, licensing of foreign medical school graduates: HB 1409

Medical quality assurance commission, authority over budget development, spending, and staffing: HB 1564

Medical quality assurance commission, quality improvement program for physicians and physician assistants, establishing: HB 2139

Medical quality assurance commission, requiring current professional practice information from physicians and physician assistants for license renewal: HB 2389

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Medical specialty technicians, registration and duties, department role: HB 1623

Newborn screening, hospitals to collect blood sample for certain screening tests, department role: HB 2544

Notifiable health conditions, public notification guidelines, department to establish work group: HB 1139

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Patients, discharge data in comprehensive hospital abstract reporting system, maintaining confidentiality, department role: HB 2380

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Physicians and nurses, standardized clinical affiliation agreements for clinical placements, department to convene work group to study: HB 1660

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Prescription monitoring database, access for clinical laboratories, department role: EHB 1593

Prescription monitoring program, funding entirely from medicaid fraud penalty account: ***HB 1565, CH 36 (2013)**

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Quality assurance committees, information and records created for, modifying provisions: ***ESB 5666, CH 301 (2013)**

Quality improvement program for physicians and physician assistants, establishment: HB 2139

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Selecky, Mary C., recognizing contribution of: ***HR 4636 (2013)**

Sexual orientation change efforts, practice of, department to establish work group to make recommendations concerning: HB 1882

Suicide prevention, Washington plan for, department to develop: HB 2315

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State capital historical museum, renaming as heritage outreach center and modifying use provisions: HB 2277

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Catholic schools week, celebrating: ***HR 4641 (2013)**

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Civic education day, honoring civic educators: ***HR 4612 (2013)**

Cle Elum public library, honoring the one hundredth year of the: ***HR 4662 (2014)**

Cowboy, national day of the, celebrating: ***HR 4644 (2013)**

Dr. Martin Luther King, Jr., honoring: ***HR 4603 (2013)**, ***HR 4661 (2014)**

Former prisoners of war recognition day, display of national league of families' POW/MIA flag on: HB 1893

Gideon v. Wainwright, 50th anniversary of: ***HR 4638 (2013)**

Gifted education day, celebrating: ***HR 4640 (2013)**

King, Dr. Martin Luther, Jr., honoring: ***HR 4603 (2013)**, ***HR 4661 (2014)**

Masons, free and accepted, Damascus Lodge No. 199, commemorating centennial anniversary of: ***HR 4649 (2013)**

Morningside's fiftieth anniversary, celebrating: ***HR 4645 (2013)**

Motorcycle safety awareness month, recognizing: ***HR 4615 (2013)**

Mt. Everest, 1963 American expedition, celebrating 50th anniversary: ***HR 4650 (2013)**

National day of the cowboy, celebrating: ***HR 4644 (2013)**

Native American heritage day, state legal holiday: HB 1014

Pain awareness month, recognizing: ***HR 4614 (2013)**

Parks, state, celebrating 100th birthday of: ***HR 4630 (2013)**

Patient safety day, designating July 25th as: HB 1101

Pearl Harbor remembrance day, display of national league of families' POW/MIA flag: HB 1893

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State employees, receiving two unpaid holidays, including specific days for reason of faith or conscience: HB 1744

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- Apartment owners, associations of, speed limit enforcement within communities: HB 1592
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- Condominium associations, reserve studies: HB 2240
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- Court records, nonconviction, removing from public access to remove employment and housing barriers: HB 1497
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- Essential needs and housing support program, persons with disability eligible for, continuation of safety net benefits: HB 2069
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- Homeowners' associations, minutes from annual meetings, approval of: HB 2567
- Homeowners' associations, notice requirements for meetings: HB 1370
- Homeowners' associations, political yard sign display: SB 5083
- Housing trust fund, funding by, preference for school district-housing authority projects helping low-income children: HB 2462
- Housing trust fund, revising provisions concerning administrative costs: HB 1617
- Inspection, including home energy efficiency information in residential home inspection reports: HB 1181
- Insurance related to a residence, prohibiting use of credit history to deny coverage or determine rates, etc.: HB 1212
- Low-income housing, affordable, sale or lease of surplus governmental property for: HB 1563
- Offenders, conditions for providing with housing rental vouchers: ***ESB 5105, CH 266 (2013)**
- Service animals, unfair practices when selling or renting real property: HB 1024
- Service contracts, provisions: ***HB 1036, CH 117 (2013)**
- Sex offenders, registered, conditions for providing with housing rental vouchers: HB 1232
- Single-family homeownership, down payment assistance: HB 1861, ***SB 5558, CH 13 (2013)**
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- Transitional housing operating and rent program, eligible housing organizations, removing state quality award program application requirement: HB 1425
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- Board of the authority, expanding membership: HB 1419, ***SB 5212, CH 31 (2013)**

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- Business license center, participation by commission: HB 1403, E2SSB 5680
- Fines for rules violations, mandatory depositing in commission class C purse fund account, removing requirement: HB 2125
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Youth opportunities involving horses and horse racing, dedicated revenue to support: HB 1398

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Health care providers, staff privileges for, hospital request for prior facility names and disclosure of information by facilities and provider: ***ESB 5666, CH 301 (2013)**

Health care-associated infections, reporting, aligning state requirements with federal requirements: ***HB 1471, CH 319 (2013) PV**

Hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**

Hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**

Jail inmates, hospitals to contract with jails as condition of licensure: HB 1911, ***2ESSB 5892, CH 14 (2013)**

Jail inmates, jail requirements when contracting with hospitals: ***2ESSB 5892, CH 14 (2013)**

Newborn screening, hospitals to collect blood sample for certain screening tests: HB 2544

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Nurses, hospital staffing practices, requirements: HB 1095

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Public hospital districts, commissioners, election of boards of, modifying provisions: SB 5747

Public hospital districts, commissioners, extending contribution limits for candidates for boards of: ***SB 5748, CH 311 (2013)**

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 Cemetery districts, modifying formation requirements: ***HB 1207, CH 167 (2013)**
 Cemetery districts, restricting sales of memorial markers by districts: HB 1300
 Location, reporting to law enforcement by person with actual knowledge of, requirements: HB 1980
 Memorial markers, restricting sales by cemetery districts: HB 1300
 Stillbirth, certificates of, issuance by county registrar to mother or father: HB 1137

HUNTING (See also FIREARMS)

Age limitations and requirements for licenses and hunting, modifying provisions: HB 1199, HB 2459
 Enforcement, of fish and wildlife law provisions, various violations : HB 2460
 Environmental law violations, involving fish and wildlife enforcement code, attorney general authority and power: HB 1655
 Hunter education training course, requirements: HB 1199, HB 2459
 Indian tribal members, hunting-related enforcement actions against, referring action to tribal enforcement authority in certain cases: HB 1496
 Licenses, age limitations and hunter education training course requirements: HB 1199, HB 2459
 Licenses, child support noncompliance-based suspension, additional suspension due to violation of suspension: ***HB 1218, CH 102 (2013)**
 Licenses, commercial and recreational, various provisions: HB 2460
 Licenses, personally identifying information from, disclosure for unemployment compensation overpayment recovery: HB 1393
 Licenses, veterans with disabilities, discounted licenses to include nonresidents: HB 1192
 Wolves, gray wolf, listing as big game species: HB 1219

IDENTIFICATION

Identicards, applying for, proof of Washington residency: HB 1041
 Identicards, authorizing veteran designation on, application process: HB 2343, SB 5775
 Identicards, confidential, issuance for certain law enforcement purposes, including records provisions: HB 1832, ***SSB 5591, CH 336 (2013)**
 Identicards, enhanced, for crossing state border with Canada, setting fee for: ESSB 5857
 Identicards, fee for, modifying distribution to improve transportation system revenue: HB 1954
 Identicards, for incarcerated offenders, pilot program: HB 2518
 Identicards, for minors, design to indicate age of holder: HB 2471
 Poll-site voting identification procedures: HB 1317
 Public agency employees, identicard or identification numbers, exempting from public inspection and copying: HB 2376

Temporary homeless identification card, issuance by department of licensing: HB 2416

IMMIGRATION AND IMMIGRANTS

Immigration detainer, detaining individual on basis of, prohibiting law enforcement officers from, exception: HB 1874
Immigration warrant, administrative, arresting or detaining individual based on, prohibiting law enforcement officers from: HB 1874

Immigrations and customs enforcement agency or border patrol, employee or agent of, restricting interviews of certain persons in custody by, conditions: HB 1874

INDETERMINATE SENTENCE REVIEW BOARD

Early release, petitioning board after certain period, procedures: HB 2316

INDIANS

Adult and child behavioral health system, improvement of, creating tribal-centric behavioral health system: ***SSB 5732, CH 338 (2013)**

Archaeological resources and traditional cultural places, information concerning, exemption from public disclosure: HB 2724

Child welfare services for Indian children, purchase of care by agencies from tribes and tribal agencies: HB 1361, ***SB 5235, CH 32 (2013)**

Child welfare system, advisory committee on disproportionate representation of children of color in, membership rules: HB 2665

Conservation easements, authority of tribes to hold or acquire: ***HB 1277, CH 120 (2013)**

Cultural resources of Washington state, protecting, relationship to state environmental policy act: HB 1809, HB 2709

Dental health aide services, for Indian tribes, authorization to train, employ, or contract for: HB 2466

Extracurricular activities, interschool, eligibility of tribal students to participate in: HB 2538

Fishing, convictions prior to 1975 for certain tribal fishing activities, vacating: HB 2080

Gambling devices, unlawfully transporting and possessing, legal exemptions for manufacturers of class III tribal lottery system equipment: HB 2283

Health security trust, involvement of tribes in trust: HB 1085

Hunting-related enforcement actions against tribal members, referring action to tribal enforcement authority in certain cases: HB 1496

Land, department of transportation authority to transfer unused land to Indian tribes: HB 1286

Land, owned exclusively by Indian tribes, eliminating property tax and adding leasehold excise tax: EHB 1287

Land, owned exclusively by Indian tribes, fire protection services when located within fire protection district or regional service district: EHB 1287

Native American heritage day, state legal holiday: HB 1014

Procurement by tribes, contract length limitation and termination prohibition: HB 1143

Public facilities loans and grants, assistance to tribes, expanding community economic revitalization board funding role through greater flexibility: HB 1260

Renewable energy system cost recovery program, to include certain solar energy systems on tribal property: HB 1105

Schools, state-tribal education compact schools, authorization and operation: HB 1134

Schools, transportation, state funds allocation distribution formula, relation to state-tribal compact schools: HB 2715

State lands, closed, access by tribes with federally recognized hunting rights in spite of closure: HB 1495

Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making, role of Indian tribes: HB 1978, HB 2070

Tribal courts, solemnizing of marriages by judges: HB 1083

INDUSTRIAL INSURANCE APPEALS, BOARD

Claims, appeals in certain cases, board to set attorney's fees and fix costs for reimbursement: HB 1354

INITIATIVE AND REFERENDUM (See also ELECTIONS)

Donors to ballot measure campaigns, printing public disclosure commission web address on voters' pamphlets and ballots: HB 1720, ***SSB 5507, CH 283 (2013)**

Initiative 517, protect the initiative act, protections for initiative and referendum participants: HI 517

Initiative 522, genetically engineered foods, disclosure for retail sale: HI 522

Initiative 591, protecting gun rights, prohibiting firearm confiscation without due process and background checks without uniform national standard: HI 591

Initiative 594, background checks for gun sales and transfers: HI 594

Initiative measure no. 502, marijuana, correcting definition of THC concentration in initiative: ***EHB 2056, CH 116 (2013)**

Initiative measure no. 502, marijuana, directing that HB 2056 correcting definition of THC concentration in initiative be considered: ***HCR 4405 (2013)**

Initiatives, text of, removing requirement that complete text be included in printed version of voters' pamphlets: HB 2033, HB 2066

Ordinances, in counties without home rule charter, initiating or amending through initiative process: HB 1595

Petitions, signatures on, counting duplicate valid signatures once, conditions within towns, cities, and code cities: HB 1847, HB 2296

Petitions, signatures on, provisions concerning gatherers, gathering businesses, and petitions: HB 2552

INNOVATE WASHINGTON

Eliminating innovate Washington and transferring powers, duties, and functions to department of commerce: HB 2029

INSECTS (See also PEST CONTROL AND PESTICIDES)

Mosquitos, controlling with integrated pest management: ***SSB 5002, CH 208 (2013), *ESSB 5324, CH 209 (2013)**

Mosquitos, inhibiting mosquito breeding in storm water retention ponds through certain measures: ***ESSB 5324, CH 209 (2013)**

INSURANCE (See also HEALTH CARE AUTHORITY; INSURANCE COMMISSIONER)

Agencies, effective date of practice, policy, or procedure used when administering, interpreting, enforcing, or implementing law: HB 1775

Agents, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038

Alien insurers, adopting insurer state of entry model act: HB 1402

Casualty insurance, standard, electronic notices and document delivery of policies, authorizing: HB 2662

Dental coverage, pediatric oral services, stand-alone coverage through Washington health benefit exchange: HB 1846

Disability insurance, eosinophilia gastrointestinal associated disorders treatment, providing coverage: HB 1216

Dwelling property coverage, prohibiting use of credit history to deny coverage or determine rates, etc.: HB 1212

Earthquake coverage, prohibiting use of credit history to deny coverage or determine rates, etc.: HB 1212

Electronic notices and document delivery of certain insurance products, authorizing: HB 2662

Electronics, portable electronics insurance programs, provisions: HB 1032, ***SSB 5008, CH 152 (2013)**

Health care, access to, for certain LEOFF plan 2 members catastrophically disabled in line of duty: HB 1868

Health care, allowing out-of-state carriers to offer insurance products in state: HB 2221

Health care, association or member-governed group health benefit plans: HB 1700, SSB 5605

Health care, basic health plan, limiting enrollment to citizens of United States and qualified aliens: HB 1391

Health care, carriers offering health benefit plans outside health benefit exchange, clarifying requirements: HB 2061

Health care, coverage for voluntary termination of pregnancy, plan requirements and right of objection: EHB 1044, HB 2148

Health care, creation of Washington health security trust: HB 1085

Health care, direct patient-provider practices, prescription drugs: HB 1480

Health care, disability, hearing aid coverage: HB 1356

Health care, disability, prohibiting discrimination in medical eye care and vision care in benefits or providers: HB 1942

Health care, eligibility of separated members of PERS, SERS, and TRS plan 2 for insurance plans and contracts: HB 1668

Health care, emergency medical care and transportation services, ensuring direct payment to provider: HB 1263

Health care, employee wellness programs, governor to appoint health and wellness advisory committee: ESSB 5811

Health care, eosinophilia gastrointestinal associated disorders treatment, providing coverage: HB 1216

Health care, essential health benefits benchmark plan, modifying provisions in connection with affordable care act implementation: HB 1712

Health care, family and medical leave insurance program, implementing by amending provisions of family leave insurance program: HB 1457

Health care, family leave insurance program, delaying implementation until funding and benefits payment authorized in law: ***HB 2044, CH 26 (2013)**

Health care, family leave insurance program, establishing joint legislative task force on family and medical leave insurance: ESB 5903

Health care, family leave insurance program, repealing family and medical leave insurance act if not funded: ESB 5903

Health care, federal basic health program, health care authority to develop blueprint for: HB 2594

Health care, health and dental, for enlisted members of Washington national guard: HB 2668

Health care, health benefit plan rate review, including carrier surplus: HB 1349

Health care, health care innovation plan for state, public and private implementation: HB 2572

Health care, health maintenance organizations, prohibiting discrimination in medical eye care and vision care in benefits or providers: HB 1942

Health care, hearing aid coverage: HB 1356

Health care, long-term care, requiring prompt payment and denials: HB 1441, ***SB 5216, CH 8 (2013)**

Health care, medical eye care and vision care, participation of optometrists: HB 1942

Health care, medical eye care and vision care, prohibiting discrimination in benefits or providers: HB 1942

Health care, medically necessary elemental formula coverage in cases of eosinophilic gastrointestinal disorders: HB 2153

Health care, out-of-state carriers, allowing purchase of health care coverage from foreign insurers that are qualifying reciprocal plans: 2SSB 5540

Health care, prescribing of drugs, insurer or utilization review entity clinical review criteria, allowing off-label uses and repeat prescriptions: HB 1943

Health care, prior authorization forms and procedures, requirements: HB 1380

Health care, prior authorization process, work group to develop criteria for streamlining: ***E2SSB 5267, CH 215 (2013)**

Health care, provider compensation, instituting filing and public disclosure requirements: HB 1543, ***SSB 5434, CH 277 (2013)**

Health care, reciprocal interstate insurance policy sales agreements: HB 2220

Health care, requiring wellness programs in state employee health care benefits: ESSB 5811

Health care, retirees of political subdivisions of state, participation in state insurance or self-insurance programs: HB 1741

Health care, state employee collective bargaining concerning health care benefits, modifying provisions: ESSB 5811

Health care, telemedicine health plan coverage, provider reimbursement: HB 1448

Health care, third-party reimbursement programs, prohibiting provider participation as a licensure condition: ***E2SSB 5215, CH 293 (2013)**

Health care, unfair and deceptive contracting and delivery practices, prohibiting: HB 2550

Health care, uninsured persons, authorizing receiving of donated prescription drugs and supplies: HB 1382, ***SSB 5148, CH 260 (2013)**

Health care, Washington health benefit exchange, allowing dental benefits to be offered separately or in health plan: HB 2467

Health care, Washington health benefit exchange, allowing plans outside exchange: HB 2220, HB 2221

Health care, Washington health benefit exchange, business and occupation tax exemption: HB 1517

Health care, Washington health benefit exchange, carriers offering health benefit plans outside of, clarifying requirements: HB 2061

Health care, Washington health benefit exchange, continuity of care during grace periods: HB 2571

Health care, Washington health benefit exchange, creation as state agency: HB 2340

Health care, Washington health benefit exchange, funding exchange operations with insurance carrier assessment: HB 1947

Health care, Washington health benefit exchange, limiting information provided by in connection with affordable care act implementation: HB 1712

Health care, Washington health benefit exchange, requesting waiver to authorize enrollment in exchange rather than medicaid: HB 1713

Health care, Washington health benefit exchange, stand-alone pediatric oral services coverage: HB 1846

Health care, Washington health benefit exchange, using for school district, state agency, and higher education part-time employees' health benefits: ESSB 5905

Health care, Washington state health care freedom act of 2013, prohibiting required participation in a health care system: HB 1168

Health care, Washington state health insurance pool, administrative provisions: HB 2328

Health care, Washington state health insurance pool, providing limited access for some residents: ***ESSB 5449, CH 279 (2013)**

Health care, wellness programs, allowing offering of programs with inducements or incentives: HB 1410, HB 1776

Homeowners insurance, prohibiting use of credit history to deny coverage or determine rates, etc.: HB 1212

Insurance code, authority and means of implementing, revisions and updates: HB 1638, SSB 5471

Insurance companies, financial solvency of, insurer holding company act: HB 2461

Insurance companies, financial solvency of, risk management and solvency assessment act: HB 2461

Insurer holding company act, concerning financial solvency of insurance companies: HB 2461
 Insurers, examinations of, implementation of sunshine committee recommendations concerning disclosure of reports: HB 1298
 Legal service contractors, regulation of: HB 2691
 Legal service organizations, to cover legal expenses, regulation and registration of: HB 2287
 Life insurance, minimum death benefit, when less than cumulative premiums: HB 2082
 Life insurance, netting agreements, settling certain derivative transactions: HB 1033
 Life insurance, notices to policy owners, revising provisions concerning term life insurance: HB 2134
 Long-term care, premium rate changes, notices and information for policy and certificate holders: HB 2449
 Marine, portable electronics insurance issued on commercial inland marine policy: HB 1032, *SSB 5008, CH 152 (2013)
 Medical malpractice insurance, removing exemption for various data filed in connection with claims and actions: HB 1299
 Motor vehicle financial security, proof of, to include proof on portable electronic device: *ESSB 5095, CH 157 (2013)
 Motor vehicle liability insurance, proof of sufficient, random sampling program to determine financial responsibility of vehicle owners, establishment: HB 1803
 Motor vehicle liability insurance, proof of sufficient, to include proof on mobile electronic device: HB 1813
 Motor vehicle service contracts, expanding included services in connection with protection products: HB 2135
 Motor vehicle service contracts, revising application of provisions to certain providers: HB 2136
 Motor vehicles, impounded, redemption by insurer or vendor on behalf of insurer: HB 1130
 Motor vehicles, insurance and financial responsibility program transferring: HB 2448
 Motor vehicles, insurance and financial responsibility program, modifying provisions: HB 2713
 Motor vehicles, insurer unfair practices, payment by insurer of certain damage claims in certain cases: HB 2600
 Motor vehicles, liability insurance and financial responsibility, modifying provisions: HB 2448
 Netting agreements, settling certain insurer transactions in cases of insolvency, delinquency, etc.: HB 1033
 Property insurance, standard, electronic notices and document delivery of policies, authorizing: HB 2662
 Qualified financial contracts, settling certain insurer transactions in cases of insolvency, delinquency, etc.: HB 1033
 Residence, coverage related to a, prohibiting use of credit history to deny coverage or determine rates, etc.: HB 1212
 Risk management and solvency assessment act, concerning financial solvency of insurance companies: HB 2461
 Service contracts, for motor vehicles, expanding included services in connection with protection products: HB 2135
 Service contracts, for motor vehicles, revising application of provisions to certain providers: HB 2136
 Service contracts, provisions: *HB 1036, CH 117 (2013), HB 2135, HB 2136
 State employees, de minimis use of state facilities to communicate certain insurance information to: HB 1785
 Surplus line insurance, contract and premium tax provisions: HB 2211
 Third party claims, defining "third party claimant" for purposes of fair conduct act: HB 2060
 Title insurance, agents and companies, involvement in reconveyances of deeds of trust: HB 1435
 Title insurance, insurer statistical reporting and public disclosure: *HB 1035, CH 65 (2013)

INSURANCE COMMISSIONER (See also INSURANCE)

Agencies, effective date of practice, policy, or procedure used when administering, interpreting, enforcing, or implementing law, commissioner role: HB 1775
 Alien insurers, adopting insurer state of entry model act: HB 1402
 Business license center, participation by office of insurance commissioner: HB 1403, E2SSB 5680
 Health care implementation and oversight, commissioner to report to joint select committee on health care implementation and oversight: HB 2568
 Health care insurance, commissioner role in purchase of coverage from foreign insurers that are qualifying reciprocal plans: 2SSB 5540
 Health care insurance, commissioner role in reciprocal interstate insurance policy sales agreements: HB 2220
 Health care insurance, prior authorization forms, commissioner to develop and implement: HB 1380
 Insurance code, authority and means of implementing, revisions and updates: HB 1638, SSB 5471
 Insurer holding company act, concerning financial solvency of insurance companies, commissioner role: HB 2461
 Legal service contractors, regulation of, commissioner rule-making authority: HB 2691
 Long-term care insurance, commissioner to adopt rules for prompt payment requirements: HB 1441, *SB 5216, CH 8 (2013)
 Risk management and solvency assessment act, concerning financial solvency of insurance companies, commissioner role: HB 2461
 Rule making by commissioner, specific grant of legislative authority, requirement: HB 1163
 Title insurance, commissioner to designate statistical reporting agent for insurers: *HB 1035, CH 65 (2013)

INVESTMENT BOARD

First class cities, retirement systems of, authorizing agreements for investment of assets by board: HB 1899
 Rule making by board, specific grant of legislative authority, requirement: HB 1163
 Start retirement savings plan, board role: HB 2474
 State lands, divestiture, board role: HB 1111

JAILS (See also CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; PRISONS AND PRISONERS; UNIFORMED PERSONNEL)

Health care for inmates, facility requirements when contracting with hospitals: ***2ESSB 5892, CH 14 (2013)**
 Health care for inmates, hospitals to contract with jails as condition of licensure: HB 1911, ***2ESSB 5892, CH 14 (2013)**
 Health care for inmates, provider one system, contracting with department of corrections to participate in: HB 1911, ***2ESSB 5892, CH 14 (2013)**
 Incompetent to stand trial, competency restoration in county jail: HB 2649
 Jail time served, certification of, modifying provisions to achieve correctional savings: HB 2050
 Medication, involuntary, to maintain restoration of competency of criminally insane while in jail, court authorization: HB 2195
 Parents, rights when incarcerated: HB 1284

JOINT MEMORIALS

Eddie Eagle GunSafe program for firearms accident prevention, promoting use in schools: SJM 8006
 Election campaign contributions, requesting U.S. constitutional amendment to return regulatory authority to congress and state legislatures: HJM 4001
 Harbor maintenance tax, requesting that Congress pass and the president sign legislation reforming the tax: SSJM 8007
 Interstate 5 over Skagit river, requesting renaming as the Trooper No. 1076, Sean M. O'Connell Memorial Bridge: HJM 4003
 Interstate 5, requesting naming as "purple heart trail": HJM 4000, ***SJM 8001 (2013)**
 Israel, requesting that federal government stand firmly with: HJM 4002
 Legislature, 2013 first special session, reintroduction of bills, memorials, and resolutions from 2013 regular session: ***HCR 4407 (2013)**
 Legislature, 2013 first special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4408 (2013)**
 Legislature, 2013 regular session, returning bills, memorials, and resolutions to house of origin: ***SCR 8404 (2013)**
 Legislature, 2013 second special session, reintroduction of bills, memorials, and resolutions from 2013 regular and first special sessions: ***HCR 4410 (2013)**
 Legislature, 2013 second special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4411 (2013)**
 Legislature, 2013 third special session, reintroduction of bills, memorials, and resolutions from 2013 regular and first and second special sessions: ***HCR 4413 (2013)**
 Legislature, 2013 third special session, returning bills, memorials, and resolutions to house of origin: ***SCR 8406 (2013)**
 Legislature, reintroduction of bills, memorials, and resolutions from 2013 regular and special sessions for 2014 regular session: ***HCR 4415 (2014)**
 Memorials, resolutions, and bills from 2013 first special session, returning to house of origin: ***HCR 4408 (2013)**
 Memorials, resolutions, and bills from 2013 regular and first and second special sessions, reintroduction for 2013 third special session: ***HCR 4413 (2013)**
 Memorials, resolutions, and bills from 2013 regular and first special sessions, reintroduction for 2013 second special session: ***HCR 4410 (2013)**
 Memorials, resolutions, and bills from 2013 regular and special sessions, reintroduction for 2014 regular session: ***HCR 4415 (2014)**
 Memorials, resolutions, and bills from 2013 regular session, reintroduction for 2013 first special session: ***HCR 4407 (2013)**
 Memorials, resolutions, and bills from 2013 regular session, returning to house of origin: ***SCR 8404 (2013)**
 Memorials, resolutions, and bills from 2013 second special session, returning to house of origin: ***HCR 4411 (2013)**
 Memorials, resolutions, and bills from 2013 third special session, returning to house of origin: ***SCR 8406 (2013)**
 Parental rights, requesting that Congress propose parental rights amendment to states for ratification: HJM 4004
 Skagit river bridge, requesting renaming as the Trooper No. 1076, Sean M. O'Connell Memorial Bridge: HJM 4003
 State route number 117, designating as POW/MIA memorial highway: ***SJM 8005 (2013)**

JOINT RESOLUTIONS

- Agency rule making, constitutional amendment to require legislative approval of certain rules: HJR 4204
- Balanced budget, constitutional amendment requiring debt proceeds be spent only for capital purposes: HJR 4202, HJR 4203
- Balanced budget, constitutional amendment to require: HJR 4202, HJR 4203
- Community redevelopment financing, constitutional amendment to allow levying of property tax in apportionment districts: HJR 4210, HJR 4214
- Emergencies and disasters, continuity of government and operations in the event of, constitutional amendment to clarify: HJR 4212
- Hydroelectric generation, constitutional amendment to classify as renewable resource: HJR 4200
- Legislative sessions, constitutional amendment to limit regular sessions in odd-numbered years to ninety days: HJR 4208
- Legislature, 2013 first special session, reintroduction of bills, memorials, and resolutions from 2013 regular session: ***HCR 4407 (2013)**
- Legislature, 2013 first special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4408 (2013)**
- Legislature, 2013 regular session, returning bills, memorials, and resolutions to house of origin: ***SCR 8404 (2013)**
- Legislature, 2013 second special session, reintroduction of bills, memorials, and resolutions from 2013 regular and first special sessions: ***HCR 4410 (2013)**
- Legislature, 2013 second special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4411 (2013)**
- Legislature, 2013 third special session, reintroduction of bills, memorials, and resolutions from 2013 regular and first and second special sessions: ***HCR 4413 (2013)**
- Legislature, 2013 third special session, returning bills, memorials, and resolutions to house of origin: ***SCR 8406 (2013)**
- Legislature, constitutional amendment to remove certain limitation on journal publication and opening of house doors: HJR 4217
- Legislature, reintroduction of bills, memorials, and resolutions from 2013 regular and special sessions for 2014 regular session: ***HCR 4415 (2014)**
- Local government infrastructure, constitutional amendment requiring use of certain funds for public works projects: HJR 4215
- Operating budget, omnibus operating appropriations act, requiring three-fifths vote for approval: HJR 4211
- Resolutions, memorials, and bills from 2013 first special session, returning to house of origin: ***HCR 4408 (2013)**
- Resolutions, memorials, and bills from 2013 regular and first and second special sessions, reintroduction for 2013 third special session: ***HCR 4413 (2013)**
- Resolutions, memorials, and bills from 2013 regular and first special sessions, reintroduction for 2013 second special session: ***HCR 4410 (2013)**
- Resolutions, memorials, and bills from 2013 regular and special sessions, reintroduction for 2014 regular session: ***HCR 4415 (2014)**
- Resolutions, memorials, and bills from 2013 regular session, reintroduction for 2013 first special session: ***HCR 4407 (2013)**
- Resolutions, memorials, and bills from 2013 regular session, returning to house of origin: ***SCR 8404 (2013)**
- Resolutions, memorials, and bills from 2013 second special session, returning to house of origin: ***HCR 4411 (2013)**
- Resolutions, memorials, and bills from 2013 third special session, returning to house of origin: ***SCR 8406 (2013)**
- School district bonds and levies, constitutional amendment to require simple majority of voters voting to authorize: HJR 4216
- Searching students, constitutional amendment to apply reasonable suspicion standard to searches on school grounds: HJR 4209
- Superior court judges, constitutional amendment to require residence in county served by the court: HJR 4207
- Supreme court, constitutional amendment requiring that practice of law and administration of justice functions reside in supreme court: HJR 4205
- Tax increase legislation, constitutional amendment to require two-thirds majority vote for approval: HJR 4201, HJR 4206
- Term limits for representatives and senators, constitutional amendment to impose: HJR 4213

JUDGES

- District judges, retirement provision: HB 1266, ***SB 5046, CH 22 (2013)**
- Foreign laws, prohibiting enforcement to avoid violating constitutional rights: HB 1392
- Judicial information system, court consultation prior to granting certain orders: HB 2196
- Judicial stabilization trust account, surcharges on court filing fees for deposit in, extending expiration dates for: HB 1961
- Marriage, solemnizations of, authorizing judges of courts of limited jurisdiction to perform: HB 1589

Search warrant applications, timely review by magistrates: HB 2235
 Superior court judges, Benton and Franklin counties jointly, increasing number of judges: ***HB 1175, CH 142 (2013)**, SB 5069
 Superior court judges, Mason county, increasing number of judges: HB 2131
 Superior court judges, requiring residence in county served by the court: HB 1386, HJR 4207
 Superior court judges, Whatcom county, increasing number of judges: HB 1159, ***SB 5052, CH 210 (2013)**
 Supreme court, campaigns for, public funding through judicial election reform act: HB 2525

JUDGMENTS

Defendants under landlord-tenant acts, notified by alternative means of service, entering monetary judgments against: SB 5425
 Legal financial obligations of criminal offenders, county clerk collection system, collecting information to assess success: HB 1569
 Legal financial obligations, system of, improving through restitution first act: HB 2751
 Real property, sold subject to redemption, modifying redemption by creditor provision: ***SB 5541, CH 53 (2013)**

JUVENILE COURT AND JUVENILE OFFENDERS (See also CHILDREN; DOMESTIC RELATIONS)

Alcohol poisoning, involving person under age 21, limited immunity when seeking medical assistance: ***HB 1404, CH 112 (2013)**
 Chemical dependency treatment assessments or screenings, admissibility of statements, admissions, or confessions by juvenile: HB 1724
 Chemical dependency, arrest of juvenile suffering from, police officer options and related procedures: HB 2627
 Dependency proceedings, disclosure of guardian ad litem background information record: HB 1297
 Dependency proceedings, identifying educational liaison for youth subject to, responsibilities of liaison: HB 1566
 Dependency proceedings, implementing recommendations of Powell fatality team: ***SSB 5315, CH 254 (2013)**
 Dependency proceedings, parent or sibling visitation during active criminal investigation, law enforcement consultation: SSB 5162, ***SSB 5315, CH 254 (2013)**
 Dependency proceedings, parents with intellectual or developmental disabilities involved in: HB 2616
 Dependency proceedings, psychosexual evaluation of parent and consequent reassessment of visitation: SSB 5162, ***SSB 5315, CH 254 (2013)**
 Dependency proceedings, representation of children, appointing attorney, guardian ad litem, and/or special advocate: HB 1285
 Dependency proceedings, shelter care hearing, placement of child with relative or other suitable person, timing of criminal history background check: ***SSB 5565, CH 162 (2013)**
 Dependency proceedings, sibling visitation: HB 1140
 Dependency proceedings, sibling visitation for children in foster care: HB 1204, ***E2SSB 5389, CH 316 (2013)**
 Dependency proceedings, third-party visitation: HB 1506
 Dependency system, work group to consider creating certificate of rehabilitation for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**
 Domestic violence, nonfelonious, responding officer placement options for certain juveniles arrested for: HB 2455, HB 2722
 Firearms and weapons crimes, provisions: HB 1096
 Firearms, juvenile firearm offenders, evidence- and research-based interventions: HB 2164
 Foster care services, extended, court jurisdiction over proceedings involving eligible nonminor dependents: HB 1302, ***E2SSB 5405, CH 332 (2013)**
 Juvenile offenders, records, confidentiality, exceptions: HB 1651
 Mental health diversion and disposition, strategies for juveniles: HB 1524
 Mental health treatment assessments or screenings, admissibility of statements, admissions, or confessions by juvenile: HB 1724
 Missing children clearinghouse, adding endangered persons: HB 1895, ***SSB 5556, CH 285 (2013)**
 Murder, aggravated first degree, sentencing, incarceration, and early release when crime committed before age eighteen: HB 1338
 Parental rights, termination of, filing of petition after sole permanency plan of adoption approved: HB 2582
 Parental rights, when incarcerated or in residential substance abuse treatment: HB 1284
 Permanency planning hearings, revising definition of good cause exception: HB 1821

Permanency planning hearings, revising department of social and health services responsibility to provide services to parents: HB 1821
 Rehabilitative and reentry services, access for offenders completing sentence before age 21: HB 2714
 Runaway youths, overnight youth shelter or program, shelter procedures when child known to lack parental permission: HB 1250, ***SB 5147, CH 4 (2013)**
 Shelters or programs for runaway youths, procedures when child known to lack parental permission: HB 1250, ***SB 5147, CH 4 (2013)**
 Social investment steering committee, Washington, establishment of, duties to include pilot programs: HB 2337
 Youth camp placement, for minimum-risk offenders, at Naselle youth camp: HB 1433

LABOR (See also CONTRACTORS; DISCRIMINATION; EMPLOYMENT AND EMPLOYEES; LABOR AND INDUSTRIES, DEPARTMENT; PUBLIC EMPLOYMENT AND EMPLOYEES; UNEMPLOYMENT COMPENSATION; WAGES AND HOURS; WORKERS' COMPENSATION)

Applications for employment, prohibiting employers from asking about or using nonconviction information: HB 2545
 Asbestos abatement projects, employer compliance with respirator requirements: HB 1110
 Discrimination against employees, protections for employees: HB 2333
 Employee fair classification act, improving compliance with wage-related laws: HB 1440, HB 2334
 Employment laws and contracts, local, preemption by state of Washington: HB 2591
 Expenses, work-related, employer reimbursement of employees: HB 2230
 Family and medical leave insurance program, implementing by amending provisions of family leave insurance program: HB 1457
 Family leave insurance program, delaying implementation until funding and benefits payment authorized in law: ***HB 2044, CH 26 (2013)**
 Family leave insurance program, establishing joint legislative task force on family and medical leave insurance: ESB 5903
 Family leave insurance program, repealing family and medical leave insurance act if not funded: ESB 5903
 Farm internship pilot project, establishment: SSB 5123
 Health care facility employees, mandatory overtime provisions: HB 1153
 Health care facility employees, meal and rest break requirements: HB 1152
 Industrial safety and health act, increasing employee protections under: EHB 1891
 Janitorial services, commercial, workload standards and a health and safety training program, establishment: HB 2477
 Leave, job leave provision for state legislators, requirements: HB 2473
 Leave, paid sick and safe leave, establishing minimum standards: HB 1313
 Leave, paid sick and safe leave, geographic limitations on local leave programs: HB 1781, ESB 5726
 Leave, paid sick and safe leave, state preemption of local leave regulation: HB 1780
 Leave, paid vacation leave: HB 2238
 Liens against property of employer by employee, provisions of employee fair classification act: HB 1440
 Minors, work permits for employing, master application procedures: ***SB 5056, CH 156 (2013)**
 News business, independent contractors in, employment status: HB 1659, ***SB 5476, CH 141 (2013)**
 Political and religious views of employers, prohibiting required employee meeting attendance or responses to communications: HB 2031
 Real estate brokers, independent contractor status when not under contract with firm: HB 1853
 Retaliation against employees, protections for employees: HB 2333
 Retaliation, protecting employees from, for conduct promoting public policy: HB 2710
 Social networking, accounts, prohibiting employer demand that employee provide information or access: ***SSB 5211, CH 330 (2013)**
 Underground economy, improving employer compliance with wage-related laws: HB 1440, HB 2334
 Unions, information concerning union membership and dues rights, placement in workplace posters: HB 1461
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Contractor infractions, administrative hearings, amending department of labor and industries appeal bonds provisions: HB 2146
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 Electrical industry, whistleblowers in, protections for: HB 2275
 Electricians, journeyman or residential specialty certificate of competency, apprenticeship program requirement: HB 2500

Electricians, limited energy specialty certification, using telecommunications work experience for: HB 2254
 Electricians, proof of licensing and identification, altering department display requirements: HB 2323
 Electricians, with certain license or certificate, department to allow generator load bank testing without electrical work permit: HB 1855
 Employee fair classification act, department enforcement role: HB 1440, HB 2334
 Farm internship pilot project, establishment: SSB 5123
 Interpreter services, authorizing purchase by department for doctors providing services to limited-English speaking or sensory-impaired injured workers or crimes victims: HB 1753
 Interpreter services, authorizing purchase by department for providers providing services to limited-English speaking injured workers or crimes victims: HB 2617
 Minimum wage, adjusted, increasing annually by rate of inflation, department role: HB 2032
 News business, independent contractors in, employment status for minimum wage and unemployment and worker's compensation purposes: HB 1659, ***SB 5476, CH 141 (2013)**
 Permitting decisions, department to enhance transparency and predictability of process: HB 2192
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 Prevailing wages, public works, basing on nonpublic works data: HB 2209
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 Scholarships offered by nonprofits, available to children and spouses of certain injured workers, information provided by department: ***HB 1863, CH 134 (2013)**
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 Workers' compensation, vocational rehabilitation subcommittee recommendations, department role: EHB 1470, ***SSB 5362, CH 331 (2013)**

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Docks, "substantial development" exceptions, amending fair market value limit: HB 1090
 Hydraulic permits and projects, removal of sediment from freshwater by volunteers, exemption from permit requirement under certain conditions: HB 2021
 Invasive species, aquatic, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**
 Invasive species, integrated management approach and enforcement: HB 2458
 Lake and beach management districts, modifying provisions: HB 2218
 Lakes, with toxic algae blooms, allowing certain code cities to take action to address blooms in certain cases on state lands: ESB 5596
 Public land adjacent to body of water, access to water by way of: HB 2342
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Agricultural activities, critical areas used for, extending voluntary stewardship program county regulations review date: HB 2187

Brownfield properties, cleanup and reuse, using prioritized revenues under model toxics control act: ***2E2SSB 5296, CH 1 (2013)**

Communities, fully contained, clarifying requirements for payment of infrastructure for: HB 2078

Comprehensive plans and development regulations, cities and counties, allowing more time before certain penalties are possible: HB 1401, ***SSB 5399, CH 275 (2013)**

Comprehensive plans and development regulations, development proposals consistent with, SEPA categorical exemptions for: HB 2090

Comprehensive plans and development regulations, parts found invalid, invalidity of permitting under: HB 2234

Development proposals, SEPA categorical exemptions in certain cases: HB 2090

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Fully contained communities, clarifying requirements for payment of infrastructure for: HB 2078

Growth management act, county legislative authority withdrawal from planning under the act: HB 1224

Growth management act, repealing: HB 1167

Infill development, comprehensive plans, SEPA categorical exemption extended to certain short plat and subdivision actions: HB 2595

Land use decisions, certain preliminary short plats, decision and application notice requirements: HB 2311

Private property rights, protecting from United Nations Agenda 21 policies: HB 1165

Undeveloped or underutilized lands, new industrial/manufacturing facility construction on, property tax exemption: HB 1443

Urban growth areas, territory added to, vesting of land use activity applications: HB 2245

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Gangs, criminal street gang activity at rental properties, law enforcement agency provisions: HB 1799

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Keys, leased premises, landlord to maintain and safeguard master and duplicate keys: HB 1647

Manufactured housing communities, manager training and certification requirements: HB 1590

Manufactured/mobile home communities, expanding duties and obligations of landlords: HB 2232

Manufactured/mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**

Mobile and manufactured homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**

Mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: SSB 5523

Tenant screening service providers, information disclosure by, restrictions: HB 1529, ***SSB 5568, CH 54 (2013)**

Tenants, at-will tenancies, when guilty of unlawful detainer: HB 1532

Tenants, deceased, personal property in leased premises, landlord procedures before and after tenant's death: HB 1520

Tenants, screening reports, provisions: HB 2537

Trespass in first degree, criminal, at rental properties, protections for tenants: HB 1799

Unlawful detainer, alternative means of service for plaintiff, procedures: HB 1607

Unlawful detainer, outcomes from action of a tenant or applicant, restricting disclosure by tenant screening company: HB 1529

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Abuse or neglect of a child, by supervised persons, requiring various organizations to report to DSHS or law enforcement: ***SB 5359, CH 273 (2013)**

Agencies, criminal history record information compliance audits of criminal justice agencies: HB 1531, ***SB 5466, CH 62 (2013)**

Aircraft systems, public unmanned, establishing standards, protecting citizens, and reducing liability: HB 1771

Alcohol poisoning, involving person under age 21, limited immunity when seeking medical assistance: ***HB 1404, CH 112 (2013)**

Apartment owners' associations, speed limit enforcement by law enforcement personnel within communities: ***SB 5113, CH 269 (2013)**

Apartment owners, associations of, speed limit enforcement by law enforcement personnel within communities: HB 1592
Arresting without warrant, modifying provisions: HB 2057
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Call location, wireless providers to provide location information to law enforcement responding to emergency: HB 1897
Chaplains for volunteer fire departments, retirement system membership: HB 1120
Chemical dependency, arresting individual suffering from, police officer options and related procedures: HB 2627
Condominium associations, speed limit enforcement by law enforcement personnel within communities: HB 1592, ***SB 5113, CH 269 (2013)**
Crisis intervention training for law enforcement officers, criminal justice training commission to provide: HB 1559
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Domestic violence, nonfelonious, responding officer placement options for certain juveniles arrested for: HB 2455, HB 2722
Drivers' licenses, confidential, issuance for certain law enforcement purposes, including records provisions: HB 1832, ***SSB 5591, CH 336 (2013)**
Emergency law enforcement information, allowing use of digital outdoor advertising signs along state highways: HB 1408
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Explosive actuated tactical devices, transportation and storage, exemption from Washington state explosives act requirements: ***SSB 5264, CH 140 (2013)**
Firearms, background checks, law enforcement role: HB 1588, HB 1839, ***SSB 5282, CH 216 (2013)**
Firearms, delivery to law enforcement officer, requirements: HB 2502
Firearms, sale by unlicensed person to another unlicensed person, law enforcement role in background check requirements: HB 1588
Foreign laws, prohibiting enforcement to avoid violating constitutional rights: HB 1392
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Gangs, criminal street gangs, marijuana excise tax revenues to be used for additional officers monitoring: HB 2732
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Global positioning system data showing criminal justice agency employee's or agent's residence, public records exemption for: HB 2128
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Human trafficking, at rental properties, law enforcement agency provisions: HB 1799
Identicards, confidential, issuance for certain law enforcement purposes, including records provisions: HB 1832, ***SSB 5591, CH 336 (2013)**
Immigration detainer, detaining individual on basis of, prohibiting officers from, exception: HB 1874
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Marijuana, excise tax revenues, distribution to cities and counties for additional officers monitoring criminal street gangs: HB 2732
Metal theft, ongoing electronic statewide no-buy list database program, implementation by Washington association of sheriffs and police chiefs: HB 1552
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Peace officers, reimbursement of training agency by hiring agency for basic law enforcement training received by officer: HB 1802
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Peace officers, using less lethal weapon, immunity from liability: HB 1678
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Police vehicle, attempting to elude, sentencing enhancement for, to be mandatory: HB 2549

Ramstead, Erik, Everson police chief, recognizing lasting legacy of: ***HR 4618 (2013)**
 Reserve peace officers, commissioned, evaluation and data collection concerning: HB 2705
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 Sheriffs and police chiefs, Washington association of, 24/7 sobriety program to be co-administered by: ***E2SSB 5912, CH 35 (2013)**
 Sheriffs, duplicate receipts for payments, repealing requirement: HB 1274
 Sheriffs, waiving fees for service of writ of habeas corpus for return of child: HB 1119
 Silver alert plan, development and implementation by state patrol: HB 1689
 State park rangers, vesting with police powers, including law enforcement academy training provisions: HB 1875
 State patrol, academy, admitting peace or enforcement officers of liquor control board: HB 1876
 State patrol, academy, admitting state park rangers from parks and recreation commission: HB 1875
 State patrol, biofuel and biodiesel use requirements, exemption: HB 2091
 State patrol, central registry of firearm offenders, provisions concerning information forwarding and maintaining of registry: HB 1612
 State patrol, consolidating mental health involuntary commitment information for firearm background check purposes, work group to make proposal: ***SSB 5282, CH 216 (2013)**
 State patrol, conviction records, fees for disseminating: HB 2138
 State patrol, electricity use requirements, exemption: HB 2091
 State patrol, establishing safety standards and performance requirements for operation of autonomous vehicles on public roads: HB 1439
 State patrol, identification and criminal history section, criminal history record information compliance audits of criminal justice agencies: HB 1531, ***SB 5466, CH 62 (2013)**
 State patrol, officer salary and benefits, comparability with other law enforcement agencies: HB 2487
 State patrol, participation in business license center: HB 1403, E2SSB 5680
 State patrol, regulation of motor carriers transporting hazardous materials: HB 2137
 State patrol, requesting renaming of Skagit river bridge as the Trooper No. 1076, Sean M. O'Connell Memorial Bridge: HJM 4003
 State patrol, role of chief in adopting standards to allow students to be in school buildings for before- and after-school programs: HB 1968
 State patrol, services provided for demonstration highway projects, overtime compensation to count as salary for retirement purposes: HB 1904
 State patrol, task force on missing and exploited children, repealing advisory board provision: HB 2712
 State patrol, to develop and implement "silver alert plan" for recovering certain senior citizens: HB 1689
 State patrol, Trooper Sean M. O'Connell Jr., commending for his exemplary service: ***HR 4657 (2013)**
 Students, searching on school grounds, applying reasonable suspicion standard: HJR 4209
 Students, searching on school grounds, warrantless search exception, to include school resource officers and local police school liaison officers: SB 5618

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 Agency expenditures, for advertising and marketing, committee to conduct analysis: HB 1373
 Back-to-school clothing and school supply items sales and use tax exemptions, committee to conduct economic impact study: HB 1329
 Beekeepers, tax relief for, committee to evaluate: ***ESSB 5882, CH 13 (2013)**
 Hog fuel, sales and use tax exemptions, committee to review performance of preference: ***ESSB 5882, CH 13 (2013)**
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 New businesses, business and occupation tax credit, committee to review and report concerning: HB 2052
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 Expenditure information web site, searchable state, links or access to annual state fee inventory, committee role: ***SB 5751, CH 63 (2013)**
 State expenditure information web site, searchable, adding current and future capital project and transportation project investments: EHB 1733, ***HB 2058, CH 327 (2013), *HCR 4406 (2013)**

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Engineers, registration renewal, department administration of continuing professional development requirements: HB 1231

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For hire vehicle businesses, vehicle operator permits and certificates, provisions concerning unfair competition practices: HB 1702

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License plates, personalized, use of additional registration fee for payment of claims for compensation due to certain damage caused by wildlife: ***E2SSB 5193, CH 329 (2013)**

License plates, replacement or retention, allowing option and modifying related provisions: ESSB 5785

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License plates, special, gold star plates: EHB 1132, ***SSB 5152, CH 286 (2013)**, ***SB 5161, CH 137 (2013)**

License plates, special, gold star plates, authorizing purchase by eligible family members of deceased armed forces member: EHB 1132

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Limousine businesses, chauffeurs for, modifying provisions concerning certain violations by: HB 1702

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Motorcycle road guard certificate, department of licensing to create and issue: HB 2494

Motorcycles, electric, registration renewal fee for: HB 2689

Motorcycles, original issue license plates, use of fees for major freight corridors: HB 1954

Motorcycles, safety education, department to allow private skills education programs to offer: HB 1379, ***SSB 5274, CH 33 (2013)**

Off-road vehicles, including nonhighway and wheeled all-terrain vehicles, certificates of title: HB 2675

Parking, special privileges, authorizing accessible van rental companies to apply for: HB 2463

Permanent cosmetics, licensing and regulatory provisions: HB 2162

Permitting decisions, department to enhance transparency and predictability of process: HB 2192

Process servers, regulating of, department to conduct sunrise review of need for: HB 2391
 Real estate appraisers, inactive certification, license, or registration status: HB 2381
 Real estate appraisers, trainee applicants and existing credential holders, fingerprint-based background checks: HB 1740
 Real-time captioners, certification and regulation by department: HB 1511
 Registration, electric motorcycles, renewal fee for: HB 2689
 Registration, motor vehicles, change of ownership: HB 2361
 Registration, motor vehicles, failure to register in state, allowing suspension or reduction of fine: HB 2372
 Registration, motor vehicles, imposing additional motor vehicle excise tax at time of registration renewal: HB 1954
 Registration, motor vehicles, imposition of fee by transportation benefit districts: HB 1954, HB 1959
 Registration, motor vehicles, modifying renewal requirements: HB 2741
 Registration, motor vehicles, service fee to be collected at time of renewal: HB 1954
 Registration, motor vehicles, voluntary donation to organ and tissue donation awareness account, department to market benefits of: HB 1726
 Registration, snowmobiles, modifying snowmobile license fees: HB 2002
 Registration, vehicle license fees for initial and renewal, modifying distribution: HB 2488
 Rule making by department, specific grant of legislative authority, requirement: HB 1163
 Security guards, private, licensing of, fingerprint background checks: HB 2534
 Studded tires, use of, issuance of permit and payment of permit fee: ESSB 5857
 Tow truck operators, not regulated under chapter 46.55 RCW, regulation of: HB 2663
 Traffic offenders, habitual, removing certified mail requirement for notifications: HB 1225
 Uniform commercial code, article 4A, clarifying relationship to electronic fund transfer act: HB 1115
 Uniform commercial code, article 4A, technical changes: HB 1115
 Uniform commercial code, article 9A, financing statements to perfect security interests, amending provisions: ESB 5183
 Vessels, nonresident permitting provisions: HB 1366
 Wrestling events, theatrical, department to conduct review of need for regulation of: HB 2573
 Yellow dot program for motor vehicles, department role: HB 1002

LIFE SCIENCES DISCOVERY FUND AUTHORITY

Life sciences discovery fund, funding agricultural production-based research using revenues from property taxation of marijuana-related trademarks, etc.: HB 1976
 Washington global health technologies and product development competitiveness program, eliminating of board of directors, authority's role in administering of program: HB 2029

LIGHTING

Bulbs, incandescent, Washington state incandescent light bulb freedom act: HB 2476
 Mercury-containing light product stewardship program, repealing program and account: SB 5658
 Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658
 Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246

LIMITED LIABILITY COMPANIES

Firearms ammunition, parts, and accessories, manufacturers of, exemption from limited liability company fees: HB 2020

LIQUOR CONTROL BOARD (See also ALCOHOLIC BEVERAGES)

Auction buyers of former state stores, applying for refund of successful bid and selling inventory to spirits retail license holders, authorizing: HB 2026
 Auction buyers of former state stores, exempting from spirits retail license issuance fee: HB 2019, *ESSB 5644, CH 12 (2013)
 Beer and wine sampling at farmers markets, conducted by microbreweries and wineries, allowing, board role: *SB 5674, CH 238 (2013)
 Beer and/or wine specialty shops, license endorsement to sell craft distillery products: HB 1133
 Beer, caterer's license to sell, creating: HB 2680
 Beer, growlers of, regulating sales of: HB 2327
 Beer, in purchaser's container, sales by grocery store licensees: HB 2371
 Beer, offering to day spa customers, creating day spa permit to allow: SSB 5045

Beer, tasting, changing criteria for beer and wine tasting endorsement for grocery stores: HB 1422, ***SSB 5517, CH 52 (2013)**

Board, changing status from limited authority law enforcement agency to general authority law enforcement agency: HB 1876, HB 2394

Cigar lounge special license endorsement for tobacco products retailer licensees, board role: HB 1750

Contract liquor store managers, certain former, exempting from spirits retail license issuance fee: HB 2019, ***ESSB 5644, CH 12 (2013)**

Contract liquor stores, certain former, exempting from spirits retail license issuance fee: HB 1962

Contract or state liquor stores, certain former, payment of retail license issuance fee: HB 2490

Culinary arts training educational institutions, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805

Culinary or alcohol-related classes, community or technical college, special permit to allow students at least age 18 to taste alcoholic beverages in: ***SSB 5774, CH 59 (2013)**

Fairs, liquor license and craft distillery spirits endorsement for: HB 2154

Fetal alcohol exposure, work group to address: HB 2737

Grocery stores, changing criteria for beer and wine tasting endorsement: HB 1422, ***SSB 5517, CH 52 (2013)**

Grocery stores, wine and beer licensees, sales of beer in purchaser's container: HB 2371

Licensees, grocery stores, sales of beer in purchaser's container: HB 2371

Licensees, serving alcohol for on-premises consumption, requiring fetal alcohol exposure warning signs, board role: HB 2737

Licenses, caterer's license to sell beer, spirits, and wine, creating: HB 2680

Licenses, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805

Licenses, endorsements, sales of craft distillery products by beer and/or wine specialty shops: HB 1133

Licenses, for beer sales, allowing cider sales by certain licensees: HB 1008

Licenses, for beer sales, allowing wine sales by certain licensees: HB 1742

Licenses, liquor license for fairs: HB 2154

Licenses, multiple for single location, allowing: HB 1711, HB 2355

Licenses, renewals, increasing excise tax revenues with: HB 1503

Licenses, senior center license: HB 1063

Licenses, snack bar beer retailer's license, adding sales of wine by the glass to: HB 2302

Licenses, spirits distributors, modifying license issuance fee and surcharge provisions: HB 2019

Licenses, spirits distributors, modifying license issuance fee provisions: ***ESSB 5644, CH 12 (2013)**

Licenses, spirits retail license, eliminating issuance fee: HB 1282

Licenses, spirits retail license, excluding certain licensees selling spirits for later resale from license issuance fee: HB 2172

Licenses, spirits retail license, exempting certain former contract liquor stores from issuance fee: HB 1962

Licenses, spirits retail license, payment of issuance fees: HB 2412, HB 2435

Licenses, spirits retail licensees, issuance fee exemption for former contract liquor store managers and state store auction buyers with respect to certain sales: HB 2019, ***ESSB 5644, CH 12 (2013)**

Licenses, spirits, craft distillery endorsement for sales at fairs: HB 2154

Licenses, theaters, beer and wine sales: HB 1001

Licenses, theaters, beer, wine, and spirits sales: ***ESB 5607, CH 237 (2013)**

Licenses, various, miscellaneous changes: HB 2305

Liquor revolving fund, distribution of revenues: HB 1368, HB 2067, HB 2314

Marijuana, criminal acts by or with minors, new provisions: HB 2706

Marijuana, definitions, clarifying to clearly exclude industrial hemp: HB 2767

Marijuana, environmental impacts of various means of producing, board to consult with department of ecology to examine: HB 1992

Marijuana, legal marketplace for, regulation by liquor control board, deleting certain fees and fines: HB 2000

Marijuana, legal marketplace for, technical changes to facilitate board creation of regulatory scheme: HB 2000

Marijuana, medical, revising Washington state medical use of cannabis act, board role: HB 2149

Marijuana, recreational, tax stamp system for sale of, board role: HB 2411

Marijuana, regulating licensing of producers, encouraging board to prefer and incentivize rural area production operations on unenclosed outdoor agricultural lands: HB 1991

Marijuana, retail licenses, to include processing and processors: HB 2304

Marijuana, statutory provisions, state preemption of local government laws and ordinances: HB 2638

Officers of the board, peace or enforcement, reimbursing training agency for cost of academy training in certain case: HB 1876

Permit, special, to allow community or technical college students at least age 18 to taste alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**

Permits, day spa permit, allowing offering of wine or beer to customers: SSB 5045

Permitting decisions, board to enhance transparency and predictability of process: HB 2192

Purchases of liquor, confidentiality of board records of, repealing statute: HB 2764

Rule making by board, specific grant of legislative authority, requirement: HB 1163

Spirits, caterer's license to sell, creating: HB 2680

Spirits, craft and general distilleries, for off-premises consumption or samples for on-premises consumption: HB 2364

Spirits, retailers, theft from, board regulatory authority to reduce: HB 2155

Spirits, sale and distribution, board recommendations for streamlining collection of taxes, fees, and reports: ***HB 1124, CH 95 (2013)**

Spirits, sales at fairs, endorsement for craft distilleries: HB 2154

Tobacconist shop, retail, special license endorsement for tobacco products retailer licensees, board role: HB 1750

Wine and/or beer specialty shops, license endorsement to sell craft distillery products: HB 1133

Wine, adding sales of wine by the glass to snack bar beer retailer's license: HB 2302

Wine, caterer's license to sell, creating: HB 2680

Wine, growers of, regulating sales of: HB 1742, HB 2327

Wine, offering to day spa customers, creating day spa permit to allow: SSB 5045

Wine, tasting, changing criteria for beer and wine tasting endorsement for grocery stores: HB 1422, ***SSB 5517, CH 52 (2013)**

LITTERING (See also SOLID WASTE; TAXES - LITTER TAX)

Bags, retail carryout, regulation by cities and counties: HB 1310

Nuisance abatement, litter and potentially dangerous litter, city and town authority: HB 1367, SB 5323

Penalty for general littering, adding to penalty for littering from motor vehicle: HB 2294

Reduction efforts, using litter tax revenues to support programs: HB 1309

LIVESTOCK

Anaerobic digesters, distinguishing sheep's blood from sheep processing waste in connection with: HB 2717

Animal health and food safety programs, fee increases for: HB 2748, HB 2749

Carnivores, large wild, livestock injury or loss due to certain wildlife: HB 1219, HB 2517, ***E2SSB 5193, CH 329 (2013)**

Cowboy, national day of the, celebrating: ***HR 4644 (2013)**

Cows, docking of, prohibiting, exceptions in certain cases when carried out by veterinarian: HB 1787

Cruelty to animals, veterinarian liability protections when reporting: HB 1186, ***SB 5102, CH 245 (2013)**

Dairy cattle, certain sales of unbranded bull calves and free martins, exemption from inspection requirements: ***SSB 5767, CH 313 (2013)**

Damage to livestock by wildlife, expenditures from wildlife conflict account for: HB 2517

Damage to livestock by wildlife, payment of claims for compensation: HB 1219, HB 1501, ***E2SSB 5193, CH 329 (2013)**

Damage to livestock caused by wolves, payment of claims for compensation: HB 1501

Diseases, control and traceability activities, electronic reporting of intrastate livestock ownership transfers: HB 2625

Diseases, control and traceability activities, recovery of department of agriculture data entry costs in connection with: HB 1886

Feed, commercial, studying hemp as component of: HB 2405

Inspections, exemptions, certain sales of unbranded dairy breed bull calves and free martins: ***SSB 5767, CH 313 (2013)**

Manure, anaerobic digesters, apprentice utilization requirement for tax exemptions: HB 1023

Manure, anaerobic digesters, prevailing wage requirement for tax exemptions: HB 1025

Manure, anaerobic digesters, resident workers requirement for tax exemptions: HB 1026

Manure, livestock nutrient management equipment and facilities, extending sales tax exemption: HB 2259

Pollution violation due to livestock, adding determination and voluntary compliance to penalty process: HB 2478

Predators, attacking livestock, permitting owner to kill any predator without a permit, conditions: HB 1191

Predators, gray wolf attacking livestock, permitting owner to kill gray wolf without a permit, conditions: SSB 5187

Sheep, ovine blood, alternative to rendering plant disposal under certain conditions: HB 2716

Sheep, sheep's blood, distinguishing from sheep processing waste in connection with anaerobic digester provisions: HB 2717

Wolves, gray wolf, permitting livestock owner to kill gray wolf without a permit, conditions: SSB 5187
 Wolves, livestock damage caused by, payment of claims for compensation: HB 1219, HB 1501, *E2SSB 5193, CH 329 (2013)

LOANS (See also CREDIT UNIONS; FINANCIAL INSTITUTIONS; MORTGAGES AND MORTGAGE BROKERS)

Banks, in-state and out-of-state, defining "loan" for business and occupation tax apportionable income purposes: HB 1751
 Consumer loan act, technical corrections and licensing and enforcement revisions: HB 1326, *SB 5207, CH 29 (2013)
 Debt buyers, regulating debt buyer collection practices: HB 1069, HB 1822
 Seller-financed loans, expanding "escrow" definition and exempting certain entities from licensing: HB 1034
 Small loans, borrowing, raising borrower twelve-month loan limit: HB 1658
 Small loans, maximum interest rate: HB 1363, HB 1657, ESSB 5312
 Small loans, regulating through small consumer installment loan act: HB 1657, ESSB 5312

LOCAL GOVERNMENT (See also CITIES AND TOWNS; COUNTIES; EMINENT DOMAIN; OPEN PUBLIC MEETINGS; RECORDS)

Aircraft systems, public unmanned, establishing standards, protecting citizens, and reducing liability: HB 1771
 Beneficial interests in contracts, prohibition, exemption for municipal officers for certain renewable energy programs and conservation systems and equipment: HB 1746
 Community development policies, prohibiting when based on international accords infringing on private property rights: HB 1164
 Controlled substances act, provisions of, state preemption of local government laws and ordinances: HB 2638
 Development proposals, SEPA categorical exemptions in certain cases: HB 2090
 Dogs, breed-based regulations, preventing: HB 2117
 Emergencies and disasters, continuity of government and operations in the event of: HB 2124
 Emergencies and disasters, continuity of government and operations in the event of, constitutional amendment to clarify: HJR 4212
 Employment laws and contracts, local, preemption by state of Washington: HB 2591
 Environmental impact statement, nonproject, recovering preparation costs: HB 1104, HB 1682, HB 1717
 Environmentally designated land, existing, satisfying mitigation requirements for public infrastructure projects with: HB 2269
 Facility naming, authorizing sale of naming rights, exceptions: HB 1050
 Fire sprinkler systems, in agricultural structures, prohibiting local government from mandating installation: HB 1390
 Fiscal health of local governments, creation of local government fiscal health commission: HB 1828
 Fourth Amendment protection act, refusing aid in certain cases to federal agencies collecting electronic data in state: HB 2272
 Fuel, satisfying usage for vehicles, vessels, and construction equipment with electricity or biofuel, including exemptions: HB 1602, *ESB 5099, CH 328 (2013)
 Golf cart zones, city and county authority to regulate: HB 2219
 Infrastructure, local financing tool program, extending expiration dates: HB 1306
 Infrastructure, local financing tool program, methods for evaluation program to include report: HB 2382
 Infrastructure, state tax revenues levied for, deposit in public works assistance account and use for public works: HJR 4215
 Investment pools, county, modifying provisions: HB 2593
 Lands and their resources, coordinated state and local management: HB 1163
 Liquor revolving fund, distribution of revenues to local governments: HB 1368, HB 2067, HB 2314
 Marijuana, licensed commercial recreational marijuana businesses, prohibiting local governments from impeding: HB 2322
 Marijuana, statutory provisions, state preemption of local government laws and ordinances: HB 2638
 Marriage, solemnizations of, authorizing without requiring elected officials to perform: HB 1589
 Municipal employees, to be included in certain contract beneficial interest provisions of municipal officer code of ethics: HB 1867
 Municipal officers, code of ethics for, modifying certain contract beneficial interest provisions to include municipal employees: HB 1867
 Municipal officers, prohibiting of beneficial interests in contracts, exemption for certain renewable energy programs and conservation systems and equipment: HB 1746
 Naming of facilities, authorizing sale of naming rights, exceptions: HB 1050

National defense authorization act, prohibiting state public employees or associated persons from cooperating with investigations or detainment under the act: **HB 1581**

Offenders, providing with housing rental vouchers, local government inspection requirements: ***ESB 5105, CH 266 (2013)**

Political subdivisions of state, employee participation in state insurance or self-insurance programs, to include retirees: **HB 1741**

Procurement by local government, contract length limitation and termination prohibition: **HB 1143**

Procurement by local government, enterprise application software solutions, requesting proposals from bidders: **HB 1949**

Procurement by local government, nonsubstantive changes to statutes: **HB 2374**

Properties owned by agencies, vacant or undeveloped, developing master real estate plan and making payment in lieu of taxes: **HB 2628**

Properties, obtained by public agencies through foreclosure, developing master real estate plan for use or disposal: **HB 1964**

Public facilities loans and grants, assistance for, expanding community economic revitalization board funding role through greater flexibility: **HB 1260**

Public transportation zones, enhanced, imposition of local sales and use tax by legislative entity after establishing zone: **HB 1954**

Public transportation zones, enhanced, imposition of local sales tax by legislative entity after establishing zone: **HB 1898**

Public works, prevailing wage requirements, government authority to opt out: **HB 2299**

Purchasing, awarding contract to lowest bid before taxes applied: **HB 1268, *ESSB 5110, CH 24 (2013)**

Purchasing, enterprise application software solutions, requesting proposals from bidders: **HB 1949**

Regulations affecting property owners, compensation requirements: **HB 1163, HB 1166**

Regulations affecting property owners, compensation under regulatory freedom and accountability act: **HB 1163**

Sex offenders, registered, providing with housing rental vouchers, local government inspection requirements: **HB 1232**

Streets and highways, new construction or maintenance or repair activities following best management practices, removing limits and modification requirements: **HB 2097**

Surveillance using extraordinary sensing devices, requirements and prohibitions: **HB 2179**

Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making, role of local governments: **HB 1978, HB 2070**

Transportation projects, in local comprehensive plans subject to environmental analysis, state environmental policy act exemption: **HB 2096**

Treasurers and treasury practices, modifying various provisions: **HB 2593**

Trespass on private property, criminal, ensuring application to government officials by eliminating most special immunities from prosecution: **HB 1681**

U.S. government property, to include electronic data processing, telecommunication equipment, software, and services, authorizing purchase with calling for bids: ***HB 1738, CH 132 (2013)**

LONG-TERM CARE

Adult day health programs, encouraging expansion through challenge grant program: **HB 1983**

Adult day services, nurse delegation: **HB 1630**

Adult family homes, disclosure of scope of care, services, and activities provided by: **HB 1701, *SSB 5630, CH 300 (2013)**

Adult family homes, implementing recommendations of adult family home quality assurance panel: **HB 1701, *SSB 5630, CH 300 (2013)**

Adult family homes, modifying certain licensing fee and capital add-on rate provisions: **HB 2320**

Adult family homes, multiple, accepting and processing applications for licensure of additional homes, conditions: ***EHB 1677, CH 185 (2013)**

Adult family homes, protection of residents from potential ongoing neglect: **HB 1701, *SSB 5630, CH 300 (2013)**

Adult family homes, requirements when registered sex offender residing in home: **HB 1125**

Adult family homes, services for nonresident individuals: **HB 2320**

Adult family homes, vulnerable adults in, meeting special needs of: **HB 1701, *SSB 5630, CH 300 (2013)**

Aging and disability issues, joint legislative executive committee on, establishment in connection with long-term care issues: **HB 1631**

Assisted living facilities, to include residents not requiring certain frequent nursing supervision: **HB 1727**

Autopsies, authorization according to order of priority, disclosure to residents and legal representatives: **HB 2730**

Case management oversight, by area agency on aging, modifying verification of worker time sheets requirement: **HB 2632**

Elderly, program of all-inclusive care (PACE), establishing certain long-term care client rules and program education plan: **HB 1499**

Guardians, for incapacitated adults, improving protections for adults by modifying guardianship provisions: **HB 1816**

Home and community-based services, eligibility of recipients for Washington telephone assistance program: HB 2696
 In-home care services, medicaid, restoring funding: HB 2159
 In-home personal care, agency electronic timekeeping, limited exemption: HB 2647
 In-home personal care, agency electronic timekeeping, limited exemption when lacking a landline phone: HB 1362
 Insurance for long-term care, requiring prompt payment and denials: HB 1441, ***SB 5216, CH 8 (2013)**
 Insurance, premium rate changes, notices and information for policy and certificate holders: HB 2449
 Medicaid personal care services, refinancing under community first choice option: HB 2746
 Medicaid, nursing facility payment system, delaying rebase of certain rate components and extending certain rate add-ons:
***HB 2042, CH 3 (2013)**
 Medicaid, nursing facility payment system, establishing disproportionate share rate add-on: HB 2236
 Medicaid, nursing facility payment system, establishing medicaid disproportionate share component rate allocation for each facility: HB 1885
 Medicaid, nursing facility payment system, restoring certain changes made in 2011: HB 1885
 Nursing facilities, medicaid payment system, various changes: HB 1885, ***HB 2042, CH 3 (2013)**, HB 2236
 Personal care services, medicaid, refinancing under community first choice option: HB 2746
 Personal protective equipment for individual providers, methodology for providing: HB 2310
 Respite care, agency electronic timekeeping, limited exemption: HB 2647
 Respite care, agency electronic timekeeping, limited exemption when lacking a landline phone: HB 1362
 Service coordination organizations, establishing accountability measures: HB 1519
 Sex offenders, registered, requirements when residing in adult family home: HB 1125
 Tretwold, Jerry, honoring: ***HR 4625 (2013)**
 Workers, certain individual respite service providers, exemption from certain certification and training requirements: HB 2646
 Workers, including nurses, credentialing and continuing education requirements: HB 1629

LONG-TERM CARE OMBUDSMAN

Guardians, professional and lay, publication of information concerning guardians by ombudsman: HB 1816

LOTTERY, STATE

Business license center, participation by state lottery: HB 1403, E2SSB 5680
 Commission, role in publicizing state lottery funding of veterans innovation program: HB 1428
 Efficiency of lottery, increasing through certain modifications: HB 2281
 Scratch tickets, as promotional item, lottery authority to provide: HB 2280
 State lottery account, modifying moneys distribution provisions: HB 1428
 Veteran lottery raffle, repealing: HB 1428, HB 1982
 Veterans innovation program, state lottery account funding, discontinuing: HB 1982
 Veterans innovation program, state lottery account funding, modifying: HB 1428
 Web site, state lottery, selling internet advertisements for display on: HB 2279

LOW-INCOME PERSONS (See also HEALTH CARE; HOMES AND HOUSING; PUBLIC ASSISTANCE)

Companion animals, low-income owner assistance through companion animal safety, population control, and spay/neuter assistance program: HB 1229, SSB 5202
 Environmental justice, state agency efforts concerning disproportionately adverse health and environmental impacts on low-income persons: HB 1434, HB 2312
 Essential needs and housing support program, eligibility for, determining: HB 2069
 Essential needs and housing support program, persons with disability eligible for, continuation of safety net benefits: HB 2069
 Higher education financial aid, state need grant program, setting grant awards for certain private institutions at same level as public universities: HB 1878
 Housing, affordable low-income, selling or leasing of surplus governmental property for: HB 1563
 Prescription drugs and supplies, donated, authorizing dispensing to uninsured persons: ***SSB 5148, CH 260 (2013)**
 Property tax relief programs, modifying disposable income calculation: HB 1728
 Students, low-income, housing trust fund projects to aid: HB 2462
 Students, low-income, opportunity internship program: HB 1560
 Students, low-income, partnership pilot project for increasing enrollment in running start program: HB 1526
 Students, low-income, program to increase college applications from high-achieving low-income students: HB 2694

Students, low-income, running start participation plans and program analysis to increase enrollment: HB 2396
 Working families' tax exemption for eligible low-income persons, for certain sales taxes paid, modifying provisions: HB 1890
 Youth, low-income, establishing dropout prevention through farm engagement pilot project: EHB 1276

MANUFACTURED HOUSING (See also HOMES AND HOUSING; LANDLORD AND TENANT; MOBILE HOMES)

Communities, landlords, expanding duties and obligations of: HB 2232
 Communities, managers, creation of advisory council on manufactured housing community management training: HB 1590
 Communities, managers, training and certification requirements: HB 1590
 Defendants under landlord-tenant acts, notified by alternative means of service, entering monetary judgments against: SB 5425
 Manufactured/mobile home dispute resolution program, enforcing new manager training and certification requirements: HB 1590
 Manufactured/mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**

MANUFACTURING (See also FIREARMS)

Asbestos-containing building materials, manufacturer labeling requirements: HB 1926, ***ESSB 5458, CH 51 (2013)**
 Batteries, manufacturers and marketers of, small rechargeable battery stewardship act: HB 1364
 Children's products, limiting presence of TRIS and other flame retardants: HB 1294
 Dairy products, business and occupation tax deduction for value of products or gross proceeds of sales in certain cases: ***ESSB 5882, CH 13 (2013)**
 Dairy products, business and occupation taxation of, provisions: HB 1748, ***ESSB 5882, CH 13 (2013)**
 Economic resilience of manufacturing in Washington, joint task force on, establishment: HB 2580
 Firearms ammunition, parts, and accessories, manufacturers of, exemptions from various taxes and business licensing and corporation and limited liability company fees: HB 2020
 Firearms and ammunition manufacturers, product liability provisions applicable to, adding further limits to: HB 2020
 Flame retardants, limiting presence in upholstered furniture and children's products manufactured, sold, or distributed for use in state: HB 1294
 Industrial/manufacturing facilities, new construction on undeveloped or underutilized lands, property tax exemption: HB 1443
 Manufacturing industrial centers, state geologist to update seismic scenario catalog for: HB 2580
 Mercury-containing light product stewardship program, repealing program and account: SB 5658
 Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658
 Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246
 Motor vehicle manufacturers, franchise agreements with new vehicle dealers, modifying provisions: HB 2524
 Motor vehicle manufacturers, requests for vehicle owner information, removing 2011-2013 fiscal biennium limitation: HB 1577
 Paint, architectural, producers to establish paint stewardship program: HB 1579
 Prescription drug manufacturers, participation in prescription donation for uninsured persons, including immunity provisions: HB 1382, ***SSB 5148, CH 260 (2013)**
 Pulp and paper mill workers, thanking: ***HR 4610 (2013)**
 Solar energy systems, manufacture and wholesale, extending business and occupation tax rate to solar grade silicon: ***ESSB 5882, CH 13 (2013)**
 Solar energy systems, manufacture and wholesale, extending expiration date for business and occupation tax rate: HB 1912, ***ESSB 5882, CH 13 (2013)**
 Upholstered furniture, limiting presence of TRIS and other flame retardants: HB 1294

MARINE EMPLOYEES' COMMISSION

Complaint and dispute procedure, removing expiration date: HB 1481, HB 1608
 Membership, duties, and rules of procedure, removing expiration date: HB 1608

MATERIALS MANAGEMENT AND FINANCING AUTHORITY

Electronic products recycling program, improving waste collection reporting, role of authority: HB 1498

MEDICINE AND MEDICAL DEVICES (See also DRUGS; HEALTH CARE; PHARMACIES AND PHARMACISTS)

- Add-on automotive adaptive equipment for veterans and armed forces members with disabilities, sales and use tax exemptions: HB 1831, ***SSB 5072, CH 211 (2013)**
- Biological products, by prescription, adding provisions concerning dispensing of interchangeable biosimilar products: HB 1528, HB 2326
- Compounding, drugs for distribution to licensed persons or commercial entities for resale or distribution, defining "manufacture" in relation to: ***HB 1800, CH 146 (2013)**
- Controlled substances act, certain provisions, state preemption of local government laws and ordinances: HB 2638
- Controlled substances, possession without prescription, downgrading to misdemeanor: HB 2116
- Defibrillators, medical emergency response and automated external defibrillator program for high schools: HB 1556
- Dextromethorphan, finished drug products containing, retail sale requirements: HB 2163
- EPI pens, placing in schools: ***ESB 5104, CH 268 (2013)**
- Epinephrine autoinjectors, placing in schools: HB 1578, ***ESB 5104, CH 268 (2013)**
- Health departments, local, drug and device dispensing policies and procedures: EHB 1538
- Hydrocodone combination products, allowing use by optometrists: HB 2173
- Involuntary medication, to maintain restoration of competency of criminally insane while in jail, court authorization: HB 2195
- Medical device and biotechnology manufacturing businesses, tax deferrals for investment projects, apprentice utilization requirement: HB 1023
- Medical device and biotechnology manufacturing businesses, tax deferrals for investment projects, prevailing wage requirement: HB 1025
- Medical device and biotechnology manufacturing businesses, tax deferrals for investment projects, resident workers requirement: HB 1026
- Nasal spray, administration by school employees: HB 1541
- Prescription drug manufacturers, participation in prescription donation for uninsured persons, including immunity provisions: HB 1382, ***SSB 5148, CH 260 (2013)**
- Prescription drugs and supplies, donated, authorizing dispensing to uninsured persons: HB 1382, ***SSB 5148, CH 260 (2013)**
- Prescription drugs, controlled substances, electronic communication of prescription or refill authorization: HB 1155, ***SSB 5416, CH 276 (2013)**
- Prescription drugs, insurer or utilization review entity clinical review criteria, allowing off-label uses and repeat prescriptions: HB 1943
- Prescription drugs, legend drug act, including pharmacists: ***HB 1182, CH 71 (2013)**
- Prescription drugs, ninety-day supply limit, placing conditions on dispensing in keeping with: HB 1583, ***SSB 5459, CH 262 (2013)**
- Prescription drugs, prior authorization process, work group to develop criteria for streamlining: ***E2SSB 5267, CH 215 (2013)**
- Prescription drugs, through medicaid managed care, enrollee comprehensive medication management: ***2SSB 5213, CH 261 (2013)**
- Prescription drugs, through medicaid managed care, enrollee comprehensive medication management process: HB 1637
- Prescription drugs, warehousing and reselling, repealing preferential business and occupation tax rate to provide basic education and higher education funding: HB 2038
- Prescription monitoring database, access for clinical laboratories: EHB 1593
- Prescription monitoring program, department of health, funding program entirely from medicaid fraud penalty account: ***HB 1565, CH 36 (2013)**
- Prescriptions written by physician and osteopathic physician assistants in other states, authorizing pharmacies to fill: HB 1596, ***SSB 5524, CH 12 (2013)**
- Rehabilitation technology products and services, complex, adoption of regulations by managed care plans within medical assistance program: HB 1445
- Student medications, administration by unlicensed school employees: HB 2366

MENTAL HEALTH (See also COUNSELORS AND COUNSELING; PSYCHIATRY AND PSYCHIATRISTS; PSYCHOLOGISTS; SEX OFFENSES AND OFFENDERS)

- Alzheimer's or dementia, senior citizens with, development and implementation of silver alert plan: HB 1689
- Behavioral health services, adult, task force convened by legislature to examine reform of: ***2SSB 5732, CH 338 (2013)**

- Behavioral health services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Behavioral health services, combined mental health and chemical dependency services, state purchasing of: HB 2639
- Chemical dependency disorders, co-occurring with mental health disorders, authorizing services rule compliance waiver renewal for certain mental health agencies: ***ESSB 5681, CH 303 (2013)**
- Chemical dependency disorders, co-occurring with mental health disorders, developing integrated rule for treatment by an agency: HB 1930
- Commitment, civil, amending provisions concerning offenders found incompetent to stand trial: HB 1114, ESSB 5176
- Commitment, court-ordered involuntary outpatient, procedures for orders, hearings, and petitions: HB 1513
- Commitment, involuntary, accelerating changes to laws concerning: HB 1777
- Commitment, involuntary, consolidating statewide information for firearm background check purposes, work group to make proposal: ***SSB 5282, CH 216 (2013)**
- Commitment, involuntary, developing individualized discharge plan and arranging transition to community: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Community mental health services, determining amount of property tax levy allocation for: HB 1432
- Community mental health services, using evidence- and research-based and promising practice to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Competency to stand trial, evaluations of, requirements: HB 1627, ***ESSB 5551, CH 284 (2013)**
- Competency to stand trial, evaluations, reimbursement of county for certain costs in certain cases: ***ESSB 5551, CH 284 (2013)**
- Criminally insane, authority of superior court mental health commissioners in proceedings: ***SSB 5165, CH 27 (2013)**
- Criminally insane, competency restoration in county jail: HB 2649
- Criminally insane, involuntary medication to maintain competency while in jail, court authorization: HB 2195
- Criminally insane, statute restricting outings from state facilities, repealing: HB 1458
- Crisis responders, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
- Detentions and evaluations under involuntary treatment act, modifying provisions: HB 1778, ***SSB 5456, CH 334 (2013)**
- Diagnosis and treatment of disorders, tracking outcomes, pilot program: HB 2315
- Disability, mental, continuation of safety net benefits for certain persons with: HB 2069
- Disability, mental, plea or finding of guilty but with a mental disability: HB 2496
- Enhanced services facilities, proposal for, department of social and health services to request: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Forensic mental health services, provision of, independent consultant to review: ***2SSB 5732, CH 338 (2013)**
- Hospitals, state hospitals, adding assault of worker to third degree assault: HB 2703
- Hospitals, state hospitals, risk of assault, department of social and health services to develop patient and staff safety plan: HB 1571
- Hospitals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
- Incompetency, criminal, amending civil commitment and related procedures: HB 1114, ESSB 5176
- Incompetent to stand trial, competency restoration in county jail: HB 2649
- Incompetent to stand trial, offender release instead of civil commitment, notification of release: ***ESB 5221, CH 214 (2013)**
- Information, related to mental health services, disclosure: HB 2339
- Information, related to mental health services, expanding disclosure statutes: HB 1679
- Involuntary treatment act, evaluations and detentions under, modifying provisions: HB 1778, ***SSB 5456, CH 334 (2013)**
- Involuntary treatment act, petition for initial detention, family filing of court review petition when professional decides not to file: HB 2725
- Juveniles, mental health diversion and disposition, strategies for juvenile justice system: HB 1524
- Juveniles, mental health treatment assessments or screenings, admissibility of statements, admissions, or confessions: HB 1724
- Legal financial obligations of criminal offenders, failure of mentally ill to pay not willful noncompliance: HB 2231
- McNeil Island, therapeutic occupation assignments for certain sexually violent predators: HB 1837
- Mental health courts, authority to establish, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**
- Mental health courts, authority to merge with DUI and drug courts, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**
- Mental health professionals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963

Mental health services, combined with chemical dependency services, state purchasing of behavioral health services: HB 2639

Mental status evaluation and treatment, for individuals who threaten to kill family member or other person: HB 2508

Mental status evaluation and treatment, requirements when sentence includes community placement or supervision: HB 2205

Missing endangered persons, adding to missing children clearinghouse: HB 1895, ***SSB 5556, CH 285 (2013)**

Psychiatric boarding, collecting data concerning, reporting requirements: HB 2761

Records, related to mental health services, expanding disclosure statutes: HB 1679

Reform of adult behavioral health services, task force to examine: ***2SSB 5732, CH 338 (2013)**

Regional support networks, certain contracts, including accountability measures for service coordination organizations: HB 1519

Regional support networks, forwarding historical involuntary commitment information for firearm background check purposes: ***SSB 5282, CH 216 (2013)**

Regional support networks, transfer of client to another network, uniform transfer agreement for: ***ESSB 5153, CH 230 (2013)**

Safety net benefits, continuation for certain persons with a physical or mental disability: HB 2069

Secure community transition facilities, residents of, therapeutic occupational assignments on McNeil Island: HB 1837

Secure facilities for sexually violent predators, introducing contraband in first, second, and third degrees: HB 1836

Service coordination organizations, regional support network contracts, including accountability measures for organizations: HB 1519

Sexual orientation change efforts, practice of, establishing work group to make recommendations concerning: HB 1882

Sexual orientation change efforts, practice of, prohibiting when performed on patient under eighteen: HB 2451

Silver alert plan, development and implementation by state patrol for recovering senior citizens with Alzheimer's or dementia: HB 1689

Social investment steering committee, Washington, establishment of, duties to include pilot programs: HB 2337

Suicide prevention, Washington plan for: HB 2315

Total confinement facilities, residents of, therapeutic occupational assignments on McNeil Island: HB 1837

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Constitutional currency restoration act, use of gold and silver as legal tender: HB 2542

Metal property, theft in first and second degrees: HB 1552

Scrap metal businesses, scrap metal transaction and license requirements: HB 1552, HB 1756

Theft, creating Washington metal theft prevention authority: HB 1552

Theft, implementing and operating ongoing electronic statewide no-buy list database program: HB 1552

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Civil relief for service members, expanding protections through civil actions and proceedings: HB 2171

Disabilities, armed forces members with, sales and use tax exemptions for add-on automotive adaptive equipment: HB 1831, ***SSB 5072, CH 211 (2013)**

Gold star license plates, authorizing purchase by eligible family members of deceased armed forces member: EHB 1132

Gold star license plates, provisions: EHB 1132, ***SSB 5152, CH 286 (2013)**, ***SB 5161, CH 137 (2013)**

Gold star plates, authorizing purchase by member of deceased armed forces member's family: ***SB 5161, CH 137 (2013)**

Higher education, awarding academic credit for military training: HB 1858

Higher education, early registration for veterans and national guard members: ***HB 1109, CH 67 (2013)**

Higher education, resident tuition, active members and veterans: HB 1011, SB 5318

Home and community-based medical services, program for military service members' dependents: HB 2363

Interstate 5, requesting naming as "purple heart trail": HJM 4000, ***SJM 8001 (2013)**

Japanese-American World War II veterans and internees, recognizing: ***HR 4617 (2013)**

K-12 campuses, access for military occupational and educational information, authority and requirements: HB 1345, ***SB 5114, CH 25 (2013)**

Licensing, professions, expanding use of military training and experience to satisfy requirements for license, certification, registration, or permit: HB 1859, SB 5970

Medal of Honor, Congressional Medal of Honor special license plates, modifying provisions: HB 2397, HB 2420

National defense authorization act, prohibiting investigations or cooperation with detainment under the act: HB 1581

National guard members, enlisted, health and dental insurance for: HB 2668

National guard members, rights as higher education students: ***SB 5343, CH 271 (2013)**
 National guard, honoring: ***HR 4609 (2013), *HR 4667 (2014)**
 Officer promotion board, revising composition of: HB 2115
 Parents with military duties, dissolution of marriage, residential provisions for children: HB 1107
 PERS, plans 2 and 3, reducing retirement and early retirement ages for uniformed service members: HB 2735
 POW/MIA flag, national league of families', display on Pearl Harbor remembrance day and former prisoners of war recognition day: HB 1893
 Property tax relief, active duty military personnel catastrophically injured in line of duty: HB 1214
 Reserve members, rights as higher education students: ***SB 5343, CH 271 (2013)**
 School employees, certificated personnel to received salary schedule credits for military training: HB 2431
 State route number 117, designating as POW/MIA memorial highway: ***SJM 8005 (2013)**
 Students from military families, education data disaggregation to include: HB 2166
 Students, certain military members and their families, defining as resident students for financial aid purposes: HB 2726
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 Third Stryker Brigade, honoring: ***HR 4624 (2013)**
 Veterans innovations program account, limiting use of funds: HB 2130
 Veterans innovations program, funding, conditional increase in appropriations for grants to veterans: HB 1280
 Veterans innovations program, repealing certain provisions and revising program: HB 2130
 Veterans innovations program, repealing repeal and termination provisions: HB 1280
 Vietnam veterans, observing a welcome home Vietnam veterans day: ***HB 1319, CH 5 (2013), *HR 4643 (2013)**
 Vietnam veterans, Washington state veterans who served in Vietnam, honoring: ***HR 4643 (2013)**

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Mineral prospecting and mining, requiring permit: HB 2579
 Suction dredge, using for prospecting: HB 2579
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Child welfare system, advisory committee on disproportionate representation of children of color in, membership rules: HB 2665
 Court interpreters for non-English-speaking persons, providing and reimbursing: HB 1542
 English language learners, implementing recommendations of educational opportunity gap oversight and accountability committee: HB 1680
 Environmental justice, state agency efforts concerning disproportionately adverse health and environmental impacts on minorities: HB 1434, HB 2312
 Filipino-Americans, celebrating the presence of: ***HR 4613 (2013), *HR 4665 (2014)**
 Immigrant children, granted deferred action for childhood arrival status, adding higher education financial aid criteria to aid: HB 1817, HB 1998
 Interpreter services, authorizing purchase by certain agencies for limited-English speaking injured workers, crime victims, or public assistance applicants and recipients: HB 1753, HB 2617
 Schools, public, developing model language access policy and procedure for adoption by districts to aid diverse parents: HB 1815
 Students of color, partnership pilot project for increasing enrollment in running start program: HB 1526
 Students of color, running start participation plans and program analysis to increase enrollment: HB 2396
 Transitional bilingual instruction, implementing recommendations of educational opportunity gap oversight and accountability committee: HB 1680
 Transitional bilingual instructional program, minimum allocation for: HB 2051
 Transportation workforce development, apprenticeship program, recruiting women and persons of color: HB 1922

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Businesses, minority and women's, establishing office unit to investigate violations: HB 1674
 Contractors, violations of contract requirements, penalties to include debarring or decertifying of contractor: HB 1674
 Minority and women's business enterprises account, depositing certain noncompliance penalty receipts: HB 2307

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Communities, landlords, expanding duties and obligations of: HB 2232

Defendants under landlord-tenant acts, notified by alternative means of service, entering monetary judgments against: SB 5425

Leased land with mobile home, adding to qualifications for senior, disabled, and veteran property tax exemption: HB 1479
Manufactured/mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes:

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Mobile and manufactured homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**

Mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: SSB 5523

Trailers, park model, responsibility for property taxes when ownership taken by park landlord: ***EHB 1493, CH 198 (2013)**, SSB 5523

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Brokers, regulation of, amending provisions: HB 1328, ***SSB 5210, CH 30 (2013)**

Consumer loan act, technical corrections and licensing and enforcement revisions: HB 1326, ***SB 5207, CH 29 (2013)**

Residential mortgage loan modification services, department of financial institutions regulatory authority: HB 1328, ***SSB 5210, CH 30 (2013)**

Residential mortgage loans, amending various licensing and enforcement provisions: HB 1326, ***SB 5207, CH 29 (2013)**

MOTOR VEHICLES (See also DRIVERS AND DRIVERS' LICENSES; FUELS; INSURANCE; LICENSING, DEPARTMENT; TAXES - MOTOR VEHICLE FUEL TAX; TRAFFIC; TRAFFIC OFFENSES)

Alternative fuel-powered vehicles, clarifying application of retail sales and use tax exemption: HB 2671

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Ambulances, requirements for seat belts and air bags: HB 2255

Antifreeze and coolant, denatonium benzoate exemption for vehicle sale: HB 1010

Autonomous vehicles, encouraging safe testing on public roads, requirements: HB 1649

Autonomous vehicles, state patrol to establish safety standards and performance requirements for operation on public roads: HB 1439

Bicycles, electric-assisted, removing and modifying certain helmet use requirements: HB 1246

Collectible vehicles, exemption from emission testing: HB 2359

Collector vehicles, restoration of, regulation by local governments: ESB 5121

Commercial motor vehicles, lighting and flags on projecting loads: HB 2137

Commercial motor vehicles, various statutory changes: HB 2137

Dealers and manufacturers, fees for original licenses, modifying distribution to improve transportation system revenue: HB 1954

Dealers and manufacturers, franchise agreements between, modifying provisions: HB 2524

Dealers, licensing of, fingerprint background checks: HB 2534

Drayage truck operators, provisions concerning contracts with port districts: HB 1719

Electric personal assistive mobility device, expanding definition to include certain devices with one wheel: HB 2404

Electric vehicles, charging stations for, comprehensive provisions: HB 2711

Electric vehicles, charging stations for, signage and pavement marking requirements and infraction and penalty provisions: ***ESSB 5849, CH 60 (2013)**

Farm vehicles, allowing farm vehicles on public highways in certain cases: ***ESB 5616, CH 299 (2013)**

For hire vehicle owners and lessees, industrial insurance coverage provisions: HB 2152

For hire vehicles and for hire vehicle operators, provisions: HB 1702, HB 1718

Freight project fee, imposing of, payment by applicants with certain large vehicles: HB 1954

Golf cart zones, city and county authority to regulate: HB 2219

Headlights, visibility threshold for required display: HB 2256

Ignition interlock devices, circumventing installation and use by acquiring new vehicle, gross misdemeanor: HB 2344

Impoundment, redemption of vehicle by insurer or vendor on behalf of insurer: HB 1130

Insurance and financial responsibility program, modifying provisions: HB 2713

Insurance and financial responsibility program, transferring: HB 2448

Insurance, liability and financial responsibility, modifying provisions: HB 2448, HB 2713

Insurance, motor vehicle insurer unfair practices, payment by insurer of certain damage claims in certain cases: HB 2600

Insurance, proof of sufficient liability policy, random sampling program to determine financial responsibility of vehicle owners, establishment: HB 1803

License fees for vehicles, initial and renewal, modifying distribution: HB 2488

License plates, automated recognition systems, restricting use to law enforcement agencies: HB 2606

License plates, change of ownership: HB 2361

License plates, confidential, provisions concerning records: HB 1832, ***SSB 5591, CH 336 (2013)**

License plates, front, exception to requirement when registered owner pays administrative fee: HB 1951

License plates, issuance of single plate: HB 2362

License plates, original issue, use of fees for major freight corridors: HB 1954

License plates, personalized, use of additional registration fee for payment of claims for compensation due to certain damage caused by wildlife: ***E2SSB 5193, CH 329 (2013)**

License plates, replacement or retention, allowing option and modifying related provisions: ESSB 5785

License plates, replacement, eliminating periodic requirement: HB 1387

License plates, replacement, shifting to every ten years and increasing fee: HB 1726

License plates, special, breast cancer awareness plates: HB 2700

License plates, special, Congressional Medal of Honor plates, modifying provisions: HB 2397, HB 2420

License plates, special, gold star plates: EHB 1132, ***SSB 5152, CH 286 (2013)**, ***SB 5161, CH 137 (2013)**

License plates, special, gold star plates, authorizing purchase by eligible family members of deceased armed forces member: EHB 1132

License plates, special, gold star plates, authorizing purchase by member of deceased armed forces member's family: ***SB 5161, CH 137 (2013)**

License plates, special, intermittent-use trailer plates: HB 1902

License plates, special, persons with disabilities, provisions concerning improper display, illegal obtainment, and unauthorized use: HB 1946, HB 2463

License plates, special, required purchase by scrap metal licensees: HB 1552, HB 1756

License plates, special, Seattle Sounders FC and Seattle Seahawks license plates: ***SSB 5152, CH 286 (2013)**

License plates, special, Seattle University plates: HB 2100

License plates, special, Washington state tree plates: HB 2752

License plates, special, Washington's wolves license plates: HB 1219, HB 1500, HB 1501

License plates, switching or flipping, gross misdemeanor: HB 1944

Limousine businesses, including chauffeurs, provisions: HB 1702, HB 1718

Limousine chauffeurs owning or leasing vehicle, industrial insurance coverage provisions: HB 2152

Loads, covering various vehicle loads on public highways: HB 1007

Loads, oversize or overweight, using state bridge database when issuing special permits for: HB 2740

Manufacturers and dealers, fees for original licenses, modifying distribution to improve transportation system revenue: HB 1954

Manufacturers and dealers, franchise agreements between, modifying provisions: HB 2524

Milwaukee Road corridor, allowing motor vehicle access for certain lessees, concessionaires, and agricultural users: HB 1939

Mopeds, exempting from motor vehicle weight fee: HB 2325

Motor vehicle subagencies, authority of subagent to recommend successor without resigning: HB 1242

Motorcycles, electric, registration renewal fee for: HB 2689

Motorcycles, exempting from motor vehicle weight fee: HB 2325

Motorcycles, helmets, modifying reference to manufacturing standards in definition: HB 2495

Motorcycles, helmets, removing certain requirements: HB 1246

Motorcycles, including in various commute trip reduction, high occupancy vehicle lane, and limited access facility arrangements: ***SB 5142, CH 26 (2013)**

Motorcycles, motorcycle safety awareness month, recognizing: ***HR 4615 (2013)**

Motorcycles, original issue license plates, use of fees for major freight corridors: HB 1954

Motorcycles, stopping and proceeding through red light, allowing under certain conditions: HB 1238, SB 5141

Motorcycles, with stabilizing conversion kits, excluding from definition of motorcycle for sake of persons with disabilities: HB 1334

Natural gas, liquefied, provisions concerning motor vehicle use: HB 2753

Off-road vehicles with valid off-road vehicle permit, discover pass requirements exemption: HB 1755

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 Off-road vehicles, including wheeled all-terrain vehicles, comprehensive provisions: HB 1632
 Owner information, requests by attorneys and private investigators, notice requirements: HB 1308, ***SSB 5182, CH 232 (2013)**
 Owner information, requests by vehicle manufacturers, removing 2011-2013 biennium limitation: HB 1577
 Owner information, requests by vehicle wreckers, fee exemption: HB 2482
 Ownership, change of, registration and license plate: HB 2361
 Protection products, expanding services included in service contracts to include: HB 2135
 Protection products, revising application of service contract provisions to certain providers: HB 2136
 Registration, certificates, repealing certain requirements for applicants: HB 1521
 Registration, changes of ownership, modifying provisions: ESSB 5785
 Registration, failure to register in state, allowing suspension or reduction of fine: HB 2372
 Registration, falsifying, gross misdemeanor: HB 1944
 Registration, fee for vehicles, imposition by transportation benefit districts: HB 1954, HB 1959
 Registration, renewal, imposing additional motor vehicle excise tax at time of: HB 1954
 Registration, renewal, modifying requirements: HB 2741
 Registration, renewal, service fee to be collected at time of: HB 1954
 Registration, service fee to fund replacement of ferries: HB 1129
 Registration, snowmobiles, modifying snowmobile license fees: HB 2002
 Registration, vehicle license fees for initial and renewal, modifying distribution: HB 2488
 Registration, voluntary donation to organ and tissue donation awareness account, department of licensing to market benefits of: HB 1726
 Rental cars, provisions concerning rental car businesses and processing of certain motor vehicle-related violations: HB 2470
 Sale, reports of, filing and effective date provisions, modifying: ESSB 5857
 Sales of motor vehicles, documentary service fee, effect of negotiation-free pricing on charging of: HB 2757
 Scooters, exempting from motor vehicle weight fee: HB 2325
 Service contracts, expanding included services in connection with protection products: HB 2135
 Service contracts, revising application of provisions to certain providers: HB 2136
 Snowmobiles, registration, modifying snowmobile license fees: HB 2002
 Studded tires, use of, issuance of permit and payment of permit fee: ESSB 5857
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 Taxes, local motor vehicle excise tax, imposition by public transportation benefit area, conditions: HB 1953
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 Titles, quick title for vehicles, processing by subagents: HB 2674
 Tow truck operators, handling unmarked government vehicles, legal jeopardy in cases of, prohibiting: HB 2528
 Tow truck operators, impound requirements and disclosure of charges and fees: HB 1625
 Tow truck operators, not regulated under chapter 46.55 RCW, regulation of: HB 2663
 Tow trucks, flatbed, allowing passengers in vehicle on deck: ***SB 5050, CH 155 (2013)**
 Trailers, intermittent-use, creating special license plate for: HB 1902
 Vehicle prowling, second degree, class C felony in certain cases: HB 1305, ***ESB 5053, CH 267 (2013)**
 Vehicular assault, sentences: HB 1388
 Vehicular homicide, due to alcohol or drugs, offender to pay child support for victim's children: HB 1151
 Vehicular homicide, sentences: HB 1388, HB 2507
 Wreckers, fee exemption for vehicle owner information requests: HB 2482
 Yellow dot program for motor vehicles: HB 1002

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Music does matter program, allocation of grants for kindergarten music education: HB 1248

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Apple a day act of 2014, competitive equipment assistance grant program to enhance student nutrition: HB 2410
 Braden and Charlie Powell act of 2013, prohibiting child custody award to suspect in active homicide investigation: SSB 5162

Business license center act, renaming as business licensing service act: HB 1568
Collection agency act, amending: HB 1031
Constitutional currency restoration act, use of gold and silver as legal tender: HB 2542
Consumer loan act, technical corrections and licensing and enforcement revisions: HB 1326, ***SB 5207, CH 29 (2013)**
Debt settlement services act, licensing of persons providing services: HB 2670
Debt settlement services act, registration of persons providing services: HB 2142
Digital world privacy rights act, individual's right to retain control of digital information: HB 2180
Dylan's law, requiring person with knowledge of location of human remains to report to law enforcement: HB 1980
Early start act, aligning early learning and child care: HB 2377
Employee fair classification act, improving compliance with wage-related laws: HB 1440, HB 2334
Employer responsibility for medical assistance costs of employees act of 2014: HB 2588
Employment security act, amending corporate officer unemployment benefit provisions: ***SSB 5227, CH 250 (2013)**
Facilities naming act, naming rights for government facilities: HB 1050
Fair debt buyers practices act, consumer loan and credit account collections: HB 1069
Family and medical leave insurance act, repealing if not funded: ESB 5903
Flood hazard reduction act of 2014: HB 2356
Fourth Amendment protection act, refusing aid in certain cases to federal agencies collecting electronic data in state: HB 2272
Give fish a chance act, using suction dredge for prospecting and requiring mineral prospecting and mining permit: HB 2579
Growth management act, repealing: HB 1167
Health benefit exchange grace period act, continuity of care during grace periods: HB 2571
Insurer holding company act, concerning financial solvency of insurance companies: HB 2461
Insurer state of entry model act, adopting: HB 1402
International commercial arbitration act: HB 2169
Judicial election reform act, providing public funding for supreme court campaigns: HB 2525
Kelsey Smith act, providing wireless communications call location information to law enforcement responding to emergency: HB 1897
Local control over marijuana commerce act: HB 2510
Local control over marijuana use and possession act: HB 2509
Mail in ballot deadline act: HB 2561
Open government trainings act, requiring open public meetings and public records training: HB 2121
Pension poacher prevention act, preserving integrity of veterans' benefit-related services: HB 2390
Protect the initiative act, initiative to the legislature: HI 517
Public employee defined contribution retirement plan act, creating Washington public employees' savings plan: ESSB 5851
Real hope act, state need grant eligibility for certain immigrant students with deferred action for childhood arrival status: SB 6523
Regulatory fairness act of 2013, controlling state agency regulatory rule making: HB 1162
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Standard of care protection act, protecting state's standard of care for medical malpractice: HB 2419
Start-up Washington act, growth and development of start-up businesses: HB 2052
State bar act, repealing and recodifying: HB 1335
State employment disability parity act, increasing hiring of persons with disabilities by state agencies: HB 2450
State parks and recreation centennial act, provisions concerning funding, access, and the parks and recreation commission: HB 1935
Tax exemption transparency and accountability act, creating tax expenditure budget requirement: HB 2721
Taxpayer funded lobbying reform act, prohibiting lobbying by state agencies: HB 1093
Taxpayer protection act, concerning outsourcing agency services to private sector or nonprofit: HB 2743
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Uniform collaborative law act, requirements for collaborative law participation agreements: HB 1116
 Uniform controlled substances act, amending controlled substance prescription provisions: HB 1155, ***SSB 5416, CH 276 (2013)**
 Uniform correction or clarification of defamation act: HB 1406, ***ESB 5236, CH 294 (2013)**
 Uniform debt management services act, including services provider registration: HB 1340
 Uniform interstate family support act, revising to include foreign support orders: HB 1118
 Washington business corporation act, amending dissenters' rights provisions: ***HB 1148, CH 97 (2013)**
 Washington commercial bank act: HB 2141
 Washington cosmetologists, barbers, manicurists, and estheticians act, adding hair designers to title of act: HB 2512
 Washington jobs assistance act, prohibiting employers from asking about or using nonconviction information: HB 2545
 Washington savings association act, renaming RCW Title 33 as: HB 2141
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 Washington state energy freedom act, prohibiting state agency regulation of greenhouse gas emissions without legislative authorization: HB 1169
 Washington state firearms ammunition, parts, and accessories jobs act: HB 2020
 Washington state firearms freedom act of 2013: HB 1371
 Washington state freedom of travel act, prosecuting acts of official oppression by federal public servants: HB 1454
 Washington state gun and ammunition sales tax exemption act: HB 2529
 Washington state health care freedom act of 2013, prohibiting required participation in a health care system: HB 1168
 Washington state incandescent light bulb freedom act: HB 2476
 Washington state life at conception act, declaring that right to life begins at conception: HB 1259
 Washington state medical use of cannabis act, revising and renaming: HB 2149
 Washington state patient safety act, hospital nursing staffing practices: HB 1095
 Washington state preservation of liberty act, prohibiting investigations or cooperation with detainment under the national defense authorization act: HB 1581
 Washington trust institutions act: HB 2141
 Washington uniform real property transfer on death act: HB 1117
 Washington voting rights act of 2013, enacting: HB 1413
 Water banking best practices act: HB 2760
 Workers' recovery act, removing age barriers with regard to structured settlement agreements: 2ESSB 5127
 Young voter registration equality act, motor voter preregistration for persons age sixteen and seventeen: EHB 1279

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 Board of natural resources, land management, board consideration of economic development: HB 1111
 Board of natural resources, rule making by board, requirement for specific grant of legislative authority: HB 1163
 Board of natural resources, state land divestiture plan, board to implement: HB 1111
 Community forest land trust, purchase of land by department for trust to help protect Yakima river basin: ***2SSB 5367, CH 11 (2013)**
 Community forest trust account, creation, department role: HB 2126
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 Discover pass, requiring for motor vehicle operation, exempting certain department-managed roads: ***ESSB 5897, CH 15 (2013)**
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 Environmental justice, department efforts concerning disproportionately adverse health and environmental impacts on low-income and minority populations: HB 1434
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 Geoduck safety advisory committee, establishment by department: HB 1764

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 Lands and their resources, coordinated state and local management, department role: HB 1163
 Lands managed by department, closed, access by Indian tribes with federally recognized hunting rights in spite of closure: HB 1495
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 Lands managed by department, recreation access, waiving penalty for failure to display day-use permit, discover pass, or vehicle access pass: HB 2156
 Lands, department-purchased, retaining water rights for later transfer to local economy trust water account: E2SSB 5219
 Natural resources management, streamlining through agency independence, department administrative authority: HB 1384
 Permitting decisions, department to enhance transparency and predictability of process: HB 2192
 Real property, surplus governmental, selling or leasing by department for affordable low-income housing: HB 1563
 Seismic scenario catalog, state geologist to improve and update for manufacturing industrial centers: HB 2580
 Small forest landowners, department to monitor harvests conducted by and report on negatively impacted streams: HB 1600
 Small forest landowners, prohibiting participation in forestry riparian easement program when conducting certain harvests: HB 1600
 State land divestiture plan, department to develop and board to implement: HB 1111
 Timber sale program, modifying expiration dates: HB 1243, ***SB 5337, CH 255 (2013)**
 Timber tax distribution account, distribution of funds from, reporting and audit requirements: HB 2747
 Trails, official recreational trail policy, department to develop and implement: HB 2151
 Transportation projects, environmental and compensatory mitigation, restricting imposition by permitting agency of land acquisition requirements: HB 2095
 Transportation projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making, department role: HB 1978, HB 2070
 Vehicle access pass, requiring for motor vehicle operation, exempting certain department-managed roads: ***ESSB 5897, CH 15 (2013)**
 Vessel inspections, in connection with derelict vessel removal program, department role: HB 2457
 Vessel turn-in program, department to develop and administer: HB 1245, ESSB 5663
 Vessels, publicly owned, transfer by department: HB 1245, ESSB 5663

NEWS MEDIA

Independent contractors in news business, employment status for minimum wage and unemployment and worker's compensation purposes: HB 1659, ***SB 5476, CH 141 (2013)**
 Newspapers, monthly, business and occupation tax relief for: HB 2766
 Uniform correction or clarification of defamation act: HB 1406, ***ESB 5236, CH 294 (2013)**

NONPROFIT ORGANIZATIONS

Agricultural employees, vanpool programs for, allowing nonprofit corporations to provide: HB 2604
 Conviction records requested by organization, fees for dissemination by state patrol: HB 2138
 Cooperative finance organizations providing utility services, certain loan amounts received by, deduction from business and occupation tax: ***ESSB 5882, CH 13 (2013)**
 Cooperative finance organizations providing utility services, certain loan amounts received by, exemption from business and occupation tax: HB 1272
 Culinary arts training educational institutions, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805
 Debt adjusters, nonprofit, defining "fair share" paid by creditor: HB 1572
 Debt adjusters, stakeholder group to discuss compensation, including "fair share": ESSB 5338
 Debt adjusting services, nonprofit, licensing and regulation: HB 1491
 Educational or recreational early learning programming for school-aged children, requirements for entities providing: ***HB 1547, CH 130 (2013)**
 Fairs, nonprofit fair associations, modifying property tax exemption provisions: HB 1550, ***E2SSB 5078, CH 212 (2013)**
 Fund-raising activity, certain personal property purchased or received as prize from organization as part of, use tax exemption: ***ESSB 5882, CH 13 (2013)**

Gun clubs, nonprofit, clay targets purchased and provided by, sales and use tax exemptions: ***ESSB 5882, CH 13 (2013)**
 Independent Colleges of Washington, commending: ***HR 4611 (2013)**
 Natural resources, department of, cooperative agreements with nonprofit organizations to benefit department-managed lands: HB 1244, ***SSB 5634, CH 15 (2013)**
 Paint stewardship program, formation of nonprofit paint stewardship organization: HB 1579
 Property tax exemption, property leased by organization providing job training and related services: HB 2193
 Property, tax-exempt, using for nonexempt purposes: HB 2345
 Raffles, enhanced, authorizing nonprofit organizations serving persons with intellectual disabilities to conduct: HB 1835, ***ESSB 5723, CH 310 (2013)**
 Religious, modifying property tax exemptions for nonprofit religious organizations: HB 1215
 Scholarship organizations, education investment tax credit program for contributions to: HB 2063
 Scholarships offered by nonprofits, available to children and spouses of certain injured workers, information provided by department of labor and industries: ***HB 1863, CH 134 (2013)**
 Science or technology center, zoo, and aquarium facilities, competitive grant program for nonprofits for acquiring or constructing: HB 1405
 Senior centers, senior center liquor license: HB 1063
 Small business incubators, nonprofit, property tax exemption in certain cases: HB 2447
 Washington state parks foundation, membership and duties: HB 1530
 Workforce housing, affordable, use of certain lodging tax revenues for grants or loans to nonprofit organizations: HB 1695, HB 2650

OCEAN WATERS AND RESOURCES

Invasive species, aquatic, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**
 Ocean acidification, coordination of certain research with geoduck aquaculture research: HB 1761
 Sea grant program, University of Washington, coordination of research on geoducks with ocean acidification research: HB 1761
 Sea grant program, University of Washington, promoting shellfish aquaculture research and establishing shellfish aquaculture public information center: HB 1894
 Washington coastal marine advisory council, establishment: ***ESB 5603, CH 318 (2013)**
 Washington marine resources advisory council, creation: ***ESB 5603, CH 318 (2013)**
 Washington's saltwater coast, designating as state maritime heritage area: HB 2386

OFFICIAL STATE DESIGNATION

Fairs, central Washington state fair, designating as official state fair: HB 2622
 Ostrea lurida, official state oyster: HB 2387
 Palouse falls, official state waterfall: HB 2119

OIL AND GAS (See also FUELS)

Definition of "oil" or "oils," modifying for purposes of petroleum transportation and oil spill prevention and response: HB 2440
 Gas distribution businesses, sales of compressed or liquefied natural gas for transportation use, public utility tax exemption: HB 2753
 Natural gas infrastructure, in rural or underserved areas, authorizing gas company recovery of investments: HB 2177
 Natural gas or propane used by mint growers and processors to distill mint oil, sales and use tax exemptions: ***ESSB 5882, CH 13 (2013)**
 Natural gas or propane used to heat greenhouses, sales and use tax exemptions: HB 1722
 Natural gas, compressed or liquefied, various excise taxation provisions concerning use as transportation fuel: HB 2753
 Natural gas, rural Washington natural gas access and investment account, creating to provide infrastructure project funding: HB 2101
 Oil, crude oil and refined petroleum, measures to ensure safety when transporting: HB 2347
 Oil, used, best management practices for dealing with PCB contamination at public recycling collection sites: HB 2745
 Petroleum, underground storage tanks, sunshine committee recommendations concerning disclosure of proprietary reports: HB 1298
 Property taxes, exemption for certain oil and gas reserves and leases on development and operation rights: HB 1856
 Severance of oil and gas, imposing excise tax on producers, with related exemption and credit: HB 1856

ONLINE LEARNING, OFFICE

Public schools, online learning in, office role: HB 1423

OPEN PUBLIC MEETINGS

Agency governing bodies, member open public meetings training requirements: HB 2121
 County legislative authorities, meetings, holding outside county seat: EHB 1013
 Executive session meetings, closed, recording of, including requirements and disclosure exemption: HB 1714
 Open government trainings act, requiring open public meetings and public records training: HB 2121
 Public agencies with governing bodies, posting agendas online prior to meetings: HB 2105
 Public comment and meeting materials, providing agency flexibility in handling: HB 1197
 Public officials and employees, public records and meetings training programs, implementation: HB 1198
 Training concerning open public meetings, attorney general role: HB 1714

OUTDOOR RECREATION (See also PARKS; PARKS AND RECREATION COMMISSION; PUBLIC LANDS; RECREATION AND CONSERVATION OFFICE)

Day-use permit, failure to display properly, waiving of penalty by court: HB 2156
 Day-use permit, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Discover pass, bulk sales at reduced rate in certain cases: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Discover pass, complimentary pass for department of fish and wildlife customers spending certain amount: HB 2199
 Discover pass, complimentary, for spouses doing collective agency-sanctioned volunteer work: SB 5097
 Discover pass, failure to display properly, waiving of penalty by court: HB 2156
 Discover pass, requirements exemption for off-road vehicles with valid off-road vehicle permit: HB 1755
 Discover pass, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Discover pass, to be required for operating motor vehicle on any recreation site or lands: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Milwaukee Road corridor, parks and recreation commission authority to manage as recreation trail: HB 2225
 Mt. Everest, 1963 American expedition, celebrating 50th anniversary: ***HR 4650 (2013)**
 Natural resources and recreation law enforcement, merging department of natural resources officers with department of fish and wildlife enforcement: HB 1849
 Off-road vehicles, increasing recreation opportunities for: HB 1632
 Private property, recreational access, encouraging landowners to allow: HB 2243
 Private property, recreational access, revising landowner liability provisions to encourage: HB 2150, HB 2243
 Public lands, recreation access, access to body of water by way of public land: HB 2342
 Public lands, recreation access, complimentary discover pass for spouses doing certain volunteer work: SB 5097
 Public lands, recreation access, day-use permit requirement for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Public lands, recreation access, day-use permit, waiving of penalty for failure to display properly: HB 2156
 Public lands, recreation access, discover pass bulk sales at reduced rate in certain cases: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Public lands, recreation access, discover pass requirement for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Public lands, recreation access, discover pass requirements exemption for off-road vehicles with valid off-road vehicle permit: HB 1755
 Public lands, recreation access, discover pass to be required for operating motor vehicle on any recreation site or lands: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Public lands, recreation access, discover pass, complimentary pass for department of fish and wildlife customers spending certain amount: HB 2199
 Public lands, recreation access, discover pass, waiving of penalty for failure to display properly: HB 2156
 Public lands, recreation access, expanding definition of public recreational access: HB 2273
 Public lands, recreation access, vehicle access pass requirement for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897**, **CH 15 (2013)**
 Public lands, recreation access, vehicle access pass, waiving of penalty for failure to display properly: HB 2156
 Recreation access pass account, depositing certain moneys into: HB 2707
 Recreation lands, acquisition by state: SSB 5054

Recreational vessels, large, removing certain sales and use tax disincentives for resident and nonresident owners: HB 1927
 Recreational vessels, operation under influence of THC or other drug, blood test and warrant waiver provisions: HB 2503
 Ski area conveyances, safety program, revising provisions: HB 2227
 State parks and recreation centennial act, provisions concerning funding, access, and the parks and recreation commission:
 HB 1935
 Trails, accessible for recreational use, coordinated state-led effort: HB 2151
 Trails, official recreational trail policy, certain agencies to implement: HB 2151
 Vehicle access pass, failure to display properly, waiving of penalty by court: HB 2156
 Vehicle access pass, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897, CH 15 (2013)**

PARKING

Airport parking, public and private facilities, rate requirements: EHB 1483
 Disabilities, persons with, parking placards and special license plates, provisions concerning improper display, illegal obtainment, and unauthorized use: HB 1946, HB 2463
 Disabilities, persons with, work group to develop plan to end parking placard and special license plate abuse: HB 1946
 Electric vehicles, charging stations for, comprehensive provisions: HB 2711
 Electric vehicles, charging stations for, signage and pavement marking requirements and infraction and penalty provisions:
***ESSB 5849, CH 60 (2013)**
 Special parking privileges, accessible van rental companies, authorizing application by: HB 2463
 State agency employees, payroll parking fee deductions, authorizing pretax payment, conditions: HB 1456
 Students, public high schools, retail sales tax exemption for parking fees collected by school districts: HB 2118

PARKS (See also OUTDOOR RECREATION; PARKS AND RECREATION COMMISSION; PUBLIC LANDS; RECREATION AND CONSERVATION OFFICE)

Metropolitan park districts, abandoned or derelict vessels: HB 1245, ESSB 5663
 Metropolitan park districts, benefit charge on real property, establishment: HB 1960
 Metropolitan park districts, eligibility for athletic facility grants: HB 1187
 Metropolitan park districts, property tax levies: HB 1042, HB 1055
 Metropolitan park districts, property tax levies, modifying to assist districts with population of twenty thousand or less:
 HB 1749
 Milwaukee Road corridor, allowing motor vehicle access for certain lessees, concessionaires, and agricultural users: HB 1939
 Recreation access pass account, depositing certain moneys into: HB 2707
 State parks and recreation centennial act, provisions concerning funding, access, and the parks and recreation commission:
 HB 1935
 State, celebrating 100th birthday of Washington state parks: ***HR 4630 (2013)**
 State, closing of parks by parks and recreation commission, requiring written notice by commission to public body in which park is located: HB 1704
 State, day-use permit, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897, CH 15 (2013)**
 State, day-use permit, waiving of penalty for failure to display properly: HB 2156
 State, discover pass, bulk sales at reduced rate in certain cases: SSB 5289, ***ESSB 5897, CH 15 (2013)**
 State, discover pass, complimentary pass for spouses doing certain volunteer work: SB 5097
 State, discover pass, requirements exemption for off-road vehicles with valid off-road vehicle permit: HB 1755
 State, discover pass, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897, CH 15 (2013)**
 State, discover pass, to be required for operating motor vehicle on any recreation site or lands: SSB 5289, ***ESSB 5897, CH 15 (2013)**
 State, discover pass, waiving of penalty for failure to display properly: HB 2156
 State, interpretive activities involving natural, scenic, recreational, cultural, historical, ethnic, or artistic resources: HB 2226
 State, interpretive activities involving natural, scenic, recreational, cultural, or historical resources: HB 1530
 State, operation and maintenance of, funding from state parks renewal and stewardship account and waste reduction, recycling, and litter control account: ***ESSB 5897, CH 15 (2013)**
 State, parks and recreation commission duties related to state parks: HB 1530
 State, public and private partnership agreements for stewardship and interpretation: HB 2226

State, state park rangers from parks and recreation commission, vesting with police powers for law enforcement, including law enforcement academy training provisions: HB 1875

State, vehicle access pass, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897, CH 15 (2013)**

State, vehicle access pass, waiving of penalty for failure to display properly: HB 2156

State, Washington state parks foundation, membership and duties: HB 1530

State, Washington state parks foundation, modifying provisions: HB 2226

Trails, accessible for recreational use, coordinated state-led effort: HB 2151

PARKS AND RECREATION COMMISSION (See also OUTDOOR RECREATION; PARKS; PUBLIC LANDS)

Abandoned and derelict vessels, reducing numbers through preventive measures and proactive removal: HB 1245, ESSB 5663

Art, contemporary works of, along with state's ethnic and cultural heritage, commission to increase appreciation of: HB 1530

Derelict and abandoned vessels, reducing numbers through preventive measures and proactive removal: HB 1245, ESSB 5663

Discover pass, bulk sales at reduced rate in certain cases: ***ESSB 5897, CH 15 (2013)**

Discover pass, complimentary, for spouses doing collective agency-sanctioned volunteer work: SB 5097

Discover pass, requirements exemption for off-road vehicles with valid off-road vehicle permit: HB 1755

Discover pass, requiring for motor vehicle operation, exempting certain agency-managed roads: SSB 5289, ***ESSB 5897, CH 15 (2013)**

Discover pass, to be required for operating motor vehicle on any recreation site or lands: SSB 5289, ***ESSB 5897, CH 15 (2013)**

Fee reductions and exemptions, commission fiscal opportunity cost incurred, biennial reimbursement: HB 1530

Fee reductions and exemptions, commission fiscal opportunity cost incurred, office of financial management to deliver report: HB 1530

Land management, commission consideration of economic development: HB 1111

Land, real property, process for acquisition by commission: SSB 5054

Lands and their resources, coordinated state and local management, commission role: HB 1163

Lands, commission-purchased, retaining water rights for later transfer to local economy trust water account: E2SSB 5219

Milwaukee Road corridor, allowing motor vehicle access for certain lessees, concessionaires, and agricultural users: HB 1939

Milwaukee Road corridor, commission authority to manage as recreation trail: HB 2225

Natural resources management, streamlining through agency independence, commission administrative authority: HB 1384

Permitting decisions, commission to enhance transparency and predictability of process: HB 2192

Real property, surplus governmental, selling or leasing by commission for affordable low-income housing: HB 1563

State lands, disposition of, requiring written notice by commission to certain municipal corporations: HB 1704

State parks and recreation centennial act, provisions concerning funding, access, and the commission: HB 1935

State parks renewal and stewardship account, funding operation and maintenance of state parks from, commission role: ***ESSB 5897, CH 15 (2013)**

State parks, closing of, requiring written notice by commission to public body in which park is located: HB 1704

State parks, commission duties related to, modifying: HB 1530

State parks, day-use permit, waiving of penalty for failure to display properly: HB 2156

State parks, discover pass, bulk sales at reduced rate in certain cases: ***ESSB 5897, CH 15 (2013)**

State parks, discover pass, waiving of penalty for failure to display properly: HB 2156

State parks, interpretive activities involving natural, scenic, recreational, cultural, historical, ethnic, or artistic resources: HB 2226

State parks, interpretive activities involving natural, scenic, recreational, cultural, or historical resources: HB 1530

State parks, public and private partnership agreements for stewardship and interpretation: HB 2226

State parks, rangers from commission, vesting with police powers for law enforcement, including law enforcement academy training provisions: HB 1875

State parks, vehicle access pass, waiving of penalty for failure to display properly: HB 2156

State parks, Washington state parks foundation, membership and duties: HB 1530

State parks, Washington state parks foundation, modifying provisions: HB 2226

Vessels, publicly owned, transfer by commission: HB 1245, ESSB 5663

PERFORMING ARTS

Cultural access programs, creating to fund cultural organizations: HB 2212

PERSONAL PROPERTY

Defensive force, including deadly force, right to use against certain actions against personal property: HB 2324

Escrow, expanding definition and exempting certain entities from licensing: HB 1034

Exchange facilitators, requirements and violations: ***ESSB 5082, CH 228 (2013)**

Firearms, sale by unlicensed person to another unlicensed person, background check requirements: HB 1588

Home service contracts, sales and use taxation of: HB 1997

Hotel guests and lodgers, valuables of, specifying hotel's responsibilities: HB 2300

Intangible personal property, taxing marijuana-related trademarks, trade names, brand names, patents, and copyrights: HB 1976

Renters, deceased, disposing personal property in leased premises, landlord procedures before and after tenant's death: HB 1520

Service contracts, provisions: ***HB 1036, CH 117 (2013)**

Storage facilities, self-service, unpaid rent and lien on property, modifying provisions: HB 2424

Tangible, nonresident sales tax exemption, repealing: HB 1890

PEST CONTROL AND PESTICIDES

Crop protection products, agricultural, hazardous substance tax exemption, conditions: HB 2469

Mosquito control districts, integrated pest management use: ***SSB 5002, CH 208 (2013)**

Mosquito control, inhibiting mosquito breeding in storm water retention ponds through certain measures: ***ESSB 5324, CH 209 (2013)**

Mosquito control, integrated pest management use by counties, cities, and certain districts: ***ESSB 5324, CH 209 (2013)**

PHARMACIES AND PHARMACISTS (See also DRUGS; MEDICINE AND MEDICAL DEVICES)

Audits of claims, by outside entities, procedures: HB 2489

Biological products, by prescription, adding provisions concerning dispensing of interchangeable biosimilar products: HB 1528, HB 2326

Board of pharmacy, changing name to pharmacy quality assurance commission: ***HB 1609, CH 19 (2013)**

Board of pharmacy, mandatory use of office of administrative hearings: HB 1381

Compounding, drugs for distribution to licensed persons or commercial entities for resale or distribution, defining "manufacture" in relation to: ***HB 1800, CH 146 (2013)**

Electronic communication of controlled substance prescription information, provisions: HB 1155, ***SSB 5416, CH 276 (2013)**

Marijuana, medical, legal amounts left at retail stores holding pharmacy license, notification and disposal requirements: ***EHB 1808, CH 133 (2013)**

Pharmacy benefits managers, audits conducted by, regulating contracts between benefits managers and pharmacies: HB 2489

Pharmacy benefits managers, provisions: HB 2489

Prescription drugs and supplies, donated, authorizing dispensing to uninsured persons: HB 1382, ***SSB 5148, CH 260 (2013)**

Prescription drugs, legend drug act, including pharmacists when authorized by board of pharmacy: ***HB 1182, CH 71 (2013)**

Prescription drugs, ninety-day supply limit, placing conditions on dispensing in keeping with: HB 1583, ***SSB 5459, CH 262 (2013)**

Prescriptions written by physician and osteopathic physician assistants in other states, authorizing pharmacies to fill: HB 1596, ***SSB 5524, CH 12 (2013)**

Robbery of a pharmacy, as special allegation for robbery in first or second degree: HB 1931, ***SB 5149, CH 270 (2013)**

POLLUTION CONTROL HEARINGS BOARD

Abandoned or derelict vessels, decisions or actions concerning, board role: HB 1245, ESSB 5663

Architectural paint recovery program, appeals from penalties to board: HB 1579

Environmental statutes of board, technical changes: HB 2438

Jurisdiction, modifying to exclude appeals of certain department of ecology decisions: HB 1206, HB 1948, HB 1952

Oil, crude oil and refined petroleum, measures to ensure safety when transporting, board role: HB 2347

PORT DISTRICTS (See also UNIFORMED PERSONNEL)

- Abandoned or vacant properties in urban growth areas, loans to districts for revitalizing: HB 1079
- Brownfield renewal authorities, authority of districts to establish: ***2E2SSB 5296, CH 1 (2013)**
- Commissioners, reducing terms of office, submitting proposition at next general election: HB 1078, ***SB 5411, CH 160 (2013)**
- Creation of district comprising less than entire county in county with no port district, provisions: HB 2547
- Drayage truck operators, contract provisions: HB 1719
- Employment laws and contracts, local, preemption by state of Washington: HB 2591
- Heavy haul corridors, modifying boundary on state route number 509: ***HB 1447, CH 115 (2013)**, SB 5335
- Moorage facility operators, insurance coverage requirement: HB 2457
- Real property, surplus governmental, selling or leasing by port districts for affordable low-income housing: HB 1563
- Superefficient airplanes, certain port district facilities used in manufacture of, extending exemption from property taxes: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Superefficient airplanes, certain port district facilities used in manufacture of, extending tax exemption for leasehold interests in: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Vessels, publicly owned, transfer by district: HB 1245, ESSB 5663

PRISONS AND PRISONERS (See also CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; JAILS; UNIFORMED PERSONNEL)

- Deaths in correctional facilities, removing confidentiality requirement for coroners and medical examiners concerning autopsy and postmortem findings: ***SSB 5256, CH 295 (2013)**
- Education, inmate postsecondary degree programs, implementation by department of corrections: HB 1429, HB 2486
- Parents, rights when incarcerated: HB 1284
- Prisoners, incarcerated for serious violent offenses, civil action against victim to require authorization by judge: HB 2102

PROFESSIONAL EDUCATOR STANDARDS BOARD

- Career and technical education courses, model framework and curriculum and program of study for, convening work group: HB 1680
- Certification of educators, embedding common core state standards into, board role: HB 2383
- Disabilities, persons with, high school transition services for, board to include training for special education teachers and school psychologists as part of educator requirements: E2SSB 5330
- Educational opportunity gap oversight and accountability committee, implementing recommendations of: HB 1680
- Emotional or behavioral distress in students, recognition and response, board to incorporate into course for teachers: HB 1336
- Interpreters, educational, assessments and performance standards, board role: HB 1144
- Principals, secondary, board to revise certificate renewals to include career and technical education: HB 1650
- Psychologists, school, training requirements for, including high school transition services for students with disabilities: E2SSB 5330
- Special education, training requirements for, including high school transition services for students with disabilities: E2SSB 5330
- Suicide, youth screening and referral training for school nurses, social workers, and counselors : HB 1336
- Teacher certification programs, alternative route program requirements, revising: HB 2531
- Teacher certification programs, expanding testing alternatives for admission, board role: ***HB 1178, CH 193 (2013)**
- Teacher preparation and certification, articulated pathway for, board to convene work group to design: HB 1680
- Teachers, unprofessional conduct, certificate or permit revocation due to fraudulent test submission upon complaint from board: HB 1765
- Teachers, unprofessional conduct, reprimand or certificate or permit revocation or suspension due to fraudulent test submission upon complaint from board: ***2ESB 5701, CH 163 (2013)**

PROFESSIONS (See also ATTORNEYS; DENTISTS AND DENTISTRY; HEALTH CARE PROFESSIONS AND PROVIDERS; INSURANCE; MORTGAGES AND MORTGAGE BROKERS; PHARMACIES AND PHARMACISTS)

- Athletic trainers, modifying provisions: HB 2430
- Barbering, miscellaneous provisions, modifying: HB 2512
- Barbering, rules for online learning: HB 1038

Barbering, schools of, recognizing as institutions of postsecondary study for sake of federal financial aid, conditions: ***HB 1683, CH 201 (2013)**

Body art, body piercing, tattooing, and permanent cosmetics, modifying licensing and regulatory provisions: HB 2162

Communication access real-time translation providers, certification and regulation: HB 1511

Cosmetology, barbering, manicuring, and esthetics, rules for online learning: HB 1038

Cosmetology, miscellaneous provisions, modifying: HB 2512

Cosmetology, schools of, recognizing as institutions of postsecondary study for sake of federal financial aid, conditions: ***HB 1683, CH 201 (2013)**

Cosmetology, training and licensure requirements: HB 2237

Court interpreters, providing for non-English-speaking persons, reimbursement: HB 1542

Court reporters and court reporting firms, contracts for services, prohibitions: HB 1511

Debt adjusters, fiduciary relationship with debtors: HB 2385

Debt adjusters, nonprofit, defining "fair share" paid by creditor: HB 1572

Debt adjusters, stakeholder group to discuss compensation, including "fair share": ESSB 5338

Debt adjusting services, nonprofit, licensing and regulation: HB 1491

Debt adjusting services, regulating, various provisions: HB 2384

Debt settlement services, licensing of persons providing, debt settlements services act: HB 2670

Debt settlement services, registration of persons providing, debt settlements services act: HB 2142

Electricians, journeyman or residential specialty certificate of competency, apprenticeship program requirement: HB 2500

Electricians, limited energy specialty certification, using telecommunications work experience for: HB 2254

Electricians, proof of licensing and identification, producing upon request: HB 2323

Electricians, with certain license or certificate, allowing generator load bank testing without electrical work permit: HB 1855

Engineers, registration renewal, continuing professional development requirements: HB 1231

Escrow agents, expanding "escrow" definition for licensing purposes and exempting certain entities from licensing: HB 1034

Escrow agents, involvement in reconveyances of deeds of trust: HB 1435

Esthetics, master esthetics and master estheticians, licensing and practice provisions: HB 1779

Esthetics, miscellaneous provisions, modifying: HB 2512

Esthetics, rules for online learning: HB 1038

Esthetics, schools of, recognizing as institutions of postsecondary study for sake of federal financial aid, conditions: ***HB 1683, CH 201 (2013)**

Exchange facilitators, requirements and violations: ***ESSB 5082, CH 228 (2013)**

Fire sprinkler system contractors, for dwelling units, professional licensing and certification provisions: HB 2260

Fishing guides, food fish or game fish, expanding information and other requirements for licensure: ***SSB 5786, CH 314 (2013)**

Fishing guides, food fish or game fish, western Washington steelhead guide stamp requirements for: HB 1917

Fishing guides, unlawfully acting as food or game fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917

Fishing guides, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Hair design, miscellaneous provisions, modifying: HB 2512

HVAC/refrigeration specialty electricians, certified, exempting use from various requirements in connection with like-kind appliance replacement: HB 1760

Language access providers, interpreter services from, integrating purchase by certain state agencies and modifying collective bargaining provisions: HB 1753, HB 2617

Librarians, selection process for, modifying in certain rural county library districts: HB 2522

Licensing, professions, expanding use of military training and experience to satisfy requirements for license, certification, registration, or permit: HB 1859, SB 5970

Manicuring, miscellaneous provisions, modifying: HB 2512

Manicuring, rules for online learning: HB 1038

Manicuring, schools of, recognizing as institutions of postsecondary study for sake of federal financial aid, conditions: ***HB 1683, CH 201 (2013)**

Military training and experience, expanding use for satisfying requirements for professional license, certification, registration, or permit: HB 1859, SB 5970

Money transmitters, amending provisions of uniform money services act: HB 1327, HB 2523

Permanent cosmetics, licensing and regulatory provisions: HB 2162
 Private investigators, motor vehicle owner information requests by, notice requirements: HB 1308, ***SSB 5182, CH 232 (2013)**
 Process servers, assault in third degree to include assault of legal process servers: HB 1131
 Process servers, regulating of, sunrise review of need for: HB 2391
 Pump and irrigation or domestic pump specialty trainee certificate holders, training: HB 2533
 Real estate appraisers, inactive certification, license, or registration status: HB 2381
 Real estate appraisers, trainee applicants and existing credential holders, fingerprint-based background checks: HB 1740
 Real estate brokers, independent contractor status when not under contract with firm: HB 1853
 Real estate brokers, original license fee, extending: HB 2370
 Real-time captioners, certification and regulation: HB 1511
 Security guards, private, licensing of, fingerprint background checks: HB 2534
 Tour operators, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038
 Travel agents, preferential business and occupation tax rates, eliminating to provide basic education and higher education funding: HB 2038
 Travel, sellers of, modifying provisions: HB 2590

PSYCHIATRY AND PSYCHIATRISTS (See also HEALTH CARE PROFESSIONS AND PROVIDERS; MENTAL HEALTH; PSYCHOLOGISTS)

Detention of certain persons who present substantial likelihood of serious harm or danger, standards: HB 1963
 Employed by departments of social and health services and corrections, office of state human resources director to gather market salary data related to: ***ESSB 5551, CH 284 (2013)**
 Involuntary treatment act, petition for initial detention, family filing of court review petition when professional decides not to file: HB 2725
 Psychiatric boarding, collecting data concerning, reporting requirements: HB 2761
 Sexual orientation change efforts, practice of, establishing work group to make recommendations concerning: HB 1882
 Sexual orientation change efforts, practice of, prohibiting when performed on patient under eighteen: HB 2451

PSYCHOLOGISTS (See also COUNSELORS AND COUNSELING; HEALTH CARE PROFESSIONS AND PROVIDERS; MENTAL HEALTH; PSYCHIATRY AND PSYCHIATRISTS)

Detention of certain persons who present substantial likelihood of serious harm or danger, standards: HB 1963
 Employed by departments of social and health services and corrections, office of state human resources director to gather market salary data related to: ***ESSB 5551, CH 284 (2013)**
 Involuntary treatment act, petition for initial detention, family filing of court review petition when professional decides not to file: HB 2725
 School psychologists, training requirements for, including high school transition services for students with disabilities: **E2SSB 5330**
 Sexual orientation change efforts, practice of, establishing work group to make recommendations concerning: HB 1882
 Sexual orientation change efforts, practice of, prohibiting when performed on patient under eighteen: HB 2451

PUBLIC ASSISTANCE (See also DEVELOPMENTAL DISABILITIES, PERSONS WITH; DOMESTIC RELATIONS; LONG-TERM CARE; MENTAL HEALTH; SOCIAL AND HEALTH SERVICES, DEPARTMENT; VULNERABLE ADULTS)

Adult day health programs, encouraging expansion through challenge grant program: HB 1983
 Aged, blind, or disabled program, persons with disability eligible for, continuation of safety net benefits: HB 2069
 Background checks, unsupervised access to children, including persons seeking licensure for child welfare services: ***SSB 5565, CH 162 (2013)**
 Behavioral health services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
 Benefit cards, electronic, adding photo identification: HB 2505
 Benefit cards, electronic, prohibiting marijuana and marijuana paraphernalia purchases with: ESSB 5279
 Benefit cards, electronic, prohibiting spirits retailers from accepting for purchase of spirits: ESSB 5279
 Birth control, requiring dispensing of contraceptive drugs for medicaid enrollees: HB 2022
 Chemical dependency services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**

Child care subsidy program, provider fraud, referral to department of social and health services for investigation and action: ***2ESSB 5157, CH 29 (2013)**

Child welfare services, assessing character, suitability, and competence for unsupervised access to children: ***SSB 5565, CH 162 (2013)**

Child welfare services, charging fee for child abuse and neglect history request by out-of-state jurisdiction: ***SSB 5565, CH 162 (2013)**

Child welfare services, Indian children, purchase of care from tribes and tribal agencies: **HB 1361, *SB 5235, CH 32 (2013)**

Child welfare services, out-of-home care, caregiver prudent parent standard for normal childhood activities: **HB 2699**

Child welfare services, service delivery measurements using certain indicators of success, developing: **HB 1774**

Child welfare services, training and advancement program, collecting certain financial assistance payments: **HB 1708**

Child welfare services, youth in out-of-home care, improving educational outcomes: **HB 1566**

Child welfare system, advisory committee on disproportionate representation of children of color in, membership rules: **HB 2665**

Children's services, domestic violence training for caseworkers: **SSB 5162, *SSB 5315, CH 254 (2013)**

Criminal offenders, prohibiting persons fleeing justice system or violating parole or probation from receiving public assistance: **HB 2683**

Electronic benefit cards, adding photo identification: **HB 2505**

Electronic benefit cards, prohibiting marijuana and marijuana paraphernalia purchases with: **ESSB 5279**

Electronic benefit cards, prohibiting spirits retailers from accepting for purchase of spirits: **ESSB 5279**

Eligibility for public assistance, limiting enrollment in several programs to citizens of United States and qualified aliens: **HB 1391**

Food stamp program, limiting enrollment to citizens of United States and qualified aliens: **HB 1391**

Home and community-based medical services, program for military service members' dependents: **HB 2363**

Home and community-based services, eligibility of recipients for Washington telephone assistance program: **HB 2696**

Hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: **HB 2016, *ESSB 5913, CH 17 (2013)**

Hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**

Immigrants, restricting medical care services eligibility to certain legal immigrants: **HB 2069**

In-home care services, funding for, repealing nonresident sales tax exemption and extending sales tax to debt collection services: **HB 1273**

In-home care services, hours, basing solely on objective assessment of need: **HB 1273**

In-home care services, medicaid, restoring funding: **HB 2159**

In-home personal care, agency electronic timekeeping, limited exemption: **HB 2647**

In-home personal care, agency electronic timekeeping, limited exemption when lacking a landline phone: **HB 1362**

Interpreter services, authorizing purchase by certain agencies for limited-English speaking or sensory-impaired public assistance applicants and recipients: **HB 1753**

Interpreter services, authorizing purchase by certain agencies for limited-English speaking public assistance applicants and recipients: **HB 2617**

Medicaid enrollees, services to, allowing nurses and physicians to satisfy continuing education credits by performing: **HB 1628**

Medicaid personal care services, refinancing under community first choice option: **HB 2746**

Medicaid, contraceptive drugs, requiring dispensing of: **HB 2022**

Medicaid, enhanced payment rates for rural hospitals that are sole community hospitals: **HB 1916**

Medicaid, false claims, reasons for debarment of state procurement contractors to include: ***SB 5948, CH 34 (2013)**

Medicaid, hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: **HB 2016, *ESSB 5913, CH 17 (2013)**

Medicaid, hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**

Medicaid, in-home care services, restoring funding: **HB 2159**

Medicaid, managed care, enrollee comprehensive medication management: ***2SSB 5213, CH 261 (2013)**

Medicaid, managed care, enrollee comprehensive medication management process: **HB 1637**

Medicaid, medicaid fraud penalty account, funding prescription monitoring program entirely from: ***HB 1565, CH 36 (2013)**

- Medicaid, nursing facility payment system, delaying rebase of certain rate components and extending certain rate add-ons: ***HB 2042, CH 3 (2013)**
- Medicaid, nursing facility payment system, establishing disproportionate share rate add-on: HB 2236
- Medicaid, nursing facility payment system, establishing medicaid disproportionate share component rate allocation for each facility: HB 1885
- Medicaid, nursing facility payment system, restoring certain changes made in 2011: HB 1885
- Medicaid, restoring funding for in-home care services: HB 1273
- Medical assistance program, complex rehabilitation technology products and services, managed care plan adoption of regulations: HB 1445
- Medical assistance, employer responsibility for medical assistance costs of employees act of 2014: HB 2588
- Medical assistance, health care authority to establish low-income disproportionate share hospital payment mechanism: HB 1635
- Medical assistance, hospital safety net assessment and fund, modifying provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Medical assistance, hospital safety net assessment and fund, state to phase down during medicaid expansion and end reliance on: ***ESSB 5913, CH 17 (2013)**
- Medical assistance, limiting enrollment to citizens of United States and qualified aliens: HB 1391
- Medical assistance, noncritical access hospitals, designing system of hospital quality incentive payments for: HB 2016, ***ESSB 5913, CH 17 (2013)**
- Medical care services, restricting eligibility to certain legal immigrants: HB 2069
- Nursing facilities, medicaid payment system, various changes: HB 1885, ***HB 2042, CH 3 (2013)**, HB 2236
- Out-of-home care, youth residing in group care facility or foster family home, providing schooling support: HB 1566
- Personal care services, medicaid, refinancing under community first choice option: HB 2746
- Program of all-inclusive care (PACE), establishing certain long-term care client rules and program education plan: HB 1499
- Receiving care centers, licensing of, short-term emergency and crisis care for child removed from home: HB 1261
- Respite care, agency electronic timekeeping, limited exemption: HB 2647
- Respite care, agency electronic timekeeping, limited exemption when lacking a landline phone: HB 1362
- Safety net benefits, continuation for certain persons with a disability: HB 2069
- Social investment steering committee, Washington, establishment of, duties to include pilot programs: HB 2337
- Temporary assistance for needy families, benefits for a child, exempting fifty percent of caregiver's unearned income: HB 2585
- Temporary assistance for needy families, drug testing for certain recipients: HB 1190
- Temporary assistance for needy families, family violence and hardship exemptions from sixty-month limit: HB 1734
- Temporary assistance for needy families, limiting enrollment to citizens of United States and qualified aliens: HB 1391
- WorkFirst program, "work activity" definition, amending vocational education training provision: HB 1342
- WorkFirst, instituting a WorkFirst reform program: HB 2641

PUBLIC DISCLOSURE COMMISSION

- Complaints about elected officials or public office candidates, filing, technical changes to statutes: HB 2764
- Emergency rule making, in certain cases, modifying commission authority: HB 1377, SB 5257
- Ethics in state government and politics, restructuring certain ethics functions under commission: HB 1005
- Finance reports, electronic filing requirement, supporting system with fees collected by commission: HB 1005
- Financial affairs reporting, in certain cases, modifying commission authority: HB 1377, SB 5257
- Lobbying, by state agencies, strengthening prohibition through taxpayer funded lobbying reform act: HB 1093
- Lobbyists and their employers, requiring electronic report-filing: HB 2727
- Lobbyists, electronic filing requirement and database and query system for finance reports: HB 1005
- Lobbyists, entertainment expenditures, reporting requirements, including events with legislators: HB 2727
- Lobbyists, food and refreshment gifts from, reporting requirements, including events with legislators: HB 2727
- Political advertising, sponsored by same committee, providing top five contributors information: HB 1378, ***SB 5258, CH 138 (2013)**
- Web site, campaign donor information, printing commission web address on voters' pamphlets and ballots: HB 1720, ***SSB 5507, CH 283 (2013)**

PUBLIC EMPLOYMENT AND EMPLOYEES (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; EMPLOYMENT AND EMPLOYEES; LABOR; LAW ENFORCEMENT AND LAW

ENFORCEMENT OFFICERS; MARINE EMPLOYEES' COMMISSION; RETIREMENT AND PENSIONS; SCHOOLS AND SCHOOL DISTRICTS; UNIFORMED PERSONNEL; WAGES AND HOURS; WORKERS' COMPENSATION)

Applications, disclosure, implementing sunshine committee recommendations: HB 1298
 Collective bargaining, assistant attorneys general: HB 2274
 Collective bargaining, community and technical college academic employees, step increases: HB 1348
 Collective bargaining, department of corrections employees: HB 1490
 Collective bargaining, required action school district, modifying provisions for: ***E2SSB 5329, CH 159 (2013)**
 Collective bargaining, requiring supplemental bargaining of agency-specific issues at request of any party: HB 1804
 Collective bargaining, state, modifying provisions concerning health care benefits: ESSB 5811
 Collective bargaining, uniformed personnel, interest arbitration panel determinations: HB 1540
 Collective bargaining, unilateral implementation by employer, removing authority for: HB 2755
 Conservation districts, employees, disbursement of salaries, wages, and other reimbursement by electronic deposit: ***SB 5770, CH 164 (2013)**
 County employees, salary and wage payments by electronic methods, to require approval by county legislative authority: HB 2442
 Democratic participation principles, training programs for public officials and employees: HB 1198
 Disabilities, persons with, increasing hiring by state agencies: HB 2450
 Ethics in state government, provisions concerning violations, investigations, and related matters: ***ESSB 5577, CH 190 (2013)**
 Language access providers, modifying collective bargaining provisions: HB 1753, HB 2617
 Legislators, state, job leave provision for legislative service, requirements: HB 2473
 National defense authorization act, prohibiting state public employees or associated persons from cooperating with investigations or detainment under the act: HB 1581
 Natural resources, department of, enforcement officers to become employees of department of fish and wildlife: HB 1849
 Retaliation, protecting employees from, for conduct promoting public policy: HB 2710
 Salaries and wages, authorizing direct deposit, including exceptions: HB 2027
 Savings plan, Washington public employees', creation and relation to PERS, PSERS, SERS, and TRS: ESSB 5851
 State employees, administrative reassignment, policies and procedures: HB 1460, SSB 5160
 State employees, cellular device issuance, establishing criteria for: SSB 5381
 State employees, de minimis use of state facilities to communicate certain health care, insurance, or retirement information to: HB 1785
 State employees, displacement by agency use of private collection agencies: HB 1123
 State employees, eligibility for health care benefits, modifying provisions concerning: HB 1587, HB 2437, ESSB 5905
 State employees, eligibility for health care benefits, modifying provisions to be consistent with patient protection and affordable care act: ESSB 5905
 State employees, eligibility for health care benefits, technical changes relevant to domestic partnerships: HB 2437
 State employees, home assignment, policies and procedures: HB 1460, SSB 5160
 State employees, parking and transit fee payroll deductions, authorizing pretax payment, conditions: HB 1456
 State employees, part-time, using Washington health benefit exchange for: ESSB 5905
 State employees, receiving two unpaid holidays, including specific days for reason of faith or conscience: HB 1744
 State employees, requiring wellness programs in state employee health care benefits: ESSB 5811
 State employees, unused annual leave, increasing days allowed to accrue: HB 2248
 Unions, information concerning union membership and dues rights, placement in workplace posters: HB 1461
 Veterans, use of veteran scoring criteria status for public employment examinations: HB 1537

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Uniformed personnel, collective bargaining, commission role in interest arbitration panel process: HB 1540
 Unions, information concerning union membership and dues rights, placement in workplace posters, commission role: HB 1461

PUBLIC FACILITIES DISTRICTS

Local sales and use tax, tax to expire when bonds for certain facilities are retired: HB 1687

PUBLIC FUNDS AND ACCOUNTS

- 2011-2013 and 2013-2015 capital and operating budget projects, financing with certain bond proceeds to be deposited in various accounts: ***ESSB 5036, CH 20 (2013)**
- 2013-2015 capital and operating budget projects, financing with certain bond proceeds to be deposited in various accounts: HB 1088
- 24/7 sobriety account, creation: HB 2030, ***E2SSB 5912, CH 35 (2013)**
- Basic health plan self-insurance reserve account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
- Benefits account, creation in connection with Washington health security trust: HB 1085
- Brownfield redevelopment trust fund account, creation: ***2E2SSB 5296, CH 1 (2013)**
- Budget stabilization account, transferring certain funds from account to general fund: HB 2046
- Building code council account, using certain unexpended funds for an operating contingency fund: HB 1618
- Capital vessel replacement account, deposit of motor vehicle registration service fee for ferry replacement: HB 1129
- Code officials apprenticeship and training account, creation: HB 2214
- Columbia river basin taxable bond water supply development account, transferring certain bond proceeds to: HB 1088, ***ESSB 5036, CH 20 (2013)**
- Columbia river crossing project account, use in connection with bonds for financing crossing project: HB 1975
- Community forest trust account, creation: HB 2126
- Companion animal spay/neuter assistance account, creation: HB 1229, SSB 5202
- Connecting Washington account, creation: HB 1954
- County road administration board storm water pollution account, creation: HB 1954
- Criminal justice training commission account, creation: HB 1315
- Criminal justice training commission firing range maintenance account, creation: HB 1613, SB 5516
- Debt-limit general fund bond retirement account, payment of principal and interest on certain bonds: HB 1088, ***ESSB 5036, CH 20 (2013)**
- Decontamination account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
- Dedicated local jurisdiction marijuana fund, creation: HB 2144, HB 2566
- Degree production incentive account, creation: HB 2653
- Department of ecology storm water pollution account, creation: HB 1954
- Diesel idle reduction account, creation: HB 2569
- Displace worker training account, creation in connection with Washington health security trust: HB 1085
- Economic development commission account, eliminating: HB 2029
- Education legacy trust account, certain funding deposited into, preserving through application of estate and transfer tax to certain property transfers: EHB 1920, HB 2064, ***EHB 2075, CH 2 (2013)**
- Education legacy trust account, depositing certain tax revenues for basic education funding: HB 1122
- Education legacy trust account, expenditures from, when computing state expenditure limit: 2ESSB 5895
- Education legacy trust account, transfers from state general fund to, excluding from calculation of general state revenues for certain purposes: EHB 2036
- Education legacy trust account, transfers from state general fund to, exempting from state expenditure limit: EHB 2036
- Education legacy trust account, transfers to, increasing by extending state business and occupation surtax: HB 2037, HB 2038
- Education legacy trust account, transfers to, increasing by narrowing nonresident sales tax preference: EHB 2036
- Education legacy trust account, transfers to, increasing by narrowing or eliminating certain tax preferences: HB 2465
- Education legacy trust account, transfers to, increasing by narrowing or eliminating certain tax preferences and extending certain taxes set to expire: HB 2038
- Employee fair classification act account, creation: HB 1440, HB 2334
- Employer responsibility for medical assistance trust fund, creation: HB 2588
- Enterprise services account, modifying provisions: HB 1972
- Enterprise services account, technical corrections: HB 1829, ***SSB 5287, CH 251 (2013)**
- Environmental legacy stewardship account, creation: ***2E2SSB 5296, CH 1 (2013)**
- Environmental legacy stewardship account, using moneys for competitive grant program to reduce storm water pollution: ***HB 2079, CH 28 (2013)**
- Family leave insurance account, changing name to family and medical leave insurance account: HB 1457
- Federal forest revolving account, allocations to certain school districts, discontinuing reduction of: HB 2207
- Financial responsibility education account, creation: HB 1803
- Firearm-related injury and death prevention account, creation: HB 1703

Flood hazard reduction account, creation: HB 2356, HB 2357
 Forest and fish support account, distributions to and use of funds from: HB 2747
 Freight congestion relief account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Fruit and vegetable district fund, extending expiration dates for transfers to: HB 1889
 Geoduck aquaculture research account, renaming as shellfish aquaculture research account: HB 1894
 Geothermal account, modifying provisions and repealing certain sections: ***SSB 5369, CH 274 (2013)**
 Governor's official inaugural ball account, creation: HB 1205
 Green jobs tax credit account, creation: HB 1301
 Health benefit exchange account, requiring that expenditures be used only to fund operation of the Washington health benefit exchange: HB 1947
 Health care declarations registry account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Health security trust, creation of reserve, displaced worker training, and benefits accounts in connection with trust: HB 1085
 Health security trust, transfer of certain accounts in connection with trust: HB 1085
 Home visiting services account, modifying provisions: ***SB 5809, CH 165 (2013)**
 Horse racing commission operating account, earnings from account: ***HB 1006, CH 88 (2013)**
 Hospital safety net assessment fund, modifying assessment and fund provisions to pay for medicaid hospital services and grants: HB 2016, ***ESSB 5913, CH 17 (2013)**
 Housing trust fund, funding by, preference for school district-housing authority projects helping low-income children: HB 2462
 Housing trust fund, revising provisions concerning administrative costs: HB 1617
 Ignition interlock device revolving account, deposits to and expenditures from: ***E2SSB 5912, CH 35 (2013)**
 Independent contractor exemption certificate account, creation: HB 2147
 Industrial hemp account, creation: HB 1888
 Job skills program account, creation: HB 1247
 Job skills program trust account, creation: HB 1247
 Judicial election reform act fund, creation: HB 2525
 Judicial stabilization trust account, surcharges on court filing fees for deposit in, extending expiration dates for: HB 1961
 Life sciences discovery fund, funding agricultural production-based research using revenues from property taxation of marijuana-related trademarks, etc.: HB 1976
 Liquor excise tax fund, deposit of liquor excise taxes and transfer to liquor revolving fund, modifying provisions: HB 1368
 Liquor revolving fund, distribution of revenues: HB 1368, HB 2067, HB 2314
 Local government severance taxation account, establishment: HB 1856
 Maintenance, operations, and preservation account, creation: HB 1954
 Manufacturing innovation and modernization account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Marijuana, dedicated local jurisdiction marijuana fund, creation: HB 2144
 Marine resources stewardship trust account, expenditures to be in keeping with Washington coastal marine advisory council recommendations: ***ESB 5603, CH 318 (2013)**
 Medicaid fraud penalty account, funding prescription monitoring program entirely from: ***HB 1565, CH 36 (2013)**
 Medical quality assurance commission account, creation: HB 1564
 Meeting industry demand account, creation: HB 1936
 Mercury-containing light recycling account, creation: SB 5658
 Minority and women's business enterprises account, depositing certain noncompliance penalty receipts: HB 2307
 Motor vehicle account, depositing certain transportation facility naming fees into account: HB 1051
 Motor vehicle account, transfer to account of state sales and use tax revenues from expenditures by department of transportation: HB 2094
 Multiuse roadway safety account, creation: HB 1632
 Naming of state transportation facilities, depositing of naming fees into relevant accounts: HB 1051
 New economy scholars account, establishment for new economy scholars program to expand high employer demand programs, council role: HB 2049
 Paint product stewardship account, creation: HB 1579
 Paramount duty trust fund, establishing: HB 1545
 Park land trust revolving fund, deposit and use of certain oil and gas severance and conservation excise tax revenues: HB 1856
 Pension funding stabilization account, expenditures from, when computing state expenditure limit: 2ESSB 5895

Performance audits of government account, distributions from timber tax distribution account: HB 2747
 Personnel service fund, discontinuing use by department of enterprise services: HB 1972
 Product stewardship programs account, repealing: SB 5658
 Public disclosure electronic filing account, creation: HB 1005
 Public employees' and retirees' insurance account, transfer of moneys to reserve and benefits accounts: HB 1085
 Public employees' benefits board benefits account, creation: HB 2436
 Public facilities construction loan revolving account, using moneys for economic revitalization loan program: HB 1079
 Public health supplemental account, use of funds to include paying for staff: HB 2388
 Public printing revolving account, eliminating: HB 1829, HB 1972, ***SSB 5287, CH 251 (2013)**
 Public transportation systems account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Public works administration account, using funds from account for public works construction service provider payment reporting: EHB 1473
 Public works assistance account, certain state tax revenues, deposit in account for local government public works: HJR 4215
 Public works assistance account, redirecting account funds: HB 1484
 Public-private recreational access account, creation: HB 2243
 Puyallup tribal settlement account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Radioactive mixed waste account, creation: ***2E2SSB 5296, CH 1 (2013)**
 Real estate excise tax electronic technology account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Recreation access pass account, depositing certain moneys into: HB 2707
 Reserve account, creation in connection with Washington health security trust: HB 1085
 Residential services and support account, creation: HB 2634
 Rural health access account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Rural Washington natural gas access and investment account, creation: HB 2101
 Satellite system management account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Scrap metal license account, creation: HB 1756
 Special personnel litigation settlement account, eliminating: HB 1829, ***SSB 5287, CH 251 (2013)**
 Start administrative account, creation: HB 2474
 Start principal account, creation: HB 2474
 State and local toxics control accounts, deposit of moneys for toxic waste cleanup sites: ***2E2SSB 5296, CH 1 (2013)**
 State fair fund, dedicated revenue for youth opportunities involving agricultural fairs: HB 1398
 State health care authority administrative account, transfer of moneys to reserve and benefits accounts: HB 1085
 State lottery account, modifying moneys distribution provisions: HB 1428, HB 1982
 State parks renewal and stewardship account, funding operation and maintenance of state parks from: ***ESSB 5897, CH 15 (2013)**
 State transportation storm water pollution and fish passage barrier account, creation: HB 1954
 State universal communications services program, optional establishment of account(s) by administrator: HB 1857
 Storm water financial assistance account, creation: HB 2357
 Student child care in higher education account, state board for community and technical colleges to co-administer program: HB 1873
 Sustainable energy trust account, creation: HB 1856
 Tacoma Narrows toll bridge account, transfers from account to pay debt service, limitations on: HB 1965
 Timber tax distribution account, distributions to forest and fish support account: HB 2747
 Tobacco settlement account, transfer of moneys to reserve and benefits accounts: HB 1085
 Toll facility accounts, depositing certain transportation facility naming fees into relevant account: HB 1051
 Tourism enterprise account, eliminating: HB 2029
 Transportation improvement board storm water pollution account, creation: HB 1954
 Tuition support fund account, creation: HB 1725
 Universal communications services account, creation: HB 1971
 Used battery stewardship account, creation: HB 1364
 Veterans innovations program account, limiting use of funds: HB 2130
 Washington advance higher education loan account, creation: HB 2429
 Washington horse racing commission class C purse fund account, mandatory depositing of fines for rules violations, removing requirement: HB 2125

Washington horse racing commission operating account, dedicated revenue for youth opportunities involving horses and horse racing: HB 1398
 Washington metal theft prevention authority account, creation: HB 1552
 Washington opportunity pathways account, expenditures from, when computing state expenditure limit: 2ESSB 5895
 Washington real estate research account, delaying expiration date: HB 2370
 Water pollution control revolving administration account, creation: HB 1141
 Wildfire prevention account, creation: HB 1127
 Wildlife conflict account, creation: HB 2517
 Wolf interaction conflict account, creation: HB 1501
 Wolf-livestock conflict account, creation: ***E2SSB 5193, CH 329 (2013)**
 Yakima integrated plan implementation account, creation: HB 1196, HB 1414, ***2SSB 5367, CH 11 (2013)**
 Yakima integrated plan implementation revenue recovery account, creation: HB 1196, HB 1414, ***2SSB 5367, CH 11 (2013)**
 Yakima integrated plan implementation taxable bond account, creation: HB 1196, HB 1414, ***2SSB 5367, CH 11 (2013)**

PUBLIC HEALTH AND SAFETY (See also AIR QUALITY AND POLLUTION; DRUGS; HAZARDOUS WASTE; HEALTH CARE; HUMAN REMAINS; LITTERING; MEDICINE AND MEDICAL DEVICES; SOLID WASTE; WATER; WATER POLLUTION)

Alzheimer's or dementia, senior citizens with, development and implementation of silver alert plan: HB 1689
 Antifreeze and coolant, denatonium benzoate exemption for vehicle sale: HB 1010
 Asbestos abatement projects, respirator requirements: HB 1110
 Asbestos-containing building materials, labeling requirements: HB 1926, ***ESSB 5458, CH 51 (2013)**
 Batteries, small rechargeable battery stewardship act: HB 1364
 Birth control, requiring dispensing of contraceptive drugs for medicaid enrollees: HB 2022
 Blood, tissue, or blood and tissue banks, business and occupation tax exemption for, modifying definitions, including "qualifying blood bank": HB 1766, ***ESSB 5882, CH 13 (2013)**
 Brain injury awareness organizations and individuals, honoring the efforts of: ***HR 4637 (2013)**
 Breast cancer awareness, special license plates for, creating: HB 2700
 Breastfeeding-friendly Washington designation, creating: HB 2329
 Carbon monoxide alarms, in residential occupancies, extending deadline: HB 1606, SSB 5494
 Cardiopulmonary resuscitation, requiring instruction for high school graduation: HB 1556
 Children's products, limiting presence of TRIS and other flame retardants when products manufactured, sold, or distributed for use in state: HB 1294
 Community health alert notification plans, adoption by local boards of health: HB 1139
 Crisis responders, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
 Defibrillators, medical emergency response and automated external defibrillator program for high schools: HB 1556
 Diabetes epidemic, agency collaboration to identify goals and develop agency plans: HB 1795
 Dumbwaiters, exemption from safety requirements governing conveyances: HB 2145
 Energy drinks, prohibiting selling or giving away to person under age eighteen: HB 1807
 EPI pens, placing in schools: ***ESB 5104, CH 268 (2013)**
 Epinephrine autoinjectors, placing in schools: HB 1578, ***ESB 5104, CH 268 (2013)**
 Explosive actuated tactical devices, transportation and storage by law enforcement, exemption from Washington state explosives act requirements: ***SSB 5264, CH 140 (2013)**
 Fetal alcohol exposure, requiring posting of warning signs on premises serving alcohol: HB 2737
 Fetal alcohol exposure, work group to address: HB 2737
 Firearm-related injury and death prevention education program, creation, with funding from firearm retail sale fee: HB 1703
 Flame retardants, limiting presence in upholstered furniture and children's products manufactured, sold, or distributed for use in state: HB 1294
 Food and beverages, healthy eating, promotion through state agency adoption and implementation of provision and service standards: HB 1321
 Good samaritans, exposed to infectious disease, free testing of source patient: HB 2530
 Health and human services, regional, county authority to impose local sales and use tax to fund: HB 2073
 Health care information, disclosure of: HB 2339
 Health care records, patient-authorized disclosure by provider or facility, determining reasonable fee for: HB 2074

Health districts, finances and banking, district control as directed by health board: HB 1783
 Healthiest next generation, governor's council for, establishment and duties: HB 2643
 HIV, fluids infected with, expanding first and second degree assault to include all fluids infected with destructive diseases: HB 1018, HB 1262
 HIV, fluids infected with, expanding first degree assault to include all fluids infected with destructive diseases: HB 2107
 HIV, removing specific mention in criminal statutes for certain crimes: HB 1262, HB 2107
 HIV, sexual intercourse prohibition when partner not informed: HB 1018, HB 1262, HB 2107
 Hospitals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
 Infections, health care-associated, aligning state reporting requirements with federal requirements: ***HB 1471, CH 319 (2013) PV**
 Infectious diseases, free testing of source patient aided by good samaritan: HB 2530
 Litter and potentially dangerous litter, abatement of nuisance, city and town authority: HB 1367, SB 5323
 Littering, general, adding penalty to penalty for littering from motor vehicle: HB 2294
 Mental health professionals, when certain persons present substantial likelihood of serious harm or danger, standards for detention: HB 1963
 Mercury-containing light product stewardship program, repealing program and account: SB 5658
 Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246
 Newborn screening, hospitals to collect blood sample for certain screening tests: HB 2544
 Notifiable health conditions, public notification by local health jurisdictions: HB 1139
 Obesity, prevention through early learning programs, including among duties of department of early learning : HB 1784
 Organ and tissue donation, awareness account, voluntary donation at time of vehicle registration, marketing of: HB 1726
 Pain awareness month, recognizing: ***HR 4614 (2013)**
 Paint, architectural, producers to establish paint stewardship program: HB 1579
 Public health supplemental account, use of funds to include paying for staff: HB 2388
 Sexually transmitted diseases, disclosure of records and information, expanding statutes: HB 1679
 Silver alert plan, development and implementation by state patrol for recovering senior citizens with Alzheimer's or dementia: HB 1689
 Sleep practices, safe, department of early learning to provide to child care licensure applicants: HB 2695
 Smoke detection devices, in dwelling units, requiring installation of certain lithium battery devices: HB 2053
 State employees, de minimis use of state facilities to communicate certain health care information to: HB 1785
 Stillbirth, certificates of, issuance by county registrar to mother or father: HB 1137
 Suicide assessment, treatment, and management training for health care providers, modifying requirements: HB 1376, HB 2315
 Suicide prevention, Washington plan for: HB 2315
 Transportation system policy goals, including air quality improvement to promote health improvement: HB 1233
 Traumatic brain injury, honoring the efforts of brain injury awareness organizations and individuals: ***HR 4637 (2013)**
 Upholstered furniture, limiting presence of TRIS and other flame retardants when furniture manufactured, sold, or distributed for use in state: HB 1294
 Vital records, birth certificates, provisions: HB 1525, ESSB 5118
 Vital records, birth certificates, provisions concerning adopted persons and birth parents: HB 1525, ESSB 5118
 Vital records, certificates of stillbirth, issuance by county registrar to mother or father: HB 1137

PUBLIC INSTRUCTION, SUPERINTENDENT

Academic acceleration incentive program, establishment, office of superintendent to allocate funds: HB 1642, E2SSB 5243
 Alternative learning experience courses, office of superintendent to conduct study for creating funding proposal for: 2SSB 5794
 Artworks for school plant facilities, superintendent allocation of funds for instructional equipment and technology: HB 1054
 Assessments of learning, common core standards, notifying parents or guardians: HB 1293
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- Discipline task force, office of superintendent to convene: HB 1680, ***ESSB 5946, CH 18 (2013) PV**
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- Dropout reengagement, grants for aligning with entry into high-demand occupations, role of office of superintendent: HB 1871
- Dropout reengagement, particularly in STEM fields, establishment of ASSET program to promote, role of office of superintendent: SSB 5754
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- High school and beyond plan, standard template for, office of superintendent to develop: HB 1650
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Quality education council, increasing learning opportunities in STEM disciplines through STEM education innovation alliance: HB 1872, SSB 5755

Quality education council, role in establishment of statewide indicators of educational system health: ***ESSB 5491, CH 282 (2013)**

Quality education council, staffing resources recommended by, enhancing basic education allocation formula to adopt: HB 1673, HB 2589

Reading and early literacy, menu of best practices for struggling students, office to convene panel of experts to develop: ***ESSB 5946, CH 18 (2013) PV**

Reading and early literacy, providing system of instruction and services through multiple strategies, role of office of superintendent: ***ESSB 5946, CH 18 (2013) PV**

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STEM literacy, learning opportunities and educational outcomes in science, technology, engineering, and mathematics: HB 1872, SSB 5755

STEM programs, aligning with community and technical college high-demand applied baccalaureate programs, role of office of superintendent: ***2SSB 5624, CH 55 (2013)**

Student achievement and outcomes, improving through multiple research-based intervention strategies, office of the superintendent role: E2SSB 5330

Student achievement and outcomes, improving through multiple strategies, role of office of superintendent: ***ESSB 5946, CH 18 (2013) PV**

Student suspension and expulsion data, superintendent role in collection and disaggregation: E2SSB 5244, ***ESSB 5946, CH 18 (2013) PV**

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Public records requests, records search costs, equitable allocation of county auditor's costs: HB 1185

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Title insurers, public disclosure of statistical reporting to insurance commissioner: ***HB 1035, CH 65 (2013)**

Vulnerable adults, records from abuse and other investigations, use and sharing in certain cases: HB 1523, ***SB 5510, CH 263 (2013)**

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Mercury-containing light product stewardship program, repealing program and account: SB 5658

Mercury-containing light recycling account, creation: SB 5658

Mercury-containing lights, producers to pay registration and administration fees for reimbursing documented recycling and administrative costs: SB 5658

Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 2246

Oil, used, best management practices for dealing with PCB contamination at public recycling collection sites: HB 2745

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Chaplains for law enforcement, retirement system membership: HB 1120

Churches, property tax exemptions for nonprofit religious organization property, modifying: HB 1215

Clergy, indecent liberties by member of, felony: HB 2341

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Sexual orientation change efforts, practice of, establishing work group to make recommendations concerning, membership to include mental health professional from faith community: HB 1882

State employees, receiving two unpaid holidays, including specific days for reason of faith or conscience: HB 1744

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- Deferred compensation program, employer's participation in, modifying provisions: HB 2736
- Defined contribution plan for public employees, creation of Washington public employees' savings plan: ESSB 5851
- First class cities, retirement systems of, authorizing agreements for investment of assets by state investment board: HB 1899
- LEOFF, plan 2, definition of firefighter, correcting expiration date: HB 2456
- LEOFF, plan 2, optional life annuity benefit for members: HB 2577
- LEOFF, plan 2, providing health insurance access for certain members catastrophically disabled in line of duty: HB 1868
- LEOFF, plan 2, restrictions for retirees or members in LEOFF-eligible position: HB 2479
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- PERS, plan 2, separated members, allowing participation in insurance plans and contracts: HB 1668
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- PERS, seasonal employees of small cities, limiting eligibility for: HB 2290
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- PSERS, membership, including qualified trades people at public utility districts: HB 1929
- PSERS, membership, to include city, county, and state correctional employees and certain department of social and health services employees: EHB 1923
- Public employee defined contribution retirement plan act, creating Washington public employees' savings plan: ESSB 5851
- Salary, average, for pension purposes of state and local employees, as certified by employer: HB 1820
- Savings plan, Washington public employees', creation and relation to PERS, PSERS, SERS, and TRS: ESSB 5851
- SERS, plan 2, separated members, allowing participation in insurance plans and contracts: HB 1668
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- SERS, plans 2 and 3, postretirement employment provisions: HB 1667
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- SERS, plans 2 and 3, service worker retirement allowances, calculation of: HB 1913
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- TRS, plan 2, separated members, allowing participation in insurance plans and contracts: HB 1668
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- TRS, plans 2 and 3, unreduced retirement benefits at earlier age, provisions: HB 1665
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- Volunteer firefighters' and reserve officers' retirement system, death benefits: HB 1180
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- Volunteer firefighters' and reserve officers' retirement system, membership for chaplains: HB 1120
- WSPRS, overtime compensation for state patrol services for highway demonstration projects, counting as salary for retirement purposes: HB 1904

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 PSERS, changes in covered employers and members of, state actuary and department to study: EHB 1923
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 Business license center, expanding required participation to additional agencies, department reporting requirements: HB 1403, E2SSB 5680
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 Research and development business and occupation tax credit, expiration of, department to estimate revenue increases due to: HB 1936
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 Spirits, sale and distribution, department recommendations for streamlining collection of taxes, fees, and reports: ***HB 1124, CH 95 (2013)**
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Conforming amendments, prompted by reorganization and streamlining of state government central services: HB 2098
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 Election laws, reconciling: HB 2215
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 Higher education coordinating board, references to, replacing with student achievement council: HB 1048
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 Washington savings association act, renaming RCW Title 33 as: HB 2141
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Columbia river basin taxable bond water supply development account, transferring certain bond proceeds to: HB 1088, ***ESSB 5036, CH 20 (2013)**
 Columbia river, I-5 bridge, authorizing bonds to finance Columbia river crossing project: HB 1975
 Columbia river, I-5 bridge, rejecting replacement design alternatives that include light rail: HB 2025
 Columbia river, I-5 bridge, requiring new replacement design alternative: HB 2025
 Hydraulic permits and projects, environmental review when involving transportation, prohibiting adoption or maintaining of requirements when more stringent: HB 1996
 Hydraulic permits and projects, prospecting, suction dredge use and mineral prospecting and mining permit: HB 2579
 Hydraulic permits and projects, removal of sediment from freshwater by volunteers, exemption from permit requirement under certain conditions: HB 2021

Invasive species, aquatic, infractions to include transporting watercraft into state without valid documentation: ***SSB 5702, CH 307 (2013)**

Invasive species, integrated management approach and enforcement: HB 2458

Palouse river, designating Palouse falls as state waterfall: HB 2119

Prospecting, allowing suction dredge use and requiring mineral prospecting and mining permit: HB 2579

Public land adjacent to body of water, access to water by way of: HB 2342

Sediment, removal from freshwater by volunteers, exemption from hydraulic project permit requirement under certain conditions: HB 2021

Yakima river basin, integrated water resource management plan, implementing plan and creating accounts: HB 1196, HB 1414, ***2SSB 5367, CH 11 (2013)**

Yakima river basin, purchase of land for community forest trust to help protect basin: ***2SSB 5367, CH 11 (2013)**

ROADS AND HIGHWAYS (See also TRAFFIC; TRANSPORTATION)

Alaskan Way viaduct replacement project, convening expert review panel for: HB 2070

Autonomous vehicles, encouraging safe testing on public roads, requirements: HB 1649

Autonomous vehicles, state patrol to establish safety standards and performance requirements for operation on public roads: HB 1439

Bridges, I-5 over Columbia river, authorizing bonds to finance Columbia river crossing project: HB 1975

Bridges, I-5 over Columbia river, department to convene expert review panel for Columbia river crossing project: HB 2070

Bridges, I-5 over Columbia river, rejecting replacement design alternatives that include light rail: HB 2025

Bridges, I-5 over Columbia river, requiring new replacement design alternative: HB 2025

Bridges, I-5 over Skagit river, requesting renaming as the Trooper No. 1076, Sean M. O'Connell Memorial Bridge: HJM 4003

Bridges, inventory and information database, using when issuing special permits for oversize or overweight loads: HB 2740

Bridges, SR 520 replacement and HOV project, convening expert review panel for: HB 2070

Bridges, state boundary bridge, assigning steel fabrication inspector travel costs to contractor: HB 1288

Bridges, structurally deficient, expedited permitting and contracting when identified as: HB 2071

Bridges, Tacoma Narrows toll bridge account, transfers from account to pay debt service limitations on: HB 1965

Chinook scenic byway, extending: ***SB 5030, CH 154 (2013)**

Construction, following best management practices, removing new construction limits and modification requirements: HB 2097

Construction, following best management practices, state environmental policy act exemption: HB 2097

Construction, state highways, disclosure of conflicts of interest when bidding for contract with department of transportation: HB 1801

Demonstration highway projects, overtime compensation paid for state patrol services on, counting as salary for retirement purposes: HB 1904

Electric vehicles, charging stations for, comprehensive provisions: HB 2711

Electric vehicles, charging stations for, signage and pavement marking requirements and infraction and penalty provisions: ***ESSB 5849, CH 60 (2013)**

Farm vehicles, allowing farm vehicles on public highways in certain cases: ***ESB 5616, CH 299 (2013)**

Fish habitat, department of transportation fish habitat enhancement projects, limiting regulatory requirements for: HB 2765

Fish passage barriers associated with transportation, removal or correction of: HB 2251, HB 2346

Fish passage barriers associated with transportation, removal or correction through fish habitat enhancement projects: HB 2765

Freight corridors, major, using original issue license plate fees for: HB 1954

Heavy haul corridors, modifying boundary on state route number 509: ***HB 1447, CH 115 (2013)**, SB 5335

Heavy haul industrial corridor, designating portion of state route number 155 as: HB 2348

High occupancy toll lane pilot project, state route number 167, extending lanes to Pierce county and removing certain provisions: HB 1745

High occupancy vehicle lanes, convening expert review panel for SR 520 bridge replacement and HOV project: HB 2070

High occupancy vehicle lanes, including motorcycles: ***SB 5142, CH 26 (2013)**

Highway construction, engineering errors on projects, department of transportation to report concerning: HB 1986, HB 2070

Highway construction, use of design-build procedure for construction, allocation of all risk to contractor: HB 1987

Interstate 5 over Columbia river, authorizing bonds to finance Columbia river crossing project: HB 1975

Interstate 5 over Columbia river, convening expert review panel for Columbia river crossing project: HB 2070

Interstate 5 over Columbia river, rejecting bridge replacement design alternatives that include light rail: HB 2025
 Interstate 5 over Columbia river, requiring new replacement design alternative: HB 2025
 Interstate 5 over Skagit river, requesting renaming as the Trooper No. 1076, Sean M. O'Connell Memorial Bridge: HJM 4003
 Interstate 5, requesting naming as "purple heart trail": HJM 4000, ***SJM 8001 (2013)**
 Interstate 90, west of I-405, mitigating impact of tolling facility on local residents: HB 1945
 Limited access facilities, including motorcycles: ***SB 5142, CH 26 (2013)**
 Loads, covering various vehicle loads on public highways: HB 1007
 Maintenance or repair activities, following best management practices, removing limits and modification requirements: HB 2097
 Maintenance or repair activities, following best management practices, state environmental policy act exemption: HB 2097
 Manholes and sewer and water mains, GIS data for, exemption from public inspection and copying: HB 2403
 Motorcycles, including in various commute trip reduction, high occupancy vehicle lane, and limited access facility arrangements: ***SB 5142, CH 26 (2013)**
 Nontoll transportation projects, implementing public-private partnership best practices: HB 1979
 Private roads involving easements, maintenance agreements and civil actions: HB 1029
 Private roads, in apartment owners' association communities, speed limit enforcement by law enforcement personnel: ***SB 5113, CH 269 (2013)**
 Private roads, in condominium and apartment owners association communities, speed limit enforcement by law enforcement personnel: HB 1592
 Private roads, in condominium association communities, speed limit enforcement by law enforcement personnel: ***SB 5113, CH 269 (2013)**
 Scenic and recreational highway system, additions and modifications: HB 1028
 Sidewalks, not accessible, persons with disabilities in wheelchairs, using adjacent roadway: HB 2599
 Signage, roadway and way-finding, adding to "public facilities" for tax revenue-use purposes: HB 2297
 Signs, outdoor advertising, adding permit fee, modifying label requirement, and repealing certain prohibitions: HB 1767, ***SSB 5761, CH 312 (2013)**
 Signs, static digital outdoor advertising signs, allowing cities and towns to place along state highways: HB 1408
 Speed limits, nonarterial highways, city or town establishment of maximum limit: ***HB 1045, CH 264 (2013)**
 Speed zone near schools, installation and maintenance of sign indicating end of: HB 1698
 State route number 117, designating as POW/MIA memorial highway: ***SJM 8005 (2013)**
 State route number 155, designating portion as heavy haul industrial corridor: HB 2348
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 State route number 410, scenic and recreational highway system modification: HB 1028
 State route number 509, heavy haul corridor boundary on, modifying: ***HB 1447, CH 115 (2013)**, SB 5335
 State route number 520, bridge replacement and HOV project, convening expert review panel for: HB 2070
 Tacoma Narrows toll bridge account, transfers from account to pay debt service, limitations on: HB 1965
 Toll facilities, photo toll systems, adjudication and civil penalties for violations, failure to receive bill or notice: HB 1941
 Toll facilities, photo toll systems, availability of records, photographs, and electronic images: HB 1047
 Tolling facilities, I-90 west of I-405, mitigating impact on local residents: HB 1945
 Vacation of road, by county legislative authority when land abuts body of water, conditions: HB 2603
 Workforce development for transportation, coordinating with apprenticeship and training council, including recruitment of women and persons of color: HB 1922

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 Asbestos-containing building materials, labeling requirements: HB 1926, ***ESSB 5458, CH 51 (2013)**
 Back-to-school clothing and school supply items, sales and use tax exemptions: HB 1329
 Bags, retail carryout, regulation by cities and counties: HB 1310
 Batteries, small rechargeable battery stewardship act: HB 1364
 Bicycles, levying retail sale fee on certain new bicycles: HB 1954
 Children's products, limiting presence of TRIS and other flame retardants: HB 1294
 Cigarettes, electronic, prohibiting sale to minor: ***HB 1937, CH 47 (2013)**
 Digital goods and codes, nonresident sales tax exemption, repealing: HB 1890

Energy drinks, prohibiting selling or giving away to person under age eighteen: HB 1807
 Firearms, retail sales, levying and collecting fee on each retail sale: HB 1703
 Firearms, sale by unlicensed person to another unlicensed person, background check requirements: HB 1588
 Firearms, sale or transfer of, exempting purchaser from criminal background check when producing valid concealed pistol license: HB 1839
 Firearms, sales by dealers, requirements in connection with safe storage, violations and penalties: HB 1676
 Fish, food fish and shellfish, labeling for sale, requirements and penalties: HB 1200
 Fish, transgenic salmon or salmon products, labeling as, during sale: HB 2630
 Flame retardants, limiting presence in upholstered furniture and children's products manufactured, sold, or distributed for use in state: HB 1294
 Genetically engineered foods, disclosure for retail sale: HI 522
 Marijuana, legal amounts left at retail stores holding pharmacy license, notification and disposal requirements: ***EHB 1808, CH 133 (2013)**
 Marijuana, prohibiting purchases of marijuana and marijuana paraphernalia with public assistance electronic benefit cards: ESSB 5279
 Marijuana, purchase by minors, specifying criminal acts and penalties: HB 2303
 Marijuana, purchase by minors, using certain minors in controlled purchase compliance check programs: HB 2303
 Marijuana, recreational, tax stamp system for sale of: HB 2411
 Memorial markers, restricting sales by cemetery districts: HB 1300
 Mercury-containing light product stewardship program, repealing program and account: SB 5658
 Mercury-containing lights, product stewardship organizations, including environmental handling charges and antitrust law immunity: HB 1444, HB 2246
 Motor vehicle sales, documentary service fee, effect of negotiation-free pricing on charging of: HB 2757
 Personal property, sales of tangible, repealing nonresident sales tax exemption: HB 1890
 Retail theft, organized, modifying criminal provisions to include making or receiving electronic communication: HB 1906, HB 2702, ESSB 5178
 Shark fins, unlawful trade in second degree, prohibiting all commercial activities: SB 5081
 Tax evasion by electronic means, seizure and forfeiture of automated sales suppression devices, phantom-ware, etc.: HB 1427, ***SB 5715, CH 309 (2013)**
 Theft with extenuating circumstances, retail, changing to retail theft with special circumstances: ***SSB 5022, CH 153 (2013)**
 Theft with extenuating circumstances, retail, modifying definition: HB 2077
 Upholstered furniture, limiting presence of TRIS and other flame retardants: HB 1294
 Vapor products, prohibiting sale to minor: ***HB 1937, CH 47 (2013)**

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Genetically engineered salmonids, prohibiting production in state waters: HB 2143
 Habitat projects for salmon recovery, removing landowner liability for property damage: ***HB 1194, CH 194 (2013)**
 Hatcheries, salmonid, fish and wildlife department-partner management agreements: HB 1071
 Indian tribal members, convictions prior to 1975 for certain tribal fishing activities, vacating: HB 2080
 Labeling for sale, requirements and penalties: HB 1200
 Transgenic salmon or salmon products, labeling as, during sale: HB 2630

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 Abuse or neglect of children, modifying requirements for information for parents: ESSB 5753
 Abuse, physical abuse or sexual misconduct by school employee, reporting requirements for other school employees when aware that student is likely a victim: ***ESSB 5563, CH 10 (2013)**
 Academic acceleration incentive program, establishment: HB 1642, E2SSB 5243
 Academic acceleration policy, districts to adopt for high school students: HB 1642, E2SSB 5243
 Accountability framework, developing Washington achievement index for schools and districts: ***E2SSB 5329, CH 159 (2013)**
 Accountability system, education accountability system oversight committee, establishment: ***E2SSB 5329, CH 159 (2013)**
 Accountability system, phases I and II, modifying to provide assistance and intervention: HB 1177
 Administrators, calculating TRS and SERS service credit for alternate early retirement eligibility: HB 1610

Administrators, evaluation systems training program, to include cultural competence, multicultural education, and English language acquisition principles: HB 1680

Administrators, professional development days for, additional: HB 2313

After- and before-school programs, adopting standards to allow students to be in school buildings for: HB 1968

After- and before-school programs, building code council adoption of rules allowing students to be in school buildings for: HB 1852

Alarms, silent, to be located in school administrative offices: HB 1811

Alternative learning experience courses, modifying provisions: HB 1431, 2SSB 5794, ***ESSB 5946, CH 18 (2013) PV**

Apple a day act of 2014, competitive equipment assistance grant program to enhance student nutrition: HB 2410

Artworks for school plant facilities, allocating funds for instructional equipment and technology: HB 1054

Assessments of learning, common core standards, districts to notify parents or guardians: HB 1293

Assessments of learning, English language arts in third grade, adding provisions: HB 1452, E2SSB 5237, ***ESSB 5946, CH 18 (2013) PV**

Assessments of learning, high school, college-ready and career-ready assessments, administering: HB 2047

Assessments of learning, high school, meeting English language arts, mathematics, and science requirements: ***EHB 1450, CH 22 (2013)**

Assessments, student, eliminating nonfederal requirements: HB 1015

Assessments, student, modifying system in multiple ways to reduce costs: HB 2047

Assessments, student, multistate consortia-developed, examining student records privacy issues: HB 2133

Assessments, student, notifying parents and guardians in advance concerning: ESSB 5587

Assessments, student, reducing assessments required for graduation to three content areas: HB 2047

Assessments, student, using multistate consortia-developed assessments of English language arts and mathematics: HB 2047

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At-risk youth, dropout prevention through farm engagement pilot project: EHB 1276

Attendance, compulsory, modifying requirements for children age six and seven: HB 1283

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Basic education allocation formula, enhancing in order to adopt staffing resources recommended by quality education council: HB 1673, HB 2589

Basic education allocation formula, modifying allocation rates to increase education funding: SSB 5898

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Basic education funding, discontinuing reduction of allocation to districts in counties with federal forest lands: HB 2207

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Basic education funding, increasing transfer to education legacy trust account by narrowing nonresident sales tax preference: EHB 2036

Basic education funding, increasing transfer to education legacy trust account by narrowing or eliminating certain tax preferences: HB 2038, HB 2465

Basic education funding, modifying allocation rates to support basic education reforms: HB 2051

Basic education funding, modifying allocation rates, maximum levy percentages, and local effort assistance provisions to increase education funding: SSB 5898

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Biliteracy, state seal of, establishing for public high school graduates: HB 2395

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Boards, local school boards, filling vacancy in certain districts with at-large appointment, conditions: HB 1691

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Breakfast after the bell programs in certain public schools, implementing: HB 2536

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Buses, stopping at railroad grade crossings, exceptions: HB 2137

- Campuses, K-12, providing access for occupational and educational information, authority and requirements: HB 1345, ***SB 5114, CH 25 (2013)**
- Capital projects for public schools, funding with appropriations from proceeds of general obligation bonds: SSB 5445
- Career and college ready graduation proposal, implementing requirements: HB 1692, HB 2051, HB 2181, HB 2242
- Career and college ready, developing curricula to foster: HB 2383
- Career and technical education courses, course equivalencies for science and math courses: HB 2540
- Career and technical education courses, embedding common core state standards into: HB 2383
- Career and technical education courses, model framework and curriculum and program of study for, convening work group: HB 1680
- Career and technical education programs, aligning with community and technical college high-demand applied baccalaureate programs: ***2SSB 5624, CH 55 (2013)**
- Career and technical education, dropout reengagement in STEM fields through establishment of ASSET program: SSB 5754
- Career and technical education, grants for aligning dropout reengagement with entry into high-demand occupations: HB 1871
- Career and technical education, increasing learning opportunities in STEM disciplines through STEM education innovation alliance: HB 1872, SSB 5755
- Career education, legislative task force on career education opportunities, establishment: HB 2051
- Catholic schools week, celebrating: ***HR 4641 (2013)**
- Challenged and lowest-achieving schools, superintendent of public instruction to identify: HB 1177
- Challenged schools, changing date for identifying: HB 2167
- Charbonneau, Jeff, 2013 national teacher of the year, honoring: ***HR 4652 (2013)**
- Charter schools, CEOs of, authority to file complaints of unprofessional or other conduct against certificated employees: HB 2583
- Chiawana High School, football team, honoring: ***HR 4666 (2014)**
- Child welfare services, youth in out-of-home care, improving educational outcomes: HB 1566
- Civic educators, honoring: ***HR 4612 (2013)**
- Class size, lowering, allocation of state funding to support: HB 2589
- Cleveland High School women's basketball team, congratulating: ***HR 4632 (2013)**
- Clothing and supplies for students, sales and use tax holiday: HB 1329
- Collective bargaining, certificated instructional staff, including displaced and nonprovisional, assignment policies: HB 1640, ESSB 5242
- College credit, dual high school/college credit courses as part of academic acceleration policy: HB 1642, E2SSB 5243
- College credit, dual high school/college credit courses, analysis of: HB 2383
- College credit, dual high school/college credit courses, reviewing higher education institution policies: HB 2285
- College in the high school program, authorizing earlier participation: HB 2621
- Colton High School Wildcats girls basketball team, recognizing: ***HR 4633 (2013)**
- Community service, adding to high school graduation requirements: HB 1412
- Computer science education, supporting through multiple approaches: HB 1472
- Construction, architectural plans to be public property, conditions: HB 2132
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- Construction, prevailing wage exemption for plant facilities funded through school construction assistance program: HB 1255
- Construction, sales and use tax exemptions for school districts: HB 2270
- Construction, school construction assistance program, minimum state funding assistance percentage, raising: HB 1505
- Cultural access, creating public school cultural access program: HB 2212
- Defibrillators, medical emergency response and automated external defibrillator program, instituting: HB 1556
- Digital college in the high school, establishment as pilot project: HB 1208
- Disabilities, children from birth to age three with, department to be lead agency for early intervention services: HB 2598
- Discipline task force, convening: HB 1680, ***ESSB 5946, CH 18 (2013) PV**
- District board of directors, certain districts, increased compensation for directors: HB 2200
- District board of directors, second-class districts, appointment of candidate to board: HB 1077
- Districts, accountability framework, developing Washington achievement index for schools and districts: ***E2SSB 5329, CH 159 (2013)**
- Districts, adopting plan for recognition, screening, and response to emotional or behavioral distress in students: HB 1336

Districts, bonds, requiring simple majority of voters voting to authorize: HB 2441, HJR 4216

Districts, enrollments, caseload forecast council to estimate for certificated instructional staff budgeting and hiring purposes: EHB 1900

Districts, establishing statewide renewal school district for most persistently lowest achieving schools: HB 1641

Districts, failing to close opportunity gaps, identification and staff assignment policies: ESSB 5242

Districts, grading of, establishing performance-based system for schools and districts: HB 1476

Districts, improvement and repair projects, modifying bidding requirements: HB 1633

Districts, legal notices, publication on public web site: HB 2319

Districts, major facility projects receiving state capital budget funding, requirements to be contingent on funding: ESSB 5753

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 Controlled substances, possession without prescription, downgrading to misdemeanor: HB 2116
 Cooperating with armed forces member conducting investigation or detainment of U.S. citizen or resident alien, class C felony: HB 1581
 Criminal assistance, rendering, revising provisions: HB 1080, SB 5059
 Cruelty to animals, animal fighting, to include causing minor to commit, class C felony: HB 1202
 Cruelty to animals, killing or harming another person's animals with malice, class C felony: HB 1202
 Cruelty to animals, pet animals, taking or killing, etc., modifying provisions: HB 1202
 Cruelty to animals, prohibiting sale or auction of animals on public property: HB 1201
 Cruelty to animals, requiring registration of criminal animal abuse offenders: HB 1786
 Cruelty to animals, second degree, modifying provisions: HB 1202
 Cruelty to animals, unsafe confinement in vehicle or enclosed space, authority to enter vehicle or space: HB 1202
 Custodial interference, first degree, in connection with court-ordered residential provisions for child, class C felony: HB 2624
 Deadly weapons, certain sentencing enhancements to be doubled if body armor was worn: HB 1907, HB 2704, SSB 5119
 Death penalty, eliminating: HB 1504
 Deeds of trust, trustee's foreclosure sale, false declarations by beneficiary, class C felony: HB 2658
 DNA sample, refusal to provide as sex offender, gross misdemeanor: ESSB 5735
 Dog guides, with reckless disregard causing harm to, class C felony: HB 1830
 Drive-by shooting, adding to list of most serious offenses: HB 1730
 Driving under the influence, creating statewide 24/7 sobriety program and 24/7 sobriety account: HB 2030
 Driving under the influence, creating statewide 24/7 sobriety program and pilot project and 24/7 sobriety account: ***E2SSB 5912, CH 35 (2013)**
 Driving under the influence, eliminating ten-year look back periods from class C felony criteria: HB 2085
 Driving under the influence, establishing Washington impaired driving work group: ***E2SSB 5912, CH 35 (2013)**
 Driving under the influence, extending time periods for relevance of prior offenses: HB 2701
 Driving under the influence, felony, converting to class B felony: HB 2506
 Driving under the influence, ignition interlock requirements, provisions concerning imposing, tampering with, or defeating: HB 2728
 Driving under the influence, in connection with sentencing provisions for various crimes: HB 1482, HB 2030, ***E2SSB 5912, CH 35 (2013)**
 Driving under the influence, reducing prior offense threshold for class C felony: HB 2084
 Drug offenders, sentencing alternatives, modifying: HB 2484
 Drug offenses, enhancement for attempting to elude police vehicle, to be mandatory: HB 2549
 Earned release, credits and procedures, modifying to reduce costs: ***E2SSB 5892, CH 14 (2013)**
 Felony, scoring as class C felony equivalent: HB 1060
 Female genital mutilation, class B felony: HB 2190
 Finfish, genetically engineered, production in state waters, gross misdemeanor: HB 2143
 Firearms, certain persons subject to certain no-contact, protection, or restraining orders, firearm surrender requirements and prohibitions: HB 1840
 Firearms, certain sentencing enhancements to be doubled if body armor was worn: HB 1907, HB 2704, SSB 5119
 Firearms, drive-by shooting, adding to list of most serious offenses: HB 1730
 Firearms, failure to register as a firearm offender, gross misdemeanor: HB 1612
 Firearms, juvenile firearms and weapons crimes, provisions: HB 1096
 Firearms, storing or leaving loaded firearm where child can and does gain access to it, to constitute reckless endangerment: HB 1676
 Firearms, unlawful possession in first degree, adding to list of most serious offenses: HB 1731
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Firearms, unlawful possession in second degree, to include certain persons subject to certain no-contact, protection, or restraining orders: HB 1840

Fish and wildlife department privileges, violating a suspension of, in first and second degrees: ***HB 1218, CH 102 (2013)**

Fish, food fish or shellfish, unlawful misbranding of: HB 1200

Fishing guides, unlawfully acting as food or game fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917

Fishing guides, unlawfully engaging in fishing guide activity, gross misdemeanor: HB 1896

Fishing, by Indian tribal members, vacating convictions prior to 1975 for certain tribal fishing activities: HB 2080

Gambling, unlawful internet gambling, reducing penalty for person conducting in primary residence for recreational purposes: HB 1824

Gangs, criminal street gang associate or member, including in unlawful possession of firearm in first degree provisions: HB 1729

Gangs, criminal street gang-related sentencing enhancement: HB 1732

HIV, removing specific mention in criminal statutes for certain crimes: HB 1262, HB 2107

Home detention, defining in connection with electronic offender monitoring and expanding requirements: HB 2543

Homicide, vehicular, due to alcohol or drugs, offender to pay child support for victim's children: HB 1151

Homicide, vehicular, sentences: HB 1388, HB 2507

Human remains, person with knowledge of location, failure to report to law enforcement, gross misdemeanor: HB 1980

Ignition interlock devices, circumventing installation and use by acquiring new vehicle, gross misdemeanor: HB 2344

Ignition interlock devices, provisions concerning imposing, tampering with, or defeating: HB 2728

Incest, victim under age eighteen, modifying statute of limitations: HB 1352, SSB 5100

Indecent liberties, by member of clergy, felony: HB 2341

Indecent liberties, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**

Indecent liberties, victim under age eighteen, modifying statute of limitations: HB 1352, SSB 5100

Intimate images, distributing on internet, class C felony: HB 2250

Intimate images, distributing, class C felony: HB 2257

Involuntary servitude, coercion of, to include coercing to perform labor or services in certain cases, class C felony: HB 2644

Jail time served, certification of, modifying provisions to achieve correctional savings: HB 2050

Legal financial obligations of offenders, failure of homeless or mentally ill to pay not willful noncompliance: HB 2231

Marijuana, crime-related cannabis product use or possession prohibitions, role in general sentencing provisions: HB 2206

Marijuana, criminal acts by or with minors, new provisions: HB 2706

Marijuana, medical, lawful and unlawful actions: HB 1084, HB 1662, HB 2233

Marijuana, misdemeanor offenses, vacating of, conditions and exceptions: HB 1661

Marijuana, purchase by minors, specifying criminal acts and penalties: HB 2303

Mental disability, guilty but with a mental disability, plea or finding of, sentencing provisions: HB 2496

Metal property, theft in first and second degrees: HB 1552

Metal, scrap metal businesses, doing business without scrap metal license, gross misdemeanor and class C felony provisions: HB 1756

Mischief, changing crime of riot to crime of criminal mischief: ***SSB 5021, CH 20 (2013)**

Misdemeanor or gross misdemeanor offenses, vacation of conviction record in multiple cases: HB 1087

Multiple offenses, sentencing guidelines for: HB 1796, HB 1862

Murder, aggravated first degree, eliminating death penalty for: HB 1504

Murder, aggravated first degree, including certain child victims: SB 5015

Murder, aggravated first degree, sentencing, incarceration, and early release when crime committed before age eighteen: HB 1338

Official oppression by a public servant, class C felony: HB 1454

Pharmacy, robbery of, as special allegation for robbery in first or second degree: HB 1931, ***SB 5149, CH 270 (2013)**

Police vehicle, attempting to elude, enhancement for, to be mandatory: HB 2549

Process servers, assault in third degree to include assault of legal process servers: HB 1131

Profiteering, criminal, adding certain commercial sexual abuse of minor crimes to definition of: HB 1793

Rape, third degree, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**

Rape, victim under age eighteen, modifying statute of limitations: HB 1352, SSB 5100

Reckless endangerment, storing or leaving loaded firearm where child can and does gain access to it: HB 1676

Rendering criminal assistance, revising provisions: HB 1080, SB 5059

Riot, crime of, changing to crime of criminal mischief: ***SSB 5021, CH 20 (2013)**

Robbery in first and second degree, with robbery of a pharmacy as special allegation: HB 1931, ***SB 5149, CH 270 (2013)**

Scrap metal businesses, doing business without scrap metal license, gross misdemeanor and class C felony provisions: HB 1756

Search and rescue dogs, on-duty, with reckless disregard causing harm to, class C felony: HB 1830

Service animals, with reckless disregard causing harm to, class C felony: HB 1830

Sexual exploitation of a minor, modifying statute of limitations: SSB 5100

Shark fins, unlawful trade in second degree, prohibiting all commercial activities: SB 5081

Stalking, protection and no-contact orders, provisions: SSB 5452

Stalking, protection orders, stalking protection order act: HB 1383

Standard sentence guidelines, adjustments to and departures from in the case of multiple offenses: HB 1796, HB 1862

Subversive activities, repealing statutes: HB 1062

Tax evasion by electronic means, prohibitions, revocation of taxpayer registration, and penalties: HB 1427, ***SB 5715, CH 309 (2013)**

Theft in first and second degrees, to include metal property: HB 1552

Theft with extenuating circumstances, retail, changing to retail theft with special circumstances: ***SSB 5022, CH 153 (2013)**

Theft with extenuating circumstances, retail, modifying definition: HB 2077

Theft, organized retail theft, modifying provisions to include making or receiving electronic communication: HB 1906, HB 2702, ESSB 5178

Trespass upon business owners' premises, civil actions for: HB 2353

Vapor products, selling or giving to minor, gross misdemeanor: ***HB 1937, CH 47 (2013)**

Vehicle prowling, second degree, class C felony in certain cases: HB 1305, ***ESB 5053, CH 267 (2013)**

Vehicles, license plates, switching or flipping, gross misdemeanor: HB 1944

Vehicles, registration, falsifying, gross misdemeanor: HB 1944

Vehicular assault, sentences: HB 1388

Vehicular homicide, due to alcohol or drugs, offender to pay child support for victim's children: HB 1151

Vehicular homicide, sentences: HB 1388, HB 2507

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SEX OFFENSES AND OFFENDERS (See also CRIMINAL OFFENDERS; VICTIMS OF CRIMES)

Abuse, physical abuse or sexual misconduct by school employee, reporting requirements for other school employees when aware that student is likely a victim: ***ESSB 5563, CH 10 (2013)**

Adult family homes, requirements when registered sex offender residing in home: HB 1125

Assault, sexual, protection order provisions: HB 1307

Children, sex offenses against, modifying statute of limitations provisions: HB 1352, SSB 5100

Children, sex offenses against, sexual abuse and exploitation prevention training program for school employees: HB 1869, ***ESSB 5563, CH 10 (2013)**

Clergy, indecent liberties by member of, felony: HB 2341

Commercial sale of sex, use of fine moneys for offender and victim programs and commercial sale of sex reduction: HB 1291

Commercial sexual abuse of minor crimes, adding to seizure and forfeiture provisions: HB 1792

Commercial sexual abuse of minor crimes, including promoting travel for and permitting, addition to definition of criminal profiteering: HB 1793

Commercial sexual abuse of minor crimes, use of fine moneys for offender and victim programs and commercial sale of sex reduction: HB 1291

Commercially sexually exploited children statewide coordinating committee, governor's role in establishing: ***SSB 5308, CH 253 (2013)**

DNA sample, refusal to provide as sex offender, gross misdemeanor: ESSB 5735

Exploited children, task force on missing and exploited children, repealing advisory board provision: HB 2712

Indecent liberties, by member of clergy, felony: HB 2341

Indecent liberties, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**

McNeil Island, therapeutic occupation assignments for certain sexually violent predators: HB 1837

Missing and exploited children, task force on, repealing advisory board provision: HB 2712
 Offenders, level III, prohibiting residence in community protection zone: HB 1020
 Pretrial release, prohibiting for sex offenses without payment of bail: HB 1171
 Prostitution convictions, vacating if offender is victim of certain trafficking and related crimes: HB 1292
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 Psychosexual evaluation of parent in dependency matters, consequent reassessment of visitation: SSB 5162, ***SSB 5315, CH 254 (2013)**
 Rape, pregnant survivor of, assistance of court to avoid parenting interactions with rapist: HB 2559
 Rape, third degree, modifying definition to include spouses: ***HB 1108, CH 94 (2013)**
 Registered offenders, felony, specifying distance from a school for residence approval: HB 2557
 Registered offenders, housing rental vouchers, conditions for providing: HB 1232
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 Sex trade, offenders, education programs funded through fine paid by offenders: HB 1291
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 Sex trafficking crimes, involving minors, clarifying that consent of a minor does not constitute a defense: ***ESSB 5669, CH 302 (2013)**
 Sex trafficking crimes, involving minors, modifying provisions: ***ESSB 5669, CH 302 (2013)**
 Sex trafficking crimes, modifying provisions: HB 1791
 Sex trafficking crimes, use of internet advertisement to facilitate, establishing enhanced penalty: ***SB 5488, CH 9 (2013)**
 Sex trafficking, preventing recruitment of children into, updating educational materials for parents and other community members: HB 1869, ***ESSB 5563, CH 10 (2013)**
 Sexual abuse of a minor, commercial, adding to abuse issues course for teachers seeking certification: ***ESSB 5563, CH 10 (2013)**
 Sexual exploitation of a minor, adding to abuse issues course for teachers seeking certification: ***ESSB 5563, CH 10 (2013)**
 Sexual exploitation of a minor, modifying statute of limitations: SSB 5100
 Sexual health education, public schools, sexual offense legal elements and conviction consequences information requirement: HB 1397
 Sexual misconduct or physical abuse, by school employee, reporting requirements for other school employees when aware that student is likely a victim: ***ESSB 5563, CH 10 (2013)**
 Sexual offenses, with minor victim, including legal elements and conviction consequences in public school sexual health education: HB 1397
 Sexually violent predators, annual examinations and treatment, modifying requirements: HB 2122
 Sexually violent predators, annual examinations, suspending in certain cases, modifying effective date for: ***ESSB 5480, CH 335 (2013)**
 Sexually violent predators, certain facility residents, therapeutic occupational assignments on McNeil Island: HB 1837
 Sexually violent predators, committed, annual reviews and less restrictive alternatives: HB 1081
 Sexually violent predators, returned to department of social and health services after confinement or detention, department to conduct examination, modifying effective date for: ***ESSB 5480, CH 335 (2013)**
 Sexually violent predators, secure facilities for, introducing contraband in first, second, and third degrees: HB 1836
 Statute of limitations, sex offenses with victim under age eighteen, modifying provisions: HB 1352, SSB 5100
 Victims of sexual assault, paid sick and safe leave, establishing minimum standards: HB 1313
 Victims of sexual assault, paid sick and safe leave, geographic limitations on local leave programs: HB 1781, ESB 5726
 Victims of sexual assault, paid sick and safe leave, state preemption of local leave regulation: HB 1780
 Voyeurism, distributing intimate images on internet, class C felony: HB 2250
 Voyeurism, distributing intimate images, class C felony: HB 2257

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Community development policies, prohibiting when based on international accords infringing on private property rights: HB 1164
 Development proposals, SEPA categorical exemptions in certain cases: HB 2090
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 Master programs, authorizing inclusion of siting provisions for marine aquaculture net pen facilities: HB 1599
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 Master programs, development proposals consistent with, SEPA categorical exemptions for: HB 2090
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 Public land adjacent to body of water, access to water by way of: HB 2342
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 Transportation projects, environmental review and protection, applying federal requirements: HB 2093
 Washington's saltwater coast, designating as state maritime heritage area: HB 2386

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Abuse or neglect of a child, by supervised persons, requiring various organizations to report to department or law enforcement: ***SB 5359, CH 273 (2013)**
 Abuse or neglect of a child, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**
 Adoption process improvements, implementing certain recommendations of report by ombudsman and department: HB 1675
 Adult day health programs, department to encourage expansion through challenge grant program: HB 1983
 Adult family homes, implementing recommendations of adult family home quality assurance panel, department role: HB 1701, ***SSB 5630, CH 300 (2013)**
 Adult family homes, multiple, department acceptance and processing of applications for licensure of additional homes, conditions: ***EHB 1677, CH 185 (2013)**
 Aged, blind, or disabled program, persons with disability eligible for, continuation of safety net benefits: HB 2069
 Background checks, unsupervised access to children, including persons seeking licensure for child welfare services: ***SSB 5565, CH 162 (2013)**
 Behavioral health services, adult, department role in strategies for improvement to include establishing steering committee: HB 1522
 Behavioral health services, combined mental health and chemical dependency services, state purchasing of, department role: HB 2639
 Behavioral health system, adult, department role in improvement of: ***2SSB 5732, CH 338 (2013)**
 Chemical dependency services, adult, using evidence- and research-based and promising practices to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
 Child abuse or neglect, suspected, receiving care centers to provide short-term emergency and crisis care: HB 1261
 Child care subsidy program, provider fraud, referral to department for investigation and action: ***2ESSB 5157, CH 29 (2013)**
 Child protective services, family assessment response services, eligibility of child for early learning and child care: HB 2519
 Child protective services, family assessment response, modifying requirements, department role: HB 1844
 Child protective services, interviews of children, conducting at children's advocacy centers: HB 1594
 Child protective services, parent involved with, work group to consider creating certificate of rehabilitation for parents who have turned their lives around: ***SSB 5565, CH 162 (2013)**
 Child support, noncompliance-based suspension of licenses, sending notice to responsible parent: HB 1227
 Child welfare services, department to assess character, suitability, and competence for unsupervised access to children: ***SSB 5565, CH 162 (2013)**
 Child welfare services, department to charge fee for child abuse and neglect history request by out-of-state jurisdiction: ***SSB 5565, CH 162 (2013)**
 Child welfare services, Indian children, purchase of care from tribes and tribal agencies: HB 1361, ***SB 5235, CH 32 (2013)**
 Child welfare services, out-of-home care, caregiver prudent parent standard for normal childhood activities: HB 2699
 Child welfare services, service delivery measurements, department to cooperate with University of Washington to establish: HB 1774
 Child welfare services, training and advancement program, collecting certain financial assistance payments: HB 1708
 Child welfare services, youth in out-of-home care, department role in improving educational outcomes: HB 1566

- Child welfare system, advisory committee on disproportionate representation of children of color in, membership rules: HB 2665
- Children's administration, internal administrative reviews of licensure, employment, or unsupervised access to children denials: HB 2535
- Children's services, domestic violence training for caseworkers: SSB 5162, ***SSB 5315, CH 254 (2013)**
- Commitment, involuntary, department role in increasing capacity for: HB 1777
- Commitment, involuntary, developing individualized discharge plan and arranging transition to community: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Community mental health services, using evidence- and research-based and promising practice to improve outcomes: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Community residential services and supports, funding investigations of vulnerable adult mistreatment with provider certification fees: HB 1574
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- Companion animal safety, population control, and spay/neuter assistance program, department administration: HB 1229, SSB 5202
- Developmental and intellectual disabilities, persons with, department to convene stakeholder work groups to examine future needs of: HB 2432
- Developmental disabilities, community residential services providers, department to review indirect client support/administrative rate: HB 1333
- Developmental disabilities, informing families building trust communication project, department to expand: HB 1546
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- Electronic timekeeping, in-home personal care and respite care agencies, limited exemption: HB 2647
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- Employees of department, with overpayment obligations, recovery procedures and actions: HB 1708
- Employees, of certain state institutions or centers, membership in public safety employees' retirement system (PSERS): EHB 1923
- Enhanced services facilities, proposal for, department to request: HB 1522, ***2SSB 5732, CH 338 (2013)**
- Essential needs and housing support program, eligibility for, department to determine: HB 2069
- Federal receipts, requiring that department report concerning federal financial assistance: ***SSB 5804, CH 32 (2013)**
- Financial recovery, office of, recovery of various assistance or employee overpayments, procedures: HB 1708
- Forensic mental health services, provision of, department to contract for independent consultant to review: ***2SSB 5732, CH 338 (2013)**
- Foster care services, extended, department role in providing: HB 1302, ***E2SSB 5405, CH 332 (2013)**
- Hospitals, state hospitals, adding assault of worker to third degree assault: HB 2703
- Hospitals, state hospitals, competency to stand trial evaluations, reimbursement of county for certain costs in certain cases: ***ESSB 5551, CH 284 (2013)**
- Hospitals, state hospitals, competency to stand trial evaluations, requirements: HB 1627, ***ESSB 5551, CH 284 (2013)**
- Hospitals, state hospitals, risk of assault, department to develop patient and staff safety plan: HB 1571
- Interpreter services, authorizing purchase by department for limited-English speaking or sensory-impaired public assistance applicants and recipients: HB 1753
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- Interpreter services, spoken language interpreter advisory group, department to establish: HB 1753, HB 2617
- Long-term care, providers, personal protective equipment for, department role: HB 2310
- McNeil Island, therapeutic occupation assignments for certain sexually violent predators: HB 1837
- Medicaid personal care services, department to refinance under community first choice option: HB 2746
- Medicaid, nursing facility payment system, extending certain rate add-ons, department role: ***HB 2042, CH 3 (2013)**
- Mental and behavioral health disorders, tracking outcomes, department to implement pilot program: HB 2315
- Naselle youth camp, department to maintain medium security forestry camp: HB 1433
- Neglect or abuse of a child, by supervised persons, requiring various organizations to report to department or law enforcement: ***SB 5359, CH 273 (2013)**
- Neglect or abuse of a child, suspected, interviewing of child with third party present: ***SSB 5316, CH 48 (2013)**

Nursing facilities, medicaid payment system, department to establish medicaid disproportionate share component rate allocation for each facility: HB 1885

Nursing facilities, medicaid payment system, department to establish medicaid disproportionate share rate add-on: HB 2236

Out-of-home care, youth residing in group care facility or foster family home, providing schooling support: HB 1566

Permanency planning hearings, revising department responsibility to provide services to parents: HB 1821

Personal care services, medicaid, department to refinance under community first choice option: HB 2746

Program of all-inclusive care (PACE), department role in establishing certain long-term care client rules and program education plan: HB 1499

Psychiatric boarding, collecting data concerning, reporting requirements, department role: HB 2761

Psychologists and psychiatrists, employed by department, office of state human resources director to gather market salary data related to: ***ESSB 5551, CH 284 (2013)**

Real property, surplus governmental, selling or leasing by department for affordable low-income housing: HB 1563

Receiving care centers, licensing of, short-term emergency and crisis care for child removed from home: HB 1261

Regional support networks, forwarding historical involuntary commitment information to department for firearm background check purposes: ***SSB 5282, CH 216 (2013)**

Regional support networks, transfer of client to another network, uniform transfer agreement for, department role: ***ESSB 5153, CH 230 (2013)**

Residential habilitation centers, discharge plans for residents: HB 1527

Residential habilitation centers, various provisions: HB 1527, HB 1928

Residential habilitation centers, work group concerning transition process: HB 1527

Residential services and supports, funding investigations of vulnerable adult mistreatment with provider certification fees: HB 1574

Residential services and supports, provider certification fees: HB 1574

Secure community transition facilities, residents of, therapeutic occupational assignments on McNeil Island: HB 1837

Secure facilities for sexually violent predators, introducing contraband in first, second, and third degrees: HB 1836

Service coordination organizations, accountability measures, department to incorporate into contracts: HB 1519

Sex offenders, registered, requirements involving department when residing in adult family home: HB 1125

Sexually violent predators, annual examinations and treatment, modifying requirements, including department role: HB 2122

Sexually violent predators, returned to department after confinement or detention, department to conduct examination, modifying effective date for: ***ESSB 5480, CH 335 (2013)**

Supported living facilities, contracting and contractors, instituting comprehensive provisions, including debarment of contractors and department role: HB 1747

Total confinement facilities, residents of, therapeutic occupational assignments on McNeil Island: HB 1837

Vulnerable adult care, abuse, health care professional license suspension and practice prohibition: ***HB 1003, CH 86 (2013)**

Vulnerable adult, definition of, expanding to include persons with developmental disabilities for investigation purposes: HB 2633

Vulnerable adults, records from abuse and other investigations, department use and sharing: HB 1523, ***SB 5510, CH 263 (2013)**

WorkFirst, instituting a WorkFirst reform program, department role: HB 2641

Working connections child care, Aclara group report on eligibility requirements, implementing recommendations, department role: HB 1671, ***2SSB 5595, CH 337 (2013)**

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Bags, retail carryout, regulation by cities and counties: HB 1310

Batteries, small rechargeable battery stewardship act: HB 1364

Biosolids, exceptional quality, excluding from definition of turf fertilizer: HB 1314

Collection companies, certain commercial information, exemption from disclosure: HB 1697

Compostable waste, collected, modifying city and county responsibility for storage and processing of: HB 2072

Electronic products recycling program, excluding licensors from required participation: HB 1507

Electronic products recycling program, improving waste collection reporting: HB 1498

Electronic products recycling program, revising provisions: ***ESB 5699, CH 305 (2013)**

Food and yard waste collection, space for containers for new residential occupancies: HB 2481

Highly impacted communities, including community organizations in permit issuance and clean-up plan adoption: HB 1434

Litter and potentially dangerous litter, abatement of nuisance, city and town authority: HB 1367, SB 5323

Littering, general, adding penalty to penalty for littering from motor vehicle: HB 2294
 Management of solid waste, amending certain department of ecology statutes: HB 2439
 Manure, anaerobic digesters, apprentice utilization requirement for tax exemptions: HB 1023
 Manure, anaerobic digesters, prevailing wage requirement for tax exemptions: HB 1025
 Manure, anaerobic digesters, resident workers requirement for tax exemptions: HB 1026
 Reduction and management of solid waste, various programs, modifying to create administrative flexibility: HB 1206, HB 1948, HB 1952
 Reduction of waste and litter, supporting reduction, recycling, and composting efforts using tax revenues: HB 1309

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Beneficial interests in contracts, prohibition, exemption for municipal officers for certain renewable energy programs and conservation systems and equipment: HB 1746
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 Municipal employees, to be included in certain contract beneficial interest provisions of municipal officer code of ethics: HB 1867
 Municipal officers, code of ethics for, modifying certain contract beneficial interest provisions to include municipal employees: HB 1867
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Athletes, school, allowing chiropractors to conduct physical examinations for: HB 1573
 Baseball stadium, construction bond issue repayment funding through state lottery account, terminating: HB 1428
 Basketball, Cleveland High School women's basketball team, congratulating: *HR 4632 (2013)
 Basketball, Colton High School Wildcats girls basketball team, recognizing: *HR 4633 (2013)
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 Events, short-term major public, creating county special events tax program: HB 2330
 Extracurricular activities, interschool, eligibility of tribal students to participate in: HB 2538
 Facilities, community athletic, providing grants for indoor or outdoor facilities: HB 1187
 Football, honoring Chiawana High School team: *HR 4666 (2014)
 Football, honoring Freeman High School Scotties team: *HR 4671 (2014)
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 Seattle Seahawks special license plates, creating: *SSB 5152, CH 286 (2013)
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 Shooting ranges, protecting ranges and range owners and operators: HB 1184
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 Agricultural producers and state regulatory agencies, conservation commission to initiate state forum to improve understanding and working relationships: SSB 5766
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 Biofuel and biodiesel, state agency use requirements, exemptions: HB 2091
 Boards, ferries advisory board, creating: HB 2758
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 Business license center, expanding required participation to additional agencies: HB 1403, E2SSB 5680
 Businesses, violations of state laws or agency rules, allowing at least five days to correct: HB 1163
 Call center services, procurement by agency under personal services contract, prohibiting performance of services at location outside United States: HB 1995

Caseload forecast council, abolishing and transferring powers and duties to the office of the forecast council: HB 1940
 Cellular device issuance, to state employees, establishing criteria for: SSB 5381
 Central services of state government, conforming amendments prompted by reorganization and streamlining: HB 2098
 Commissions, commission on state debt, repealing certain session law sections: HB 1646, ESSB 5138
 Commissions, economic development commission, eliminating: HB 2029
 Commissions, interstate compact commission, creation: HB 1030
 Commissions, local government fiscal health commission, creation: HB 1828
 Commissions, tourism commission, eliminating: HB 2029
 Community development policies, prohibiting when based on international accords infringing on private property rights:
 HB 1164
 Contracts, for capital and transportation projects, providing information online: HB 2104
 Contracts, outsourcing services, requiring impact statement: HB 2743
 Data, open data portal for public data sets, implementation and expansion: HB 2202
 Debt collection by agencies, mandatory use of private collection agencies: HB 1123
 Disabilities, persons with, increasing hiring by state agencies: HB 2450
 Economic and revenue forecast council, abolishing and transferring powers and duties to the office of the forecast council:
 HB 1940
 Education agencies, state achievement council to convene: HB 2383
 Electronic signatures, on written communications, allowing use of: HB 2564
 Emergencies and disasters, continuity of government and operations in the event of: HB 2124
 Emergencies and disasters, continuity of government and operations in the event of, constitutional amendment to clarify:
 HJR 4212
 Employees, de minimis use of state facilities to communicate certain health care, insurance, or retirement information to:
 HB 1785
 Environmental policy, agencies to strive for environmental justice in decision making: HB 1434
 Environmental policy, certain agencies to include community organizations in permit issuance and clean-up plan adoption:
 HB 1434
 Ethics in state government, complaints and investigations, modifying provisions: ***ESSB 5577, CH 190 (2013)**
 Ethics in state government, each agency to designate ethics advisor or advisors, requirements: ***ESSB 5577, CH 190 (2013)**
 Ethics in state government, prohibiting reprisals or retaliatory actions against whistleblowers: ***ESSB 5577, CH 190 (2013)**
 Ethics in state government, restructuring certain ethics functions under public disclosure commission: HB 1005
 Facilities review council, creation as advisory group to legislature: HB 2719
 Facility naming, authorizing sale of naming rights, exceptions: HB 1050
 Federal receipts, reporting requirements for certain agencies receiving federal financial assistance: ***SSB 5804, CH 32
 (2013)**
 Fees imposed by state agencies, inventorying as part of state fee inventory: ***SB 5751, CH 63 (2013)**
 Fire sprinkler systems, in agricultural structures, prohibiting state agencies from mandating installation: HB 1390
 Food and beverage provision and service standards for agencies, adoption and implementation: HB 1321
 Forecast council, office of the, creation and duties: HB 1940
 Foreign laws, prohibiting enforcement to avoid violating constitutional rights: HB 1392
 Fourth Amendment protection act, refusing aid in certain cases to federal agencies collecting electronic data in state: HB
 2272
 Health benefit exchange, Washington, creation as state agency: HB 2340
 Health security trust, creation, including standing committees: HB 1085
 Human resources director, position of, eliminating: HB 2514
 Information services and telecommunications state agency network, assessment of model and consolidation of network into
 consolidated technology services agency: ***ESSB 5891, CH 33 (2013)**
 Information services and telecommunications state agency network, certain information within, public disclosure
 exemption: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures in state budget process, evaluation and prioritization of: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures, by higher education institutions and legislative and judicial agencies, evaluation and
 approval of: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures, state agency, information technology business management program, implementing:
***ESSB 5891, CH 33 (2013)**

- Information technology for state agencies, establishing information technology investment pool: ***ESSB 5891, CH 33 (2013)**
- Information technology networking equipment and services, agency purchases of, developing statewide standards: ***ESSB 5891, CH 33 (2013)**
- Information technology purchases, competitive contracting for, exempting state agencies from: ***ESSB 5891, CH 33 (2013)**
- Information technology systems and infrastructure, information in, establishing security standards: ***ESSB 5891, CH 33 (2013)**
- Information technology systems, executive branch, inventorying, modernizing, and funding of: ***ESSB 5891, CH 33 (2013)**
- Innovate Washington, eliminating: HB 2029
- Interpreter services, integrating purchase by certain state agencies and modifying collective bargaining provisions: HB 1753, HB 2617
- Lands occupied or under jurisdiction of state agency, modifying duties of agency chief administrative officer: HB 2516
- Language access providers, interpreter services from, integrating purchase by certain state agencies and modifying collective bargaining provisions: HB 1753, HB 2617
- Lobbying, by state agencies, strengthening prohibition through taxpayer funded lobbying reform act: HB 1093
- Marketing and advertising, agency expenditures for, conducting analysis: HB 1373
- Naming of facilities, authorizing sale of naming rights, exceptions: HB 1050
- National defense authorization act, prohibiting state public employees or associated persons from cooperating with investigations or detainment under the act: HB 1581
- Natural resources management, streamlining through agency independence: HB 1384
- Officers, state, legal actions or proceedings on behalf of, not requiring attorney general to institute or prosecute when related to fiscal appropriation level or sufficiency: HB 2024
- Outsourcing services to private sector or nonprofit, establishing taxpayer protection act concerning: HB 2743
- Parking and transit fee deductions for employees, authorizing pretax payment, conditions: HB 1456
- Permitting decisions, enhancing transparency and predictability of process: HB 2192
- Procurement by state government, call center services, prohibiting performance of services at location outside United States: HB 1995
- Procurement by state government, contract length limitation and termination prohibition: HB 1143
- Procurement by state government, encouraging agencies to award contracts to veteran-owned businesses: HB 1909, SSB 5834
- Procurement by state government, enterprise application software solutions, requesting proposals from bidders: HB 1949
- Procurement by state government, nonsubstantive changes to statutes: HB 2374
- Procurement by state government, reasons for debarment of contractors to include fraud and false medicaid claims: ***SB 5948, CH 34 (2013)**
- Properties owned by agencies, vacant or undeveloped, developing master real estate plan and making payment in lieu of taxes: HB 2628
- Properties, obtained by public agencies through foreclosure, developing master real estate plan for use or disposal: HB 1964
- Purchasing of goods and services, competitive bid process, preference for in-state businesses, conditions: HB 1938
- Purchasing of goods and services, enterprise application software solutions, requesting proposals from bidders: HB 1949
- Real property, obtained by public agencies through foreclosure, developing master real estate plan for use or disposal: HB 1964
- Real property, surplus governmental, selling or leasing by agencies for affordable low-income housing: HB 1563
- Regulations affecting property owners, compensation requirements: HB 1163, HB 1166
- Regulations affecting property owners, compensation under regulatory freedom and accountability act: HB 1163
- Regulatory assistance, office of, bill of rights for those subject to state agency action, office role: HB 2623
- Regulatory assistance, office of, establishing multijurisdictional regulatory streamlining projects, office role: ***HB 1818, CH 324 (2013)**
- Regulatory fairness act of 2013, controlling state agency rule making: HB 1162
- Regulatory freedom and accountability act: HB 1163
- Rule making, legislature to provide specific grants of legislative authority through legislation: HB 1163
- Rule making, moratorium, exceptions: HB 1163, HB 1478
- Rule making, regulating of greenhouse gas emissions, prohibiting without legislative authorization: HB 1169
- Rule making, regulatory fairness act of 2013: HB 1162
- Rule making, regulatory freedom and accountability act: HB 1163
- Rule making, requiring citation of constitutional authority in rules: HB 1163

Rule making, requiring legislative approval of certain rules: HJR 4204
 Rule making, significant legislative rules, requirement that governor sign: SB 5641
 Rule making, specified economic impact notification by agency and enactment into law by legislature: HB 1162, HB 1163
 Rules, review of, certain agencies to conduct for streamlining purposes: HB 1591, ***SSB 5679, CH 30 (2013)**
 Rules, review of, increasing responsibilities of joint administrative rules review committee: HB 2293
 Signatures, on written communications, allowing use of electronic signatures: HB 2564
 State lands, divestiture, role of various agencies when land not being used for forestry: HB 1111
 State officers, legal actions or proceedings on behalf of, not requiring attorney general to institute or prosecute when related to fiscal appropriation level or sufficiency: HB 2024
 Surveillance using extraordinary sensing devices, requirements and prohibitions: HB 2179
 Telecommunications and information services state agency network, assessment of model and consolidation of network into consolidated technology services agency: ***ESSB 5891, CH 33 (2013)**
 Telecommunications and information services state agency network, certain information within, public disclosure exemption: ***ESSB 5891, CH 33 (2013)**
 Tortious conduct by state, claims for damages, electronic presentment: HB 1762, ***SB 5136, CH 188 (2013)**
 Trespass on private property, criminal, ensuring application to government officials by eliminating most special immunities from prosecution: HB 1681
 U.S. government property, to include electronic data processing, telecommunication equipment, software, and services, authorizing purchase with calling for bids: ***HB 1738, CH 132 (2013)**
 Violations by businesses of state laws or agency rules, allowing at least five days to correct: HB 1163
 Washington health benefit exchange, creation as state agency: HB 2340
 Washington health security trust, creation, including standing committees: HB 1085

STATE AUDITOR

Performance audits of government account, distributions from timber tax distribution account, audit provisions: HB 2747
 Research universities, state, auditor to conduct financial audit of University of Washington and Washington State University: HB 2308
 Subpoenas, investigative, auditor application to superior court: HB 1451, ***SB 5446, CH 50 (2013)**

STATE GOVERNMENT (See also BUDGET; EXECUTIVE ETHICS BOARD; LEGISLATURE; OFFICIAL STATE DESIGNATION; OPEN PUBLIC MEETINGS; RECORDS; STATE AGENCIES AND DEPARTMENTS; TREASURER, STATE)

Aircraft systems, public unmanned, establishing standards, protecting citizens, and reducing liability: HB 1771
 Annexation of state property owned for military purposes, filing petition for annexation: HB 1158
 Archivist, state, qualifications and duties: HB 1359
 Caseload forecast council, abolishing and transferring powers and duties to the office of the forecast council: HB 1940
 Central services of state government, conforming amendments prompted by reorganization and streamlining: HB 2098
 Community development policies, prohibiting when based on international accords infringing on private property rights: HB 1164
 Controlled substances act, certain provisions, state preemption of local government laws and ordinances: HB 2638
 Data, open data portal for public data sets, implementation and expansion: HB 2202
 Debt, state, creating council on state debt: HB 1646
 Debt, state, disclosure of estimated debt service costs in capital appropriations bills: SB 5132
 Debt, state, including debt service information in budget documents: HB 1646, ESSB 5138
 Economic and revenue forecast council, abolishing and transferring powers and duties to the office of the forecast council: HB 1940
 Elected officials, modifying time limit for soliciting or accepting campaign contributions: HB 1385
 Emergencies and disasters, continuity of government and operations in the event of: HB 2124
 Emergencies and disasters, continuity of government and operations in the event of, constitutional amendment to clarify: HJR 4212
 Expenditure information web site, searchable state, links or access to annual state fee inventory: ***SB 5751, CH 63 (2013)**
 Expenditures by state, modifying state expenditure limit to limit non-education expenditures: 2ESSB 5895
 Facilities review council, creation as advisory group to legislature: HB 2719
 Facility naming, authorizing sale of naming rights, exceptions: HB 1050
 Forecast council, office of the, creation and duties: HB 1940
 Forecasts, economic and revenue, shifting to same date during both long and short legislative sessions: HB 2062, SB 5910

Liquor revolving fund, distribution of revenues to state: HB 1368, HB 2067
Marijuana, statutory provisions, state preemption of local government laws and ordinances: HB 2638
Marriage, solemnizations of, authorizing without requiring elected officials to perform: HB 1589
Naming of facilities, authorizing sale of naming rights, exceptions: HB 1050
Quality award program, applying to, removing requirement for housing organizations eligible for transitional housing operating and rent program: HB 1425
Rule making by state agencies, specific grant of legislative authority, requirement: HB 1163
State of state message, joint legislative session for: ***HCR 4414 (2014)**
Statehood day, recognizing: HB 2423
Subversive activities, repealing statutes: HB 1062
Surveillance using extraordinary sensing devices, requirements and prohibitions: HB 2179
Tortious conduct by state, claims for damages, electronic presentment: HB 1762, ***SB 5136, CH 188 (2013)**
U.S. government property, to include electronic data processing, telecommunication equipment, software, and services, authorizing purchase with calling for bids: ***HB 1738, CH 132 (2013)**
Washington coastal marine advisory council, establishment in office of governor: ***ESB 5603, CH 318 (2013)**
Washington marine resources advisory council, creation in office of governor: ***ESB 5603, CH 318 (2013)**

STEELHEAD

Fishing guides, unlawfully acting as food or game fish guide, adding western Washington steelhead guide stamp requirement to statute: HB 1917

STORM WATER CONTROL FACILITIES

Mosquito control, inhibiting mosquito breeding in storm water retention ponds through certain measures: ***ESSB 5324, CH 209 (2013)**
Mosquitos, controlling in storm water using integrated pest management: ***ESSB 5324, CH 209 (2013)**
Storm water, compliance pilot project: HB 1237
Storm water, financial assistance for management of runoff, prioritizing: HB 1235
Storm water, new requirements for phase I jurisdictions, delaying: HB 1234

STUDENT ACHIEVEMENT COUNCIL

Agreements, interstate reciprocity, with state or multistate entities to further council goals: ***HB 1736, CH 218 (2013)**
Business license center, participation by council: HB 1403, E2SSB 5680
Development disabilities, adult patients with, grant program for training medical professionals to work with, council role: HB 2611
Distance delivery of higher education, interstate, council to enter into agreements to ensure consistent consumer protection: ***HB 1736, CH 218 (2013)**
Dual credit courses, council to analyze courses and convene state education agencies: HB 2383
Financial aid, pay it forward program, creation, council role: HB 2720
Higher education coordinating board, references to, replacing with student achievement council: HB 1048
Higher education facilities authority, increasing membership by adding chair of the council: SB 5787
Higher education transparency web site, council to create: HB 2651
Indicators of educational system health, statewide, establishment as basis for performance goals and measurements, council role: ***ESSB 5491, CH 282 (2013)**
Meeting industry demand account, creation, council authorization of expenditures: HB 1936
Meeting industry demand program, council to administer, including grants to postsecondary programs: HB 1936
Membership, revising provisions: HB 1048
New economy scholars fund, establishment to expand high employer demand programs, council role: HB 2049
Online higher education transfer and student advising system, council role in establishing: HB 1320
Running start program, council to conduct analysis of: HB 2396
STEM education, council role in aligning roadmap for education and STEM education innovation alliance-developed framework: HB 1872, SSB 5755
Students, low-income, program to increase college applications from high-achieving low-income students, council role: HB 2694
Washington research institute for teaching excellence, creating, council role: HB 2661

STUDENT FINANCIAL ASSISTANCE, OFFICE (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES)

College bound scholarship, modifying program and renaming as college bound pay it forward program: HB 2619
 Financial aid, adding criteria to aid immigrant students granted deferred action for childhood arrival status: HB 1817, HB 1998
 Financial aid, pay it forward program, creation, office role: HB 2720
 Financial aid, rules and regulations, office to monitor compliance and performance of higher education institutions: HB 1843
 Immigrant students, granted deferred action for childhood arrival status, adding higher education financial aid criteria to aid: HB 1998
 Immigrant students, granted deferred action for childhood arrival status, adding higher education financial aid criteria to aid, office role: HB 1817
 Passport to college promise program, eligibility of student formerly in foster care: HB 1566
 State need grant, application to be developed by office: HB 1626
 State need grant, receipt of, prohibiting office from creating priority status for any resident students: HB 2726
 State need grants, modifying program and renaming as state need pay it forward program: HB 2619
 State need grants, modifying renewal requirements: HB 2615
 Tuition support fund program and account, establishment: HB 1725
 Washington advance higher education loan program, office to report on: HB 2429

STUDIES

Alternative learning experience courses, superintendent of public instruction to conduct study for creating funding proposal for: 2SSB 5794
 Back-to-school clothing and school supply items sales and use tax exemptions, economic impact study: HB 1329
 Biological material from criminal investigations, preservation, work group on preservation of evidence for criminal justice purposes to study: HB 2468
 Foreign language interpreters, K-12 public schools, studying feasibility of state foreign language education interpreter training program: HB 1709
 Hemp, as commercial feed component, studying: HB 2405
 Oil, transportation by railcars, studying state's preparedness and accident-response capacity: HB 2347
 Physicians and nurses, standardized clinical affiliation agreements for clinical placements, work group to study: HB 1660
 PSERS, changes in covered employers and members of, state actuary and department of retirement systems to study: EHB 1923
 State debt affordability study, treasurer-convened work group to study current debt portfolio and future debt issuance: HB 1646, ESSB 5138
 Vacation leave, paid, studying impact of: HB 2238
 Workers' compensation, independent entity to study occupational disease claims: HB 1463
 Workers' compensation, independent study of return to work provisions: HB 1463, ESSB 5128
 Workers' compensation, independent study of voluntary settlement agreements: HB 1463, ESSB 5128

SUBDIVISIONS

Plats, certain preliminary short plats, land use decision and application notice requirements: HB 2311
 Plats, final plat approval, adjusting certain timelines: HB 1074
 Short plat and subdivision actions, SEPA categorical exemption in certain cases: HB 2595
 Water, potable, providing to a subdivision: HB 1350

SUNSET REVIEW

Aerospace technology innovation, joint center for, extending by repealing sunset termination and repeal provisions: HB 1866, SB 5784
 Alternative public works contracting procedures, extending program expiration: HB 1466, SB 5349
 Alternative public works contracting procedures, program expiration: HB 1210, ***HB 1768, CH 186 (2013)**
 Mercury-containing lights product stewardship program, termination date: HB 1444, HB 2246
 Process servers, regulating of, sunrise review of need for: HB 2391
 Sunset review process, continuing by extending expiration date: ***HB 1860, CH 44 (2013)**
 Veterans innovations program, extending by repealing sunset termination and repeal provisions: HB 1428

TAX APPEALS, BOARD

Membership, mediation conferences, board review of appeals, and related provisions: HB 2635

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Capital gains tax, authorizing: HB 2087

County ferry districts, transfer of taxing authority to county, conditions and process: HB 1324, HB 2182

Flood control zone districts, taxing authority, transfer to county, conditions and process: HB 1324

Forecasts, economic and revenue, shifting to same date during both long and short legislative sessions: HB 2062, SB 5910

Health security trust, employers to pay health security assessment to fund trust: HB 1085

Health security trust, use of revenues for health care services and maintenance of trust: HB 1085

High capacity transportation corridor areas, transit agencies eligible to create, limiting: SSB 5088

Information related to certain taxes, exempting from public inspection and copying: HB 1833

Legislation, tax increases, two-thirds majority for approval: HJR 4201, HJR 4206

Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409

Preferences, creating, expanding, or extending various: ***ESSB 5882, CH 13 (2013)**

Preferences, fiscal accountability and transparency standards: HB 2201, HB 2721

Preferences, legislative intent, review, and expiration provisions: ESB 5843

Preferences, tax preference performance statement, review, and expiration provisions: ***ESSB 5882, CH 13 (2013)**

Preferences, tax transparency and accountability act: HB 2721

Preferences, various, delaying use by recreational marijuana industry: HB 2409

TAXES - AIRCRAFT EXCISE TAX

Aircraft, commercial, conditions of exemption for certain aircraft: HB 1707, ***ESSB 5882, CH 13 (2013)**

Aircraft, nonresident-owned and registered in another state, exemption conditions: HB 1707, ***ESSB 5882, CH 13 (2013)**

Commuter air carriers, defining for tax purposes and imposing tax accordingly: HB 1710, ***SB 5627, CH 56 (2013)**

Exemptions, certain aircraft owned by nonresidents and registered in another state, conditions: HB 1707, ***ESSB 5882, CH 13 (2013)**

Exemptions, certain commercial aircraft, conditions: HB 1707, ***ESSB 5882, CH 13 (2013)**

Fuel taxes, administration of, simplifying and updating through comprehensive revisions and consolidation: HB 1883

TAXES - AIRCRAFT FUEL TAX

Information related to aircraft fuel tax, exempting from public inspection and copying: HB 1833

TAXES - BUSINESS AND OCCUPATION TAX

Aerospace product development, extending credit: HB 2089, ***ESSB 5952, CH 2 (2013)**

Aerospace products, sale in import commerce, exemption for, narrowing to provide basic education and higher education funding: HB 2038

Airplane, commercial, amending definition to extend certain tax preferences to additional aircraft: HB 2203, HB 2693

Airplanes, commercial, extending credit for certain manufacturing-related property and leasehold excise taxes: HB 2089, ***ESSB 5952, CH 2 (2013)**

Airplanes, commercial, extending exemption for persons manufacturing or selling: HB 2089, ***ESSB 5952, CH 2 (2013)**

Banks, in-state and out-of-state, defining "loan" for business and occupation tax apportionable income purposes: HB 1751

Banks, in-state and out-of-state, providing equal business and occupation tax treatment of investment securities for: HB 1751

Beekeepers, wholesale sales of honey bee products and amounts received for bee pollination services, adding expiration dates to exemptions: ***ESSB 5882, CH 13 (2013)**

Blood, tissue, or blood and tissue banks, exemption for, modifying definitions, including "qualifying blood bank": HB 1766, ***ESSB 5882, CH 13 (2013)**

Business activities, extending additional tax for basic education funding: HB 1122

Contests of chance, extending additional tax for basic education funding: HB 1122

Cooperative finance organizations providing utility services, certain loan amounts received by, deduction: ***ESSB 5882, CH 13 (2013)**

Cooperative finance organizations providing utility services, certain loan amounts received by, exemption: HB 1272

Credits, aerospace product development, extending credit: HB 2089, ***ESSB 5952, CH 2 (2013)**

Credits, businesses that hire individuals with developmental disabilities: HB 1622, HB 2660

Credits, businesses that hire veterans receiving unemployment compensation: HB 1615

Credits, certain employers in connection with family and medical leave insurance program: HB 1457

Credits, extending for certain commercial airplane manufacturing-related property and leasehold excise taxes: HB 2089, ***ESSB 5952, CH 2 (2013)**

Credits, new/start-up businesses, eligibility and requirements: HB 2052

Credits, research and development, credit for, modifying to provide basic education and higher education funding: HB 2038

Credits, research and development, credit for, modifying to provide funding for new economy scholars program: HB 2049

Credits, research and development, expiration of, department of revenue to estimate revenue increases due to: HB 1936

Credits, research and development, extending expiration date: HB 1303, HB 2685

Credits, small business tax credit, increasing by repealing certain farm-related preferences: HB 2286

Dairy products, deduction for value of products or gross proceeds of sales in certain cases: ***ESSB 5882, CH 13 (2013)**

Dairy products, preferential business and occupation tax rate for dairy producers: ***ESSB 5882, CH 13 (2013)**

Dairy products, taxation of, provisions: HB 1748, ***ESSB 5882, CH 13 (2013)**

Deductions, certain loan amounts received by cooperative finance organizations providing utility services: ***ESSB 5882, CH 13 (2013)**

Deductions, cost of goods sold, compensation, or portion of gross proceeds: HB 2264

Deductions, dairy products, for value of products or gross proceeds of sales in certain cases: ***ESSB 5882, CH 13 (2013)**

Deductions, for certain financial businesses making loans to firearms ammunition, parts, and accessories manufacturers: HB 2020

Deductions, income on loans secured by first mortgage, administering according to original intent: HB 2521

Deductions, investment income, eliminating deduction for corporations and other business entities: HB 2048

Deductions, new businesses in high growth sectors: HB 1693

Deductions, paymaster services by employer of record, deduction for payroll cost reimbursements within affiliated group's centralized payroll reporting system: ***ESSB 5882, CH 13 (2013)**

Developmental disabilities, individuals with, credit for employers who hire, conditions: HB 1622, HB 2660

Exclusions, paymaster services by employer of record, exclusion for certain gross proceeds from affiliated business entity: HB 1958

Exclusions, paymaster services by employer of record, exclusion for payroll cost reimbursements within affiliated group's centralized payroll reporting system: HB 2076, ***ESSB 5882, CH 13 (2013)**

Exemptions, beekeepers, wholesale sales of honey bee products and amounts received for bee pollination services, adding expiration dates: ***ESSB 5882, CH 13 (2013)**

Exemptions, blood and/or tissue banks, modifying definitions, including "qualifying blood bank": HB 1766, ***ESSB 5882, CH 13 (2013)**

Exemptions, certain loan amounts received by cooperative finance organizations providing utility services: HB 1272

Exemptions, extending for persons manufacturing or selling commercial airplanes: HB 2089, ***ESSB 5952, CH 2 (2013)**

Exemptions, manufacturers of firearms ammunition, parts, and accessories: HB 2020

Exemptions, mint growers and processors: ***ESSB 5882, CH 13 (2013)**

Exemptions, moneys received by hotel management company for covered employee costs: HB 1932

Exemptions, paymaster services by employer of record, exemption for certain gross proceeds from affiliated business entity: HB 1958

Exemptions, paymaster services by employer of record, exemption for payroll cost reimbursements within affiliated group's centralized payroll reporting system: HB 2076

Exemptions, sales of aerospace products in import commerce, exemption for, narrowing to provide basic education and higher education funding: HB 2038

Exemptions, Washington health benefit exchange for certain amounts received: HB 1517

Family and medical leave insurance program, credit for certain employers in connection with program: HB 1457

Filing business and occupation tax return, raising threshold for small businesses: HB 2520, HB 2678

Firearms ammunition, parts, and accessories, deduction for certain financial businesses making loans to manufacturers of : HB 2020

Firearms ammunition, parts, and accessories, exemption for manufacturers of: HB 2020

Health benefit exchange, Washington, exemption for certain amounts received: HB 1517

Health security trust, repealing certain tax provisions in connection with creation of trust: HB 1085

Hospitals, surtax, extending to provide basic education and higher education funding: HB 2037, HB 2038

Hotel management companies, moneys received by company for covered employee costs, exemption: HB 1932

Insurance agents, preferential tax rates, eliminating to provide basic education and higher education funding: HB 2038

Investment income, deduction, eliminating for corporations and other business entities: HB 2048

Local and state business and occupation taxes, simplification of, establishing work group: E2SSB 5688

Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409
 Mint growers and processors, exemption: ***ESSB 5882, CH 13 (2013)**
 Municipal business and occupation tax, imposed by certain cities, requiring such cities to use business license center or city-developed portal: ESSB 5656
 New businesses in high growth sectors, deduction for: HB 1693
 New businesses, credit for, eligibility and requirements: HB 2052
 Newspapers, monthly, business and occupation tax relief for: HB 2766
 Paymaster services by employer of record, deduction for payroll cost reimbursements within affiliated group's centralized payroll reporting system: ***ESSB 5882, CH 13 (2013)**
 Paymaster services by employer of record, exemption for certain gross proceeds from affiliated business entity: HB 1958
 Paymaster services by employer of record, exemption for payroll cost reimbursements within affiliated group's centralized payroll reporting system: HB 2076
 Preferences, fiscal accountability and transparency standards: HB 2201
 Prescription drugs, warehousing and reselling, repealing preferential tax rate to provide basic education and higher education funding: HB 2038
 Real estate brokers, extending additional tax for basic education funding: HB 1122
 Research and development tax credit, extending expiration date: HB 1303, HB 2685
 Research and development tax credit, modifying to provide basic education and higher education funding: HB 2038
 Research and development tax credit, modifying to provide funding for new economy scholars program: HB 2049
 Research and development, expiration of credits for, department of revenue to estimate revenue increases due to: HB 1936
 Scientific research and development services, surtax, extending to provide basic education and higher education funding: HB 2037, HB 2038
 Solar energy systems, manufacture and wholesale, extending business and occupation tax rate to solar grade silicon: ***ESSB 5882, CH 13 (2013)**
 Solar energy systems, manufacture and wholesale, extending expiration date for tax rate: HB 1912, ***ESSB 5882, CH 13 (2013)**
 Start-up businesses, credit for, eligibility and requirements: HB 2052
 State and local business and occupation taxes, simplification of, establishing work group: E2SSB 5688
 Stevedoring, preferential tax rates, eliminating to provide basic education and higher education funding: HB 2038
 Surtax on certain business and service activities, extending to provide basic education and higher education funding: HB 2037, HB 2038
 Tour operators, preferential tax rates, eliminating to provide basic education and higher education funding: HB 2038
 Travel agents, preferential tax rates, eliminating to provide basic education and higher education funding: HB 2038
 Uniform business and occupation tax rate, creating: HB 2110
 Veterans receiving unemployment compensation, businesses that hire, business and occupation tax credit: HB 1615

TAXES - CIGARETTE TAX

Health security trust, use of revenues for health care services and maintenance of trust: HB 1085

TAXES - ESTATE TAX

Deductions, value of decedent's qualified family-owned business interests: ***EHB 2075, CH 2 (2013)**
 Higher education institutions, funding from estate tax increase: HB 1494
 Preferences, legislative intent, review, and expiration provisions: ESB 5843
 Preferences, tax preference performance statement, review, and expiration provisions: ***ESSB 5882, CH 13 (2013)**
 State estate tax, increasing top four estate tax rates: ***EHB 2075, CH 2 (2013)**
 State estate tax, personal representative liability, modifying: ***EHB 2075, CH 2 (2013)**
 State estate tax, repealing: HB 1099
 Transfer, reaffirming broadest possible meaning in estate and transfer tax to preserve certain education funding: EHB 1920, HB 2064, ***EHB 2075, CH 2 (2013)**

TAXES - EXCISE TAX (See also ALCOHOLIC BEVERAGES; TAXES)

Aerospace industry, supporting through tax preference extensions and an expanded sales and use tax exemption: HB 2089, ***ESSB 5952, CH 2 (2013)**
 Airplane, commercial, amending definition to extend certain tax preferences to additional aircraft: HB 2203, HB 2693
 Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, apprentice utilization requirement: HB 1023

Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, prevailing wage requirement: HB 1025

Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, resident workers requirement: HB 1026

Business and occupation taxes, state and local, simplification of, establishing work group: E2SSB 5688

Capital gains tax, authorizing: HB 2087

Community empowerment zones, tax deferrals for investment projects in, apprentice utilization requirement: HB 1023

Community empowerment zones, tax deferrals for investment projects in, prevailing wage requirement: HB 1025

Community empowerment zones, tax deferrals for investment projects in, resident workers requirement: HB 1026

Commute trip reduction tax credit, extending expiration date for: HB 1974, HB 2687

Commute trip reduction tax credit, modifying provisions: HB 2687

Convention and trade center tax, exemption for certain lodging services: HB 1598

County special events tax program, creating: HB 2330

Credits, education investment tax credit, establishing: HB 2063

Deferrals, high technology businesses, ending issuance of sales and use tax deferral certificates to provide basic education and higher education funding: HB 2038

Deferrals, high technology businesses, ending issuance of sales and use tax deferral certificates to provide funding for new economy scholars program: HB 2049

Deferrals, high technology businesses, extending issuance of sales and use tax deferral certificates: HB 2685

Deferrals, public works apprentice utilization in certain cases when contract parties are recipients: HB 1023

Deferrals, public works resident workers requirement: HB 1026

Deferrals, subsidized public works prevailing wage requirement: HB 1025

Education investment tax credit, establishing: HB 2063

Employers with specific number of employees, excise tax on total payroll, providing local public transit revenue through: HB 2563

Enhanced 911 excise tax, sellers of prepaid wireless telecommunications services to collect: HB 1971

Evasion by electronic means, prohibitions, revocation of taxpayer registration, and penalties: HB 1427, ***SB 5715, CH 309 (2013)**

Exemptions, convention and trade center tax, exempting certain lodging services: HB 1598

Exemptions, increasing transparency and accountability: HB 2721

Exemptions, public works apprentice utilization in certain cases when contract parties are recipients: HB 1023

Exemptions, public works resident workers requirement: HB 1026

Exemptions, subsidized public works prevailing wage requirement: HB 1025

Exemptions, tax transparency and accountability act: HB 2721

Florists, defining "florist" and "florist sales" for retail sales and use tax purposes: HB 1489

Fuel taxes, administration of, simplifying and updating through comprehensive revisions and consolidation: HB 1883

Fuel, distribution of taxable fuel, economic and revenue forecast work group role: HB 1122

Fuel, distribution of taxable fuel, tax for student transportation and associated deductions, credits, and exemptions: HB 1122

Health security trust, employers to pay health security assessment to fund trust: HB 1085

Health security trust, use of revenues for health care services and maintenance of trust: HB 1085

High technology businesses, tax deferrals for investment projects, apprentice utilization requirement: HB 1023

High technology businesses, tax deferrals for investment projects, ending issuance of sales and use tax deferral certificates: HB 2038, HB 2049

High technology businesses, tax deferrals for investment projects, prevailing wage requirement: HB 1025

High technology businesses, tax deferrals for investment projects, resident workers requirement: HB 1026

Home service contracts, sales and use taxation of: HB 1997

Impact fees, process for payment through recorded covenant provisions: HB 1652, HB 2498, HB 2677

Income tax, on income above one million dollars, imposing: HB 1545

Information related to certain fuel excise taxes, exempting from public inspection and copying: HB 1833

Liquor excise taxes, deposit in liquor excise tax fund and transfer to liquor revolving fund, modifying provisions: HB 1368

Liquor excise taxes, increasing revenue with liquor license renewals: HB 1503

Marijuana excise tax, from marijuana sales, depositing revenue in dedicated local jurisdiction marijuana fund: HB 2144

Marijuana excise tax, to be collected from medical cannabis dispensaries: HB 1789

Marijuana excise taxes, distribution of revenue to cities and counties: HB 2566, HB 2732

Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409
 Marijuana, recreational, tax stamp system for sale of: HB 2411
 Natural gas, compressed or liquefied, various excise taxation provisions concerning use as transportation fuel: HB 2753
 Oil and gas, severance of, imposing tax on producers, with related exemption and credit: HB 1856
 Passenger-only ferry service districts, imposition of multiple taxes by: HB 2267
 Preferences, certain farm-related, repealing to increase small business tax credit: HB 2286
 Preferences, creating, expanding, or extending various: ***ESSB 5882, CH 13 (2013)**
 Preferences, fiscal accountability and transparency standards: HB 2201, HB 2721
 Preferences, legislative intent, review, and expiration provisions: ESB 5843
 Preferences, narrowing or eliminating to provide basic education and higher education funding: HB 2038, HB 2465
 Preferences, narrowing or eliminating, technical amendments in connection with: HB 2038
 Preferences, tax preference performance statement, review, and expiration provisions: ***ESSB 5882, CH 13 (2013)**
 Preferences, tax transparency and accountability act: HB 2721
 Preferences, various, delaying use by recreational marijuana industry: HB 2409
 Public agencies, owning vacant or undeveloped property, making payment in lieu of taxes: HB 2628
 Reseller permits, fee to be imposed for: HB 1502
 Rural counties, rural county sales and use tax exemption program, reestablishing: HB 2204
 Rural counties, tax deferrals for investment projects in, apprentice utilization requirement: HB 1023
 Rural counties, tax deferrals for investment projects in, prevailing wage requirement: HB 1025
 Rural counties, tax deferrals for investment projects in, resident workers requirement: HB 1026
 Securities, sale in connection with crowdfunding for small offerings, taxation: HB 2023
 Telecommunications relay service program, excise tax on switched access lines for funding, eliminating: HB 1971
 Television set owners, reception improvement district tax, exemption, modifying provisions: HB 1068
 Timber harvesters, state excise tax on timber harvested by, adjusting rate and modifying distribution of revenue: HB 2747
 Timber harvesters, state excise tax on timber harvested by, credit, modifying provisions: HB 2747
 Transportation system funding, increasing revenue through modified revenue distribution, new accounts, and certain local tax increases: HB 1954
 Washington telephone assistance program, excise tax on switched access lines for funding, eliminating: HB 1971

TAXES - HAZARDOUS SUBSTANCE TAX

Crop protection products, agricultural, exemption for, conditions: HB 2469
 Revenues, modifying distribution to aid prevention and mitigation of storm water contamination by transportation infrastructure: HB 1954

TAXES - LEASEHOLD EXCISE TAX

Indian tribes, land owned by, applying leasehold tax to leasehold interests on tribally owned property: EHB 1287
 Preferences, fiscal accountability and transparency standards: HB 2201
 Product lease, credit allowed in determining tax payable: HB 1575, ***SSB 5444, CH 235 (2013)**
 Superefficient airplanes, certain port district facilities used in manufacture of, extending exemption for leasehold interests in: HB 2089, ***ESSB 5952, CH 2 (2013)**

TAXES - LITTER TAX

Waste and litter reduction, recycling, and composting efforts, using revenues to support programs: HB 1309
 Waste reduction, recycling, and litter control account, funding state parks operation and maintenance from: ***ESSB 5897, CH 15 (2013)**

TAXES - LOCAL OPTION TRANSPORTATION

Fuel, motor vehicle fuel and special fuel, imposing additional tax: HB 1954
 Fuel, motor vehicle fuel and special fuel, taxation provisions concerning liquefied or compressed natural gas: HB 2753
 Motor vehicle excise tax, local, imposition by certain county to improve transportation system revenues: HB 1954, HB 1959
 Motor vehicle excise tax, local, imposition by public transportation benefit area to improve transportation system revenues: HB 1954
 Public transportation benefit areas, imposing local motor vehicle excise tax, conditions: HB 1953, HB 1954
 Transportation benefit districts, annual local option transportation tax fee, distribution of revenues: HB 1485, HB 1892
 Transportation benefit districts, annual local option transportation tax fee, impact of imposition on other fees: HB 1892
 Transportation benefit districts, imposing vehicle fee: HB 1954, HB 1959

Transportation system revenues, improving at local level through certain taxes and fees: HB 1954

TAXES - LODGING TAX

Bonds, general obligation or revenue issued by a municipality, using certain lodging tax revenues to repay: HB 1695, HB 2650

Tourism promotion, local jurisdictions, replacing economic impact reporting with certain estimates and a postevent report: HB 1253

Tourism promotion, use of certain revenues for: HB 1695

Workforce housing, affordable, use of certain revenues for grants or loans to nonprofit organizations or public housing authorities for: HB 1695, HB 2650

TAXES - MOTOR VEHICLE EXCISE TAX

Local motor vehicle excise tax, imposition by certain county to improve transportation system revenues: HB 1954, HB 1959

Local motor vehicle excise tax, imposition by local public transit providers to improve system revenues: HB 2563

Vehicle registration renewal, imposing of additional tax at time of, distributing revenues to improve transportation system infrastructure: HB 1954

TAXES - MOTOR VEHICLE FUEL TAX

Deductions, motor vehicle fuel handling losses, repealing deduction: HB 2041

Distribution to certain accounts, tax rate used for calculating, revising: HB 2001

Fuel taxes, administration of, simplifying and updating through comprehensive revisions and consolidation: HB 1883

Information related to motor vehicle fuel tax, exempting from public inspection and copying: HB 1833

Local public transit revenue, imposing tax to provide: HB 2563

Motor vehicle fuel licensees, other than distributors, imposing additional and cumulative tax for multiple years: HB 1954

Natural gas, compressed or liquefied, various provisions concerning taxation and use as transportation fuel: HB 2753

Refunds from motor vehicle fuel tax, increasing nonhighway fuel tax refunds: HB 1954

Revenues, distribution to new and existing accounts: HB 1954

TAXES - PROPERTY TAX

Abatements, not requiring refund, offsetting reimbursement of tax district with supplemental tax: HB 1798, ***SSB 5705, CH 239 (2013)**

Affordable housing, property tax incentive for creating in urban growth areas: HB 2738

Airplane company, excluding commuter air carrier from definition of for property tax purposes: HB 1710, ***SB 5627, CH 56 (2013)**

Airplanes, superefficient, extending exemption for certain port district facilities used in manufacture of: HB 2089, ***ESSB 5952, CH 2 (2013)**

Apportionment districts, levying property tax for community redevelopment financing: HB 1967, HB 2349, HJR 4210, HJR 4214

Assessors, county, authorizing electronic transmittal of notifications, conditions: ***HB 1576, CH 131 (2013)**

Cancellations, not requiring refund, offsetting reimbursement of tax district with supplemental tax: ***SSB 5705, CH 239 (2013)**

Churches, exemptions for nonprofit religious organization property, modifying: HB 1215

Commercial property, assessed value, filing petition to challenge: HB 1217

Community forest land trust, purchase of land for trust to help protect Yakima river basin, provision concerning property tax: ***2SSB 5367, CH 11 (2013)**

Community redevelopment financing, levying property tax in apportionment districts: HB 1967, HB 2349, HJR 4210, HJR 4214

Commuter air carriers, excluding from definition of airplane company for property tax purposes: HB 1710, ***SB 5627, CH 56 (2013)**

Commuter air carriers, exemption when aircraft excise tax has been paid for calendar year: HB 1710, ***SB 5627, CH 56 (2013)**

Credits, timber on public land, against property taxes paid on, repealing: ***SB 5806, CH 240 (2013)**

Cultural access programs, property tax provisions: HB 2212

Current use program, farm and agricultural land, classification to exclude certain tidelands used for aquaculture: HB 1437

Current use program, farm and agricultural land, definition to include land used for commercial horticulture: HB 2493

Current use program, farm and agricultural land, penalty for removing land from classification as, allowing prepayment: HB 2584

Current use program, farm and agricultural land, revising definition: HB 2306, HB 2493

Current use program, farm and agricultural land, small farms: HB 1437

Deferral, senior citizens and certain persons with disabilities, raising qualifying income thresholds: HB 1170

Deferred property taxes, collection of, including department of revenue role, modifying various provisions: ***EHB 1421, CH 221 (2013)**

Deferred property taxes, collection of, requiring reimbursement of county foreclosure costs before paying state for deferred tax: ***EHB 1421, CH 221 (2013)**

Delinquencies, modifying collection practices: HB 1430, ***SSB 5705, CH 239 (2013)**

Delinquencies, payment of tax foreclosure avoidance costs: ***SSB 5705, CH 239 (2013)**

Delinquencies, waiving interest and penalties under certain conditions: HB 2309, HB 2645

Emergency medical services, property tax levy, adjusting levy cap to increase funding: HB 1136

Emergency medical services, property tax levy, modifying requirements for placing countywide proposal on ballot: HB 2428

Escrow, property taxes paid through, modifying collection dates: HB 2513

Exemption, land owned exclusively by Indian tribes: EHB 1287

Exemptions, certain port district facilities used in manufacture of superefficient airplanes, extending exemption from property taxes: HB 2089, ***ESSB 5952, CH 2 (2013)**

Exemptions, commuter air carriers when aircraft excise tax has been paid for calendar year: HB 1710, ***SB 5627, CH 56 (2013)**

Exemptions, manufacturers of firearms ammunition, parts, and accessories: HB 2020

Exemptions, new construction of industrial/manufacturing facilities on undeveloped or underutilized lands: HB 1443

Exemptions, nonprofit fair associations, modifying provisions: HB 1550, ***E2SSB 5078, CH 212 (2013)**

Exemptions, nonprofit religious organizations, modifying: HB 1215

Exemptions, nonprofit small business incubators, in certain cases: HB 2447

Exemptions, property improvements benefitting fish and wildlife habitat or water quality or quantity, requirements: HB 1570, ***SB 5593, CH 236 (2013)**

Exemptions, property leased by organization providing job training and related services: HB 2193

Exemptions, senior citizens and veterans with disabilities, raising qualifying income thresholds: HB 1170

Exemptions, senior citizens and veterans with disabilities, to include property leased to mobile home owner: HB 1479

Fairs, nonprofit fair associations, modifying property tax exemption provisions: HB 1550, ***E2SSB 5078, CH 212 (2013)**

Firearms ammunition, parts, and accessories, exemption for manufacturers of: HB 2020

Fish and wildlife habitat or water quality or quantity, property improvements benefitting, exemption: HB 1570, ***SB 5593, CH 236 (2013)**

Foreclosure avoidance costs, collection by county treasurers: HB 1797

Foreclosures, tax foreclosed property, disposing to city for affordable housing purposes: HB 2558

Foreclosures, tax lien sales, county electronic public auctions: HB 2592

Foreclosures, tax lien sales, online sales: HB 2491

Forest land, merging of designated forest land program with open space timber land program by county: HB 1156

Forest land, purchasers of privately owned timber on, extending reporting requirements expiration date: HB 2099

Game lands owned by department of fish and wildlife, property tax on, modifying in lieu payments provisions: HB 2045

Game lands owned by department of fish and wildlife, property tax on, repealing in lieu payments provisions: HB 1073

Government properties, tax-exempt, eliminating annual appraisal requirement: HB 1575, ***SSB 5444, CH 235 (2013)**

Indian tribes, land owned exclusively by, to be considered as publicly owned real property exempt from property tax: EHB 1287

Industrial/manufacturing facilities, new construction on undeveloped or underutilized lands, exemption: HB 1443

Irrigation districts, dropping from definition of "local government" in certain cases: HB 1416, SB 5824

Levies, for community developmental disability services, determining amount of levy allocation for: HB 1432

Levies, for community mental health services, determining amount of levy allocation for: HB 1432

Levies, for emergency medical services, adjusting levy cap to increase funding: HB 1136

Levies, for emergency medical services, property tax levy, modifying requirements for placing countywide proposal on ballot: HB 2428

Levies, for schools, modifying maximum levy percentages to increase education funding: SSB 5898

Levies, for schools, providing for simple majority to approve: HB 2441, HJR 4216

Levies, limit calculation, including value of solar, biomass, and geothermal facilities in: HB 1634
 Levies, metropolitan park districts: HB 1042, HB 1055, HB 1749
 Levies, school district bonds, requiring simple majority of voters voting to authorize: HB 2441, HJR 4216
 Levy, state property tax levy, reducing each year: HB 2392
 Manufactured/mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**
 Marijuana, taxation of marijuana-related trademarks, trade names, brand names, patents, and copyrights: HB 1976
 Metropolitan park districts, benefit charge on real property, establishment, including exemption for certain persons: HB 1960
 Military personnel, active duty, catastrophically injured in line of duty, property tax relief: HB 1214
 Mobile and manufactured homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: ***EHB 1493, CH 198 (2013)**
 Mobile homes and park model trailers, ownership taken by park landlord, responsibility for property taxes: SSB 5523
 Nonprofit organizations, use of tax-exempt property for nonexempt uses: HB 2345
 Oil and gas, exemption for certain reserves and leases on development and operation rights: HB 1856
 Payments, delinquent, waiving interest and penalties under certain conditions: HB 2309, HB 2645
 Payments, electronic: HB 1430, ***SSB 5705, CH 239 (2013)**
 Payments, past due, establishing installment payment program: HB 1142
 Payments, past due, flexible payment structuring: HB 1004
 Payments, past due, partial payment: HB 1430
 Payments, past due, payment agreements for past due delinquencies: ***SSB 5705, CH 239 (2013)**
 Payments, property taxes paid through escrow, modifying collection dates: HB 2513
 Preferences, fiscal accountability and transparency standards: HB 2201
 Preferences, legislative intent, review, and expiration provisions: ESB 5843
 Preferences, tax preference performance statement, review, and expiration provisions: ***ESSB 5882, CH 13 (2013)**
 Public agencies, owning vacant or undeveloped property, making payment in lieu of taxes, assessor notification: HB 2628
 Refunds, claims and orders for, removing requirement for certain cases: HB 2446
 Relief programs, property tax relief for low-income, retired, and disabled persons, modifying disposable income calculation: HB 1728
 Religious organizations, nonprofit, modifying exemptions: HB 1215
 Residential opportunities in urban growth areas, property tax incentive for creating: HB 2738
 Retired due to physical disability, property tax deferral and exemption, raising qualifying income thresholds: HB 1170
 Retired due to physical disability, property tax exemption, to include property leased to mobile home owner: HB 1479
 Senior citizens, exemption, raising qualifying income thresholds: HB 1170
 Senior citizens, exemption, to include property leased to mobile home owner: HB 1479
 State property taxes, retaining of portion by county treasurers to defray costs of collection: HB 1706
 Tax lien sales, county electronic public auctions: HB 2592
 Tax lien sales, organizing online sales: HB 2491
 Timber harvesters, state excise tax on timber harvested by, adjusting rate and modifying distribution of revenue: HB 2747
 Timber harvesters, state excise tax on timber harvested by, credit, modifying provisions: HB 2747
 Timber land, open space program, county option to merge with designated forest land program: HB 1156
 Timber land, purchasers of privately owned timber on, extending reporting requirements expiration date: HB 2099
 Trailers, park model, responsibility for property taxes when ownership taken by park landlord: ***EHB 1493, CH 198 (2013)**, SSB 5523
 Transfer of real property, Washington uniform real property transfer on death act provisions: HB 1117
 Treasurers, county, collection of tax foreclosure avoidance costs: HB 1797
 Valuation, real property, filing fee for certain commercial property assessment appeal petitions: HB 2629
 Valuation, real property, revising standard of evidence for appeals: HB 1716
 Valuation, real property, true and fair value notice requirements: HB 1040
 Valuation, tax-exempt government properties, eliminating annual appraisal requirement: HB 1575, ***SSB 5444, CH 235 (2013)**
 Veterans with disabilities, exemption, raising qualifying income thresholds: HB 1170
 Veterans with disabilities, exemption, to include property leased to mobile home owner: HB 1479
 Veterans' assistance fund, levies for: HB 1759

TAXES - PUBLIC UTILITY TAX (See also UTILITIES)

- Deductions, interstate hauls, deduction for, eliminating to provide basic education and higher education funding: HB 2038
- Filing public utility tax return, raising threshold for small businesses: HB 2678
- Gas distribution businesses, sales of compressed or liquefied natural gas for transportation use, exemption: HB 2753
- Interstate hauls, deduction for, eliminating to provide basic education and higher education funding: HB 2038
- Light and power businesses, credit as part of renewable energy system cost recovery incentive program: HB 1105
- Light and power businesses, credit as part of renewable energy system cost recovery program: HB 1138
- Light and power businesses, modifying credit provisions when qualifying utility-owned solar energy system participates in cost recovery incentive program: HB 1977
- Light and power businesses, renewable energy investment cost recovery incentive program, credits as part of phases I and II: HB 1301
- Preferences, fiscal accountability and transparency standards: HB 2201
- Renewable energy system cost recovery incentive program, adding certain solar energy systems to definition of customer-generated electricity: HB 1690
- Renewable energy system cost recovery incentive program, creation as new program, including tax credits for participating utilities: HB 1105
- Renewable energy system cost recovery, allowing participation by qualifying utility-owned distributed solar energy systems on certain premises: HB 1977
- Renewable energy system cost recovery, excluding new applicants for existing program and initiating phase II program: HB 1301
- Renewable energy system cost recovery, incentives, measuring effectiveness through performance milestones: HB 1301
- Renewable energy systems, ten-year annual investment cost recovery incentive payment: HB 1138
- Small public utility businesses, increasing exemption and filing threshold: HB 2729
- Solar energy systems, adding to definition of customer-generated electricity for sake of cost recovery incentives: HB 1690
- Solar energy systems, distributed, allowing qualifying utility-owned system to participate in renewable energy system cost recovery incentive program: HB 1977
- Water distribution businesses, tax collected from, using portion for health programs of departments of ecology and health: HB 1685

TAXES - REAL ESTATE EXCISE

- Local public transit revenue, provisions relevant to real estate excise tax: HB 2563
- Technology infrastructure, adding to "capital project" for revenue-use purposes: HB 2298
- Transfer of real property, Washington uniform real property transfer on death act provisions: HB 1117

TAXES - SALES TAX (See also TAXES - EXCISE TAX)

- Aerospace products, sale in import commerce, exemption for, narrowing to provide basic education and higher education funding: HB 2038
- Airplane, commercial, amending definition to extend certain tax preferences to additional aircraft: HB 2203, HB 2693
- Airplanes, commercial, computer parts and software, extending exemption: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Airplanes, large private, certain sales involving, exemptions: HB 1707, ***ESSB 5882, CH 13 (2013)**
- Airplanes, superefficient, manufacturing-related labor, services, and personal property, expanding exemption for: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Amusement services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539
- Anaerobic digesters, apprentice utilization requirement for exemption: HB 1023
- Anaerobic digesters, prevailing wage requirement for exemption: HB 1025
- Anaerobic digesters, resident workers requirement for exemption: HB 1026
- Back-to-school clothing and school supply items, exemption: HB 1329
- Beekeepers, sale of honey bees to, adding expiration date to exemption: ***ESSB 5882, CH 13 (2013)**
- Beekeepers, sales of feed to, exemption: HB 1558, ***ESSB 5882, CH 13 (2013)**
- Biodiesel blend or E85 motor fuel-related sales and services, apprentice utilization requirement for exemption: HB 1023
- Biodiesel blend or E85 motor fuel-related sales and services, prevailing wage requirement for exemption: HB 1025
- Biodiesel blend or E85 motor fuel-related sales and services, resident workers requirement for exemption: HB 1026
- Clay targets, purchased by nonprofit gun clubs, sales and use tax exemptions: ***ESSB 5882, CH 13 (2013)**
- Cultural access programs, retail sales and use tax provisions: HB 2212
- Dancing, excluding charges made for opportunity to dance from sales taxes: HB 1994
- Dancing, exemption from sales tax for charges made for opportunity to dance: ***ESSB 5882, CH 13 (2013)**

Debt collection services, extending sales tax to include: HB 1273

Deferrals, high technology businesses, ending issuance of sales and use tax deferral certificates to provide basic education and higher education funding: HB 2038

Deferrals, high technology businesses, extending issuance of sales and use tax deferral certificates: HB 2685

Digital goods and codes, nonresident sales tax exemption, repealing: HB 1890

Electricity generation from certain sources, extending expiration of sales and use tax exemptions for machinery and equipment: HB 1910, ***ESSB 5882, CH 13 (2013)**

Electricity generation from certain sources, sales and use tax exemptions for machinery and equipment, adding survey, review, and reporting provisions: ***ESSB 5882, CH 13 (2013)**

Exemption, beekeepers, sale of honey bees to, adding expiration date: ***ESSB 5882, CH 13 (2013)**

Exemption, beekeepers, sales of feed to: HB 1558, ***ESSB 5882, CH 13 (2013)**

Exemption, livestock nutrient management equipment and facilities: HB 2259

Exemptions, add-on automotive adaptive equipment for veterans and armed forces members with disabilities: HB 1831, ***SSB 5072, CH 211 (2013)**

Exemptions, alternative fuel vehicle retail sales and use tax, clarifying application of: HB 2671

Exemptions, alternative fuel vehicle retail sales and use tax, extending: HB 2418

Exemptions, bottled water, exemption for, eliminating to provide basic education and higher education funding: HB 2038

Exemptions, certain natural gas sales by natural gas businesses: HB 2753

Exemptions, charges made for opportunity to dance: ***ESSB 5882, CH 13 (2013)**

Exemptions, commercial airplanes, amending definition to extend certain tax preferences to additional aircraft: HB 2203, HB 2693

Exemptions, commercial janitorial services, clarifying retail sales tax exemption for: HB 2477

Exemptions, expanding for labor, services, and personal property related to superefficient airplane manufacturing: HB 2089, ***ESSB 5952, CH 2 (2013)**

Exemptions, extending for computer parts and software related to commercial airplane manufacturing: HB 2089, ***ESSB 5952, CH 2 (2013)**

Exemptions, farm machinery and equipment, hop harvesting equipment eligibility: HB 2597

Exemptions, farm machinery and equipment, repealing: HB 2286

Exemptions, firearms and ammunition sales: HB 2529

Exemptions, for large recreational vessels, partial exemption for residents and full exemption for nonresidents, conditions: HB 1927

Exemptions, gun locks, sales of: HB 1703

Exemptions, hog fuel, extending when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**

Exemptions, instructional materials sold by college bookstores to students: HB 1160

Exemptions, large private airplanes, certain sales involving: HB 1707, ***ESSB 5882, CH 13 (2013)**

Exemptions, machinery and equipment used for electricity generation from certain sources, adding survey, review, and reporting provisions: ***ESSB 5882, CH 13 (2013)**

Exemptions, machinery and equipment used for electricity generation from certain sources, extending expiration of: HB 1910, ***ESSB 5882, CH 13 (2013)**

Exemptions, machinery and equipment, increasing accountability for exemption: HB 1970

Exemptions, medical marijuana retail purchases by qualifying patients: HB 2198

Exemptions, mint growers and processors: ***ESSB 5882, CH 13 (2013)**

Exemptions, natural gas or propane used to heat greenhouses, sales to businesses of: HB 1722

Exemptions, nonresident sales tax exemption, modifying to create remittance program to provide basic education and higher education funding: EHB 2036

Exemptions, nonresident sales tax exemption, repealing: HB 1273

Exemptions, nonresident sales tax exemption, repealing to provide basic education and higher education funding: HB 2038

Exemptions, parking fees paid by public high school students to school districts, retail sales tax exemption: HB 2118

Exemptions, propane or natural gas sold to mint growers and processors for distilling mint oil: ***ESSB 5882, CH 13 (2013)**

Exemptions, public works apprentice utilization in certain cases when contract parties are recipients: HB 1023

Exemptions, public works resident workers requirement: HB 1026

Exemptions, rural county sales and use tax exemption program, reestablishing: HB 2204

Exemptions, sale of clay targets purchased by nonprofit gun clubs: ***ESSB 5882, CH 13 (2013)**

- Exemptions, sales of aerospace products in import commerce, exemption for, narrowing to provide basic education and higher education funding: HB 2038
- Exemptions, sales of back-to-school clothing and school supply items: HB 1329
- Exemptions, sales of financial information to international investment management companies: HB 1567, ***ESSB 5882, CH 13 (2013)**
- Exemptions, sales of school instructional materials: HB 2640
- Exemptions, sales of vessel deconstruction performed at certain facilities or areas: HB 2457
- Exemptions, sales to nonresidents of digital goods and codes, repealing exemption: HB 1890
- Exemptions, sales to nonresidents of tangible personal property, repealing exemption: HB 1890
- Exemptions, sales to restaurants of flavor-imparting cooking products, including charcoal: HB 1358, ***ESSB 5882, CH 13 (2013)**
- Exemptions, school districts, construction labor and materials: HB 2270
- Exemptions, solar energy heat-generating machinery and equipment, sales of: HB 1705, ***ESSB 5882, CH 13 (2013)**
- Exemptions, state transportation project site preparation, construction, and machinery and equipment acquisition and rental: HB 1985
- Exemptions, subsidized public works prevailing wage requirement: HB 1025
- Exemptions, telephone lines and pay phones, repealing: HB 1971
- Exemptions, vessel sales to nonresident persons, in certain cases: HB 1366
- Exemptions, working families' tax exemption, modifying provisions: HB 1890
- Florists, defining "florist" and "florist sales" for retail sales and use tax purposes: HB 1489
- Greenhouses, sales to businesses of propane or natural gas used to heat, exemption: HB 1722
- Gun locks, sales of, exemption: HB 1703
- Health security trust, use of revenues for health care services and maintenance of trust: HB 1085
- Hog fuel, extending exemption when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**
- Home service contracts, sales and use taxation of: HB 1997
- In-home care services, funding for, repealing nonresident sales tax exemption and extending sales tax to debt collection services: HB 1273
- Instructional materials, sales by college bookstores to students, sales and use tax exemptions: HB 1160
- Instructional materials, school, exemption for sales of: HB 2640
- Investment management companies, international, exemption for financial information sales to companies: HB 1567, ***ESSB 5882, CH 13 (2013)**
- Janitorial services, commercial, clarifying retail sales tax exemption for: HB 2477
- Janitorial services, tax on, imposing to provide basic education and higher education funding: HB 2038
- Liquor sales, advertised selling price to include liquor taxes: HB 1066
- Liquor sales, spirits, additional tax on certain sales by distributors to restaurant retailers: HB 2019
- Liquor, sales tax on, deposit in liquor excise tax fund and transfer to liquor revolving fund, modifying provisions: HB 1368
- Local sales and use, adding various signage to "public facilities" for revenue-use purposes: HB 2297
- Local sales and use, authorizing counties to impose by ordinance: HB 1919
- Local sales and use, county authority to impose to fund regional health and human services: HB 2073
- Local sales and use, cultural access programs, use of revenues by: HB 2212
- Local sales and use, exemption for state transportation project site preparation, construction, and machinery and equipment acquisition and rental: HB 1985
- Local sales and use, for counties and cities, imposition without authorizing proposition to voters: HB 1925
- Local sales and use, funding for therapeutic courts, authority of county to impose sales and use tax: HB 2556
- Local sales and use, imposed by public utilities district, tax to expire when bonds for certain facilities are retired: HB 1687
- Local sales and use, imposition by certain rural counties: HB 1553
- Local sales and use, imposition by certain rural counties for water rights purchases for water banking: HB 2596
- Local sales and use, imposition by cities for costs of preparing for annexation: HB 2681
- Local sales and use, imposition by local government in connection with local infrastructure financing tool program: HB 1306
- Local sales and use, imposition by local legislative entity after establishing enhanced public transportation zone: HB 1898, HB 1954
- Local sales and use, imposition by public transportation benefit areas, governing board membership and voting requirements for: HB 1865

Local sales and use, provisions relevant to local public transit revenue: HB 2563
 Local sales and use, reducing frequency of tax changes: HB 1604, ESSB 5697
 Local sales and use, taxation of vessels: HB 1927
 Machinery and equipment, exemption for, increasing accountability: HB 1970
 Marijuana, marijuana excise tax, from marijuana sales, depositing revenue in dedicated local jurisdiction marijuana fund: HB 2144
 Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409
 Medical marijuana, exemption for retail purchases by qualifying patients: HB 2198
 Mint growers and processors, exemption: ***ESSB 5882, CH 13 (2013)**
 Natural gas businesses, exemption for certain natural gas sales taxed under public utility tax: HB 2753
 Nonresident sales tax exemption, modifying to create remittance program to provide basic education and higher education funding: EHB 2036
 Nonresident sales tax exemption, repealing: HB 1890
 Nonresident sales tax exemption, repealing to provide basic education and higher education funding: HB 2038
 Parking, public high school students, retail sales tax exemption for fees collected by school districts: HB 2118
 Passenger-only ferry service districts, imposition of sales and use tax by: HB 2267
 Personal property, sales of tangible, repealing nonresident sales tax exemption: HB 1890
 Physical fitness services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539
 Preferences, fiscal accountability and transparency standards: HB 2201
 Propane or natural gas, sales to mint growers and processors for distilling mint oil, exemption: ***ESSB 5882, CH 13 (2013)**
 Rate, reducing state sales and use tax rate: HB 1100, HB 2393
 Recreation services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539
 Recreational vessels, large, partial exemption for residents and full exemption for nonresidents, conditions: HB 1927
 Restaurants, sales to, of flavor-imparting cooking products, including charcoal, exemption: HB 1358, ***ESSB 5882, CH 13 (2013)**
 Retail sales tax, reducing rate: HB 1100, HB 2393
 Rural county sales and use tax exemption program, reestablishing: HB 2204
 Solar energy machinery and equipment, heat-generating, exemption for sales of: HB 1705, ***ESSB 5882, CH 13 (2013)**
 Telephone lines and pay phones, exemption, repealing: HB 1971
 Transportation projects, state, exemption for project site preparation, construction, and machinery and equipment acquisition and rental: HB 1985
 Transportation, department of, state sales and use tax revenues from expenditures by, transferring to motor vehicle account: HB 2094
 Vehicles, powered by alternative fuel, clarifying application of retail sales and use tax exemption: HB 2671
 Vehicles, powered by alternative fuel, extending retail sales and use tax exemption: HB 2418
 Vessel sales, to nonresident persons, exemption in certain cases: HB 1366
 Warehouse or grain elevator lessor or owner, apprentice utilization requirement for exemption: HB 1023
 Warehouse or grain elevator lessor or owner, prevailing wage requirement for exemption: HB 1025
 Warehouse or grain elevator lessor or owner, resident workers requirement for exemption: HB 1026
 Water, bottled, exemption for, eliminating to provide basic education and higher education funding: HB 2038
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TAXES - SPECIAL FUEL TAX

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 Information related to special fuel tax, exempting from public inspection and copying: HB 1833
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 Special fuel licensees, other than distributors, imposing additional and cumulative tax for multiple years: HB 1954

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- Airplanes, commercial, computer parts and software, extending exemption: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Airplanes, large private, use tax exemptions: HB 1707, ***ESSB 5882, CH 13 (2013)**
- Airplanes, superefficient, manufacturing-related labor, services, and personal property, expanding exemption for: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Amusement services, simplifying taxation by grouping under "sale at retail" and "retail sale": HB 2539
- Anaerobic digesters, apprentice utilization requirement for exemption: HB 1023
- Anaerobic digesters, resident workers requirement for exemption: HB 1026
- Back-to-school clothing and school supply items, exemption: HB 1329
- Beekeepers, use of feed by, exemption: HB 1558, ***ESSB 5882, CH 13 (2013)**
- Beekeepers, use of honey bees by, adding expiration date to exemption: ***ESSB 5882, CH 13 (2013)**
- Biodiesel blend or E85 motor fuel-related sales and services, apprentice utilization requirement for exemption: HB 1023
- Biodiesel blend or E85 motor fuel-related sales and services, prevailing wage requirement for exemption: HB 1025
- Biodiesel blend or E85 motor fuel-related sales and services, resident workers requirement for exemption: HB 1026
- Clay targets, provided by nonprofit gun clubs, sales and use tax exemptions: ***ESSB 5882, CH 13 (2013)**
- Credits, home service contracts, in certain cases: HB 1997
- Cultural access programs, retail sales and use tax provisions: HB 2212
- Deferrals, high technology businesses, ending issuance of sales and use tax deferral certificates to provide basic education and higher education funding: HB 2038
- Deferrals, high technology businesses, extending issuance of sales and use tax deferral certificates: HB 2685
- Electricity generation from certain sources, extending expiration of sales and use tax exemptions for machinery and equipment: HB 1910, ***ESSB 5882, CH 13 (2013)**
- Electricity generation from certain sources, sales and use tax exemptions for machinery and equipment, adding survey, review, and reporting provisions: ***ESSB 5882, CH 13 (2013)**
- Exemption, beekeepers, use of feed by: HB 1558, ***ESSB 5882, CH 13 (2013)**
- Exemption, beekeepers, use of honey bees by, adding expiration date: ***ESSB 5882, CH 13 (2013)**
- Exemptions, add-on automotive adaptive equipment for veterans and armed forces members with disabilities: HB 1831, ***SSB 5072, CH 211 (2013)**
- Exemptions, alternative fuel vehicle retail sales and use tax, clarifying application of: HB 2671
- Exemptions, alternative fuel vehicle retail sales and use tax, extending: HB 2418
- Exemptions, bottled water, exemption for, eliminating to provide basic education and higher education funding: HB 2038
- Exemptions, certain personal property purchased or received as prize from nonprofit organization or library fund-raising activity, conditions: ***ESSB 5882, CH 13 (2013)**
- Exemptions, expanding for labor, services, and personal property related to superefficient airplane manufacturing: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Exemptions, extending for computer parts and software related to commercial airplane manufacturing: HB 2089, ***ESSB 5952, CH 2 (2013)**
- Exemptions, extracted fuels, modifying in connection with biomass fuel and refinery fuel gas: HB 2465
- Exemptions, extracted fuels, modifying in connection with hog fuel and refinery fuel gas: HB 2038
- Exemptions, farm machinery and equipment, repealing: HB 2286
- Exemptions, firearms and ammunition: HB 2529
- Exemptions, for large recreational vessels, partial exemption for residents and full exemption for nonresidents, conditions: HB 1927
- Exemptions, gun locks, use of: HB 1703
- Exemptions, hog fuel, extending when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**
- Exemptions, home service contracts, in certain cases: HB 1997
- Exemptions, instructional materials sold by college bookstores to students: HB 1160
- Exemptions, large private airplanes, use and related matters: HB 1707, ***ESSB 5882, CH 13 (2013)**
- Exemptions, machinery and equipment used for electricity generation from certain sources, adding survey, review, and reporting provisions: ***ESSB 5882, CH 13 (2013)**
- Exemptions, machinery and equipment used for electricity generation from certain sources, extending expiration of: HB 1910, ***ESSB 5882, CH 13 (2013)**

Exemptions, machinery and equipment, increasing accountability for exemption: HB 1970
 Exemptions, medical marijuana use by qualifying patients: HB 2198
 Exemptions, mint growers and processors: ***ESSB 5882, CH 13 (2013)**
 Exemptions, natural gas or propane used to heat greenhouses, use by businesses of: HB 1722
 Exemptions, natural gas, including compressed and liquefied, when used as transportation fuel: HB 2753
 Exemptions, propane or natural gas used by mint growers and processors to distill mint oil: ***ESSB 5882, CH 13 (2013)**
 Exemptions, public works apprentice utilization in certain cases when contract parties are recipients: HB 1023
 Exemptions, public works resident workers requirement: HB 1026
 Exemptions, rural county sales and use tax exemption program, reestablishing: HB 2204
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 Exemptions, state transportation projects, use of certain machinery and equipment: HB 1985
 Exemptions, subsidized public works prevailing wage requirement: HB 1025
 Exemptions, use by restaurants of flavor-imparting cooking products, including charcoal: HB 1358, ***ESSB 5882, CH 13 (2013)**
 Exemptions, use of back-to-school clothing and school supply items: HB 1329
 Exemptions, use of clay targets provided by nonprofit gun clubs: ***ESSB 5882, CH 13 (2013)**
 Exemptions, use of financial information sold to international investment management companies: HB 1567, ***ESSB 5882, CH 13 (2013)**
 Exemptions, use of vessels by nonresident persons, in certain cases: HB 1366
 Extracted fuels, exemption for, modifying in connection with hog fuel and refinery fuel gas: HB 2038
 Florists, defining "florist" and "florist sales" for retail sales and use tax purposes: HB 1489
 Greenhouses, use by businesses of propane or natural gas used to heat, exemption: HB 1722
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 Hog fuel, extending exemption when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**
 Home service contracts, sales and use taxation of: HB 1997
 Instructional materials, sales by college bookstores to students, sales and use tax exemptions: HB 1160
 Investment management companies, international, exemption for use of financial information sold to companies: HB 1567, ***ESSB 5882, CH 13 (2013)**
 Libraries, fund-raising activity, exemption for certain personal property purchased or received as prize from, conditions: ***ESSB 5882, CH 13 (2013)**
 Local sales and use, adding various signage to "public facilities" for revenue-use purposes: HB 2297
 Local sales and use, authorizing counties to impose by ordinance: HB 1919
 Local sales and use, county authority to impose to fund regional health and human services: HB 2073
 Local sales and use, cultural access programs, use of revenues by: HB 2212
 Local sales and use, exemption for use of certain machinery and equipment in connection with state transportation projects: HB 1985
 Local sales and use, for counties and cities, imposition without authorizing proposition to voters: HB 1925
 Local sales and use, funding for therapeutic courts, authority of county to impose sales and use tax: HB 2556
 Local sales and use, imposed by public utilities district, tax to expire when bonds for certain facilities are retired: HB 1687
 Local sales and use, imposition by certain rural counties: HB 1553
 Local sales and use, imposition by certain rural counties for water rights purchases for water banking: HB 2596
 Local sales and use, imposition by cities for costs of preparing for annexation: HB 2681
 Local sales and use, imposition by local government in connection with local infrastructure financing tool program: HB 1306
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 Local sales and use, imposition by public transportation benefit areas, governing board membership and voting requirements for: HB 1865
 Local sales and use, provisions relevant to local public transit revenue: HB 2563
 Local sales and use, reducing frequency of tax changes: HB 1604, ESSB 5697
 Local sales and use, taxation of vessels: HB 1927
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Marijuana, recreational use industry, delaying use of tax preferences by: HB 2409
 Medical marijuana, exemption for use of retail purchases by qualifying patients: HB 2198
 Mint growers and processors, exemption: ***ESSB 5882, CH 13 (2013)**
 Natural gas, including compressed and liquefied, taxation of, to include exemption when used as transportation fuel: HB 2753
 Nonprofit organizations, fund-raising activity, exemption for certain personal property purchased or received as prize from, conditions: ***ESSB 5882, CH 13 (2013)**
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 Propane or natural gas, use by mint growers and processors to distill mint oil, exemption: ***ESSB 5882, CH 13 (2013)**
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 Restaurants, use of flavor-imparting cooking products, including charcoal, exemption: HB 1358, ***ESSB 5882, CH 13 (2013)**
 Rural county sales and use tax exemption program, reestablishing: HB 2204
 Solar energy machinery and equipment, heat-generating, exemption for use of: HB 1705, ***ESSB 5882, CH 13 (2013)**
 Transportation projects, state, exemption for use of certain machinery and equipment: HB 1985
 Transportation, department of, state sales and use tax revenues from expenditures by, transferring to motor vehicle account: HB 2094
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 Vehicles, powered by alternative fuel, extending retail sales and use tax exemption: HB 2418
 Vessel use, by nonresident persons, exemption in certain cases: HB 1366
 Water, bottled, exemption for, eliminating to provide basic education and higher education funding: HB 2038

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Abandoned and derelict vessels, certain vessels for which tax is outstanding, penalties: HB 2457

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 Aerospace technology innovation, joint center for, extending by repealing sunset termination and repeal provisions: HB 1866, SB 5784
 Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, apprentice utilization requirement: HB 1023
 Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, prevailing wage requirement: HB 1025
 Biotechnology and medical device manufacturing businesses, tax deferrals for investment projects, resident workers requirement: HB 1026
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 High technology businesses, issuance of sales and use tax deferral certificates for, ending to provide basic education and higher education funding: HB 2038
 High technology businesses, tax deferrals for investment projects, apprentice utilization requirement: HB 1023
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 Information services and telecommunications state agency network, assessment of model and consolidation of network into consolidated technology services agency: ***ESSB 5891, CH 33 (2013)**
 Information services and telecommunications state agency network, certain information within, public disclosure exemption: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures in state budget process, evaluation and prioritization of: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures, by higher education institutions and legislative and judicial agencies, evaluation and approval of: ***ESSB 5891, CH 33 (2013)**
 Information technology expenditures, state agency, information technology business management program, implementing: ***ESSB 5891, CH 33 (2013)**
 Information technology for state agencies, establishing information technology investment pool: ***ESSB 5891, CH 33 (2013)**

Information technology networking equipment and services, agency purchases of, developing statewide standards: ***ESSB 5891, CH 33 (2013)**

Information technology purchases, competitive contracting for, exempting state agencies from: ***ESSB 5891, CH 33 (2013)**

Information technology systems, state executive branch, inventorying, modernizing, and funding of: ***ESSB 5891, CH 33 (2013)**

Information technology, information in state's systems and infrastructure, establishing security standards: ***ESSB 5891, CH 33 (2013)**

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Technology or science center, zoo, and aquarium facilities, competitive grant program for acquiring or constructing: HB 1405

Washington global health technologies and product development competitiveness program, eliminating board of directors: HB 2029

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Call center services, procurement by state agency under personal services contract, prohibiting performance of services at location outside United States: HB 1995

Call location, wireless providers to provide location information to law enforcement responding to emergency: HB 1897

Cell phones, texting or use of hand-held mobile telephones by commercial vehicle drivers, adding to list of serious traffic violations: HB 1752

Cellular device issuance, to state employees, establishing criteria for: SSB 5381

Disputes, arbitration requirement in certain cases when concerning pole attachment rates, terms, or conditions: HB 2175

Electricians, limited energy specialty certification, using telecommunications work experience for: HB 2254

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Telecommunications and information services state agency network, assessment of model and consolidation of network into consolidated technology services agency: ***ESSB 5891, CH 33 (2013)**

Telecommunications and information services state agency network, certain information within, public disclosure exemption: ***ESSB 5891, CH 33 (2013)**

Telecommunications relay service program, excise tax on switched access lines for funding, eliminating: HB 1971

Telecommunications systems, definition of, in relation to certain installations: HB 2253

Telemedicine, health plan coverage and hospital procedures, requirements: HB 1448

Telephone lines and pay phones, sales tax exemption, repealing: HB 1971

Washington telephone assistance program, excise tax on switched access lines for funding, eliminating: HB 1971

Washington telephone assistance program, extending eligibility to recipients of home and community-based services: HB 2696

Wireless communications devices, electronic, texting or use of hand-held mobile telephones by commercial vehicle drivers, adding to list of serious traffic violations: HB 1752

Wireless communications structures, modifying requirements for exemption from certain environmental policies: HB 1183, SB 5098

Wireless communications, prepaid services, sellers of services to collect enhanced 911 excise tax: HB 1971

Wireless communications, providers, providing call location information to law enforcement responding to emergency: HB 1897

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 Cigarettes, electronic, prohibiting sale to minor: ***HB 1937, CH 47 (2013)**
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 High occupancy vehicle lanes, state route number 167, extending high occupancy toll lanes to Pierce county and removing certain pilot project provisions: HB 1745
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 Motorcycle road guard certificate, department of licensing to create and issue: HB 2494
 Motorcycles, helmets, modifying reference to manufacturing standards in definition: HB 2495
 Motorcycles, helmets, removing certain requirements: HB 1246
 Motorcycles, including in various commute trip reduction, high occupancy vehicle lane, and limited access facility arrangements: ***SB 5142, CH 26 (2013)**
 Motorcycles, overtaking and passing pedestrians and bicyclists in the same lane, allowing: ***SSB 5263, CH 139 (2013)**
 Motorcycles, stopping and proceeding through red light, allowing under certain conditions: HB 1238, SB 5141
 Overtaking and passing bicyclists and pedestrians, vehicles to maintain safe distance: HB 1743
 Pedestrians, persons with disabilities in wheelchairs, using adjacent roadway when sidewalk not accessible: HB 2599
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 Tow truck operators, handling unmarked government vehicles, legal jeopardy in cases of, prohibiting: HB 2528
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 Traffic impacts, mitigation fees imposed under SEPA for, limiting city authority to impose in certain cases: HB 2161
 Traffic safety cameras, authorizing use at intersections of more than two arterials: HB 1670
 Traffic safety cameras, availability of records, photographs, and electronic images: HB 1047
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 Transportation demand management programs and community trip reduction plans, establishment by cities and counties: HB 2688

Vehicle prowling, second degree, class C felony in certain cases: HB 1305, ***ESB 5053, CH 267 (2013)**

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Actual physical control while under the influence, modifying provisions: HB 1086, HB 1482, HB 2030, HB 2083, HB 2084, HB 2085, HB 2701, ***E2SSB 5912, CH 35 (2013)**

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Child passenger restraints, failure to comply with requirements, admissibility in civil action: HB 1696

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Driving under the influence, adding marijuana to person under age 21 driving after consuming alcohol: HB 1597

Driving under the influence, blood and breath tests, modifying provisions: HB 2728

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Driving under the influence, creating statewide 24/7 sobriety program and 24/7 sobriety account: HB 2030

Driving under the influence, creating statewide 24/7 sobriety program and pilot project and 24/7 sobriety account: ***E2SSB 5912, CH 35 (2013)**

Driving under the influence, eliminating ten-year look back periods from class C felony criteria: HB 2085

Driving under the influence, establishing Washington impaired driving work group: ***E2SSB 5912, CH 35 (2013)**

Driving under the influence, extending time periods for relevance of prior offenses: HB 2701

Driving under the influence, felony, converting to class B felony: HB 2506

Driving under the influence, ignition interlock requirements, provisions concerning imposing, tampering with, or defeating: HB 2728

Driving under the influence, misdemeanor, vacation of conviction record: HB 1086

Driving under the influence, probable cause for arresting and taking into custody without warrant: HB 2083

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DUI courts, authority to establish, expanding to include all jurisdictions: ***SB 5797, CH 257 (2013)**

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Habitual traffic offenders, removing certified mail requirement for notifications: HB 1225

Ignition interlock devices, circumventing installation and use by acquiring new vehicle, gross misdemeanor: HB 2344

Ignition interlock devices, provisions concerning imposing, tampering with, or defeating: HB 2728

Infraction notices, updating forms to include new terminology: HB 1265

Infractions, additional penalty, depositing sixty percent of moneys into criminal justice training commission account: HB 1315

Infractions, failure to respond or appear for hearing, additional defendant costs if committed finding set aside: HB 1580

Infractions, providing community restitution as alternative to standard penalties: HB 1601

Legislators, traffic violations by, application of Article II, section 16 of state constitution: HB 2289

Misdemeanor offenses, vacation of conviction record in certain cases: HB 1086

Negligent driving, first degree, including exhibiting effect of having consumed marijuana in provisions: HB 2028

Parking placards and special license plates for persons with disabilities, expanding definition of unauthorized use: HB 1946, HB 2463

Phones, use by commercial vehicle drivers, adding texting or use of hand-held mobile telephone to list of serious traffic violations: HB 1752

Physical control while under the influence, modifying provisions: HB 1086, HB 1482, HB 2030, HB 2083, HB 2085, HB 2701, ***E2SSB 5912, CH 35 (2013)**

Rental cars, provisions concerning rental car businesses and processing of certain motor vehicle-related violations: HB 2470

Safety belts, failure to comply with requirements, admissibility in civil action: HB 1696

Smoking in moving or parked motor vehicle carrying a minor, prohibiting as traffic infraction with monetary penalties: HB 2086

Speed limits, in apartment owners' association communities, enforcement by law enforcement personnel: ***SB 5113, CH 269 (2013)**

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Speed limits, in condominium association communities, enforcement by law enforcement personnel: ***SB 5113, CH 269 (2013)**

Traffic safety cameras, provisions: HB 1047, HB 1455, HB 1670, HB 2426

Violations, serious traffic violations, adding texting or use of hand-held mobile telephone by commercial vehicle driver to list of: HB 1752

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24/7 sobriety program, co-administration by commission: ***E2SSB 5912, CH 35 (2013)**

Rule making by commission, specific grant of legislative authority, requirement: HB 1163

TRAFFIC SAFETY EDUCATION

Motorcycle safety education, department of licensing to allow private skills education programs to offer: HB 1379, ***SSB 5274, CH 33 (2013)**

Traffic safety education courses, in public schools, repealing certain information requirements: ESSB 5753

Traffic schools, city- or county-operated, using excess attendance fees for certain related matters: ***HB 1790, CH 41 (2013)**

TRANSPORTATION (See also FERRIES; MARINE EMPLOYEES' COMMISSION; ROADS AND HIGHWAYS; SCHOOLS AND SCHOOL DISTRICTS; TRANSPORTATION COMMISSION; TRANSPORTATION, DEPARTMENT)

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Accounts, new and existing, improving transportation funding through new revenues and modified revenue distribution: HB 1954

Agency council on coordinated transportation, creation: HB 1814

Artworks and artistic designs, use of transportation funds for, prohibiting: HB 2092

Bonds, issued for transportation purposes, restricting term of: HB 1989

Budget, 2011-2013 and 2013-2015: HB 1864, ***ESSB 5024, CH 306 (2013) PV**

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Budget, project expenditure information, adding to searchable state information web site: EHB 1733, ***HB 2058, CH 327 (2013), *HCR 4406 (2013)**

Budget, project investments, coding with geographic information: ***HB 2058, CH 327 (2013), *HCR 4406 (2013)**

Budget, supplemental 2013-2015: HB 2762

Budgets, public and legislative review period for omnibus appropriations bills: HB 1721

Charter party and excursion service carriers, annual regulatory fees, modifying deadline for payment: HB 2642

Construction, highways, engineering errors on projects, department of transportation to report concerning: HB 1986, HB 2070

Construction, highways, use of design-build procedure for, allocation of all risk to contractor: HB 1987

Construction, state highways, disclosure of conflicts of interest when bidding for contract with department of transportation: HB 1801

Environmental analysis, local comprehensive plans subject to, state environmental policy act exemption for certain transportation projects in: HB 2096

Environmental and compensatory mitigation, meeting transportation project requirements with existing environmentally designated land: HB 2095

Environmental review and permitting, for compensatory mitigation projects, minimizing permit delays: HB 1999, HB 2070

Environmental review and permitting, for transportation projects, reforming to expedite projects through streamlined environmental decision making: HB 1978, HB 2070

Environmental review and permitting, projects, prohibiting adoption or maintaining of requirements by certain agencies when more stringent: HB 1996

Environmental review and protection, for certain transportation projects, applying federal requirements: HB 2093

Environmental standards, certain road and ferry facility projects, presumption of compliance when best management practices implemented, conditions: HB 2097

Excursion service and charter party carriers, annual regulatory fees, modifying deadline for payment: HB 2642

Facility naming, authorizing sales of state facility naming rights, exceptions: HB 1051

Fish habitat, department of transportation fish habitat enhancement projects, limiting regulatory requirements for: HB 2765

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Fish passage barriers associated with transportation, removal of, fish habitat enhancement projects: HB 2765

For hire vehicle owners and lessees, industrial insurance coverage provisions: HB 2152

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Freight mobility improvement, revising transportation system "mobility" policy goal to include: HB 2123

Fuel taxes, administration of, simplifying and updating through comprehensive revisions and consolidation: HB 1883

Funding transportation system, adopting additive funding and providing appropriations: HB 1955

Funding transportation system, general obligation bonds for 2013 connecting Washington projects and improvements: HB 1956

Funding transportation system, increasing revenue for, modifying and adding fuel tax, driver and vehicle fee, bicycle sales fee, and other provisions: HB 1954

Hazardous materials, transportation by motor carriers, regulation by state patrol: HB 2137

Heavy haul industrial corridor, designating portion of state route number 155 as: HB 2348

Heavy haul industrial corridors, movement of overweight vehicles, modifying boundary on state route 509: ***HB 1447, CH 115 (2013)**, SB 5335

High capacity transportation corridor areas, transit agencies eligible to create, limiting: SSB 5088

Highway construction, engineering errors on projects, department of transportation to report concerning: HB 1986, HB 2070

Highway construction, use of design-build procedure for construction, allocation of all risk to contractor: HB 1987

Highway workers, local or state transportation agencies, four-year college tuition and fees exemption for children and surviving spouse: HB 2587

Least cost planning, use by department of transportation: HB 2667

Legislators, to be voting members of certain local transportation boards: HB 2648

Light rail, rejecting replacement design alternatives for I-5 bridge over Columbia river that include light rail: HB 2025

Limousine businesses, including chauffeurs, provisions: HB 1702, HB 1718

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Loads, oversize or overweight, using state bridge database when issuing special permits for: HB 2740

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Oil, crude oil and refined petroleum, measures to ensure safety when transporting: HB 2347

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Projects, environmental review and permitting, prohibiting adoption or maintaining of requirements by certain agencies when more stringent: HB 1996

Projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making: HB 1978, HB 2070

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 Ride-sharing programs, disclosure of participant personal information, implementation of sunshine committee recommendations: HB 1298
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Ferry construction, issuance by department of proposal requests for, removing in-state construction requirement statement from: HB 1990

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 Projects, compensatory mitigation, meeting requirements with existing environmentally designated land: HB 2095
 Projects, environmental and compensatory mitigation, meeting requirements with existing environmentally designated land: HB 2095
 Projects, environmental review and permitting, minimizing permit delays for compensatory mitigation projects, department role: HB 1999, HB 2070
 Projects, environmental review and permitting, prohibiting adoption or maintaining of requirements by department when more stringent: HB 1996
 Projects, environmental review and permitting, reforming to expedite projects through streamlined environmental decision making: HB 1978, HB 2070
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 Tolling facilities, I-90 west of I-405, mitigating impact on local residents, department role: HB 1945
 Transportation property, surplus, former owner repurchase right in cases of earlier condemnation: HB 1092
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 Farm internship pilot project, establishment and relationship to unemployment compensation: SSB 5123
 Maritime service, excluding services by certain persons on boat catching fish from definition of employment: ***HB 1311, CH 75 (2013)**
 Misclassification of employees, penalties under employee fair classification act: HB 1440, HB 2334

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Overpayment recovery, disclosure of personally identifying information from fish and wildlife licenses to employment security: HB 1393

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Unemployment insurance benefit charging relief for certain part-time employers, adding provision for: ***HB 1903, CH 244 (2013)**

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Hog fuel, extending sales and use tax exemptions when used for production of electricity, steam, heat, or biofuel: HB 1663, ***ESSB 5882, CH 13 (2013)**

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- Nonpower attributes, in energy independence act, definition: ***HB 1154, CH 99 (2013)**, SB 5408
- Public utility districts, qualified trades people at, including in public safety employees' retirement system (PSERS): HB 1929
- Qualified alternative energy resources, to include biomass from certain liquid organic fuels: HB 2223, HB 2708
- Renewable energy programs, contracts in connection with, exemption from beneficial interests prohibition for municipal officers in certain cases: HB 1746
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- Renewable energy targets, annual, use of qualifying utility-owned distributed solar energy system to help meet: HB 1977
- Renewable energy, annual conservation targets, using energy storage facility to meet targets: HB 1289
- Renewable energy, qualifying utilities complying with annual targets, modifying certain compliance requirements: HB 1699
- Renewable energy, qualifying utilities complying with annual targets, use of coal transition power: HB 1222, ***SB 5297, CH 158 (2013)**
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- Renewable resources, hydroelectric generation by irrigation districts, qualifying as eligible renewable resource: HB 1415, HB 1950
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- Renewable resources, within other states, allowing utilities to use in certain cases: ***SSB 5400, CH 61 (2013)**
- Renewable resources, within western electricity coordinating council area, allowing utilities to use: HB 1426
- Resource plans, integrated, updating requirements: ***EHB 1826, CH 149 (2013)**
- Service contracts, provisions: ***HB 1036, CH 117 (2013)**
- Sewer utility charges, lien for delinquent charges, adding lien recording and release fees: HB 1179
- Small public utility businesses, increasing public utility tax exemption and filing threshold: HB 2729
- Solar energy systems, distributed, allowing qualifying utility-owned system to participate in renewable energy system cost recovery incentive program: HB 1977
- Solar energy systems, distributed, helping to meet annual renewable energy targets when qualifying utility-owned: HB 1977
- Telecommunications, disputes related to certain matters, arbitration requirement: HB 2175
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- Wastewater, domestic facilities, modifying annual municipality permit fee: HB 1275
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- Wind turbines, applications to construct, notifying landowners: HB 1193

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- Electric companies, commission rule making to encourage distributed solar energy system installation and maintenance by: HB 1977
- Energy facility site certification, deposits and cost reimbursements in connection with, commission role: HB 2406
- Natural gas infrastructure project funding, creating rural Washington natural gas access and investment account to provide, commission role: HB 2101

Natural gas infrastructure, in rural or underserved areas, authorizing gas company recovery of investments, commission role: HB 2177

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Railroad employees, passenger-carrying vehicles for, modifying commission rules and orders concerning: HB 1620

Railroad employees, yardmaster working hours, commission role in penalties for violations: HB 1621

Railroads, regulatory authority, commission to consolidate and assume: HB 1845

Renewable energy systems, customer access via low-cost loan or lease program, commission role: HB 2176

Renewable resources, eligible, investor-owned utility customer purchase of, commission to create tariff schedule to allow: HB 2059

Rule making by commission, specific grant of legislative authority, requirement: HB 1163

School buses, stopping at railroad grade crossings, commission role in determining exceptions: HB 2137

Solid waste collection companies, commercial information filed with commission, exemption from disclosure: HB 1697

State universal communications services program, adjusting expenditure limit to include commission costs: HB 2679

State universal communications services program, commission to adopt rules and impose penalties: HB 1857, HB 1971

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Benefit-related veterans' services, preserving integrity of, pension poacher prevention act: HB 2390

Civil relief for service members, expanding protections through civil actions and proceedings: HB 2171

Commercial drivers' licenses, issuance to certain veterans with truck-driving experience: HB 2453

Department of veterans affairs, certifying and maintaining list of veteran-owned businesses: HB 1909, SSB 5834

Department of veterans affairs, role in publicizing state lottery funding of veterans innovation program: HB 1428

Department of veterans affairs, rule making by, requirement for specific grant of legislative authority: HB 1163

Department of veterans affairs, submission to department of lists of military training and experience certified by professional licensing and similar authorities: HB 1859, SB 5970

Disabilities, veterans with, discounted hunting and fishing licenses to include nonresidents: HB 1192

Disabilities, veterans with, raising qualifying income thresholds for property tax exemption: HB 1170

Disabilities, veterans with, sales and use tax exemptions for add-on automotive adaptive equipment: HB 1831, *SSB 5072, CH 211 (2013)

Driver's license or identocard, authorizing veteran designation on, application process: HB 2343, SB 5775

Higher education, early registration for veterans: *HB 1109, CH 67 (2013)

Higher education, resident tuition, veterans to receive: HB 1011, SB 5318

Japanese-American World War II veterans, recognizing: *HR 4617 (2013)

Medal of Honor, Congressional Medal of Honor special license plates, modifying provisions: HB 2397, HB 2420

PERS, plans 2 and 3, reducing retirement and early retirement ages for uniformed service members: HB 2735

POW/MIA flag, national league of families', display on Pearl Harbor remembrance day and former prisoners of war recognition day: HB 1893

Property tax exemption, veterans with disabilities, raising qualifying income thresholds: HB 1170

Property tax exemption, veterans with disabilities, to include property leased to mobile home owner: HB 1479

Public employment, examinations for, use of veteran scoring criteria status: HB 1537

School employees, certificated personnel to received salary schedule credits for military training: HB 2431

Unemployed veterans receiving unemployment compensation, businesses that hire, business and occupation tax credit: HB 1615

Veteran lottery raffle, repealing: HB 1428, HB 1982

Veteran's benefits, paid for child support, credit for veteran's support obligation: HB 1145

Veteran-owned businesses, certification and listing by department of veterans affairs and awarding of contracts by state agencies: HB 1909, SSB 5834

Veteran-owned businesses, certification and listing by department of veterans affairs, modifying qualifications for: HB 2744

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Veterans' assistance fund, property tax levies for: HB 1759

Veterans' assistance programs, modifying definition of veteran for purposes of: HB 1806

Veterans' homes, modifying provisions: HB 1782, HB 2129, SSB 5691
 Vietnam veterans, observing a welcome home Vietnam veterans day: ***HB 1319, CH 5 (2013), *HR 4643 (2013)**
 Vietnam veterans, Washington state veterans who served in Vietnam, honoring: ***HR 4643 (2013)**
 Walla Walla veterans' home, establishment: HB 1782, HB 2129, SSB 5691

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Cats, feral and free-roaming, spaying and neutering program: HB 1229, SSB 5202
 Companion animal safety, population control, and spay/neuter assistance program, veterinarian participation: HB 1229, SSB 5202
 Cows, docking of, prohibiting, exceptions in certain cases when carried out by veterinarian: HB 1787
 Cruelty to animals, veterinarian liability protections when reporting: HB 1186, ***SB 5102, CH 245 (2013)**

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 Commercially sexually exploited children statewide coordinating committee, establishing: ***SSB 5308, CH 253 (2013)**
 Crime victims' compensation, benefits, adding electronic means of payment: ***HB 1468, CH 125 (2013)**
 Domestic violence victims, records concerning, restricting disclosure by tenant screening service providers: HB 1529, ***SSB 5568, CH 54 (2013)**
 Domestic violence, victims, paid sick and safe leave, establishing minimum standards: HB 1313
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 Prostitution convictions, vacating if offender is victim of certain trafficking and related crimes: HB 1292
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 Rights of victims, statement of rights to be read at all criminal proceedings: HB 1389
 Sex trade, victims, rehabilitative services funded through fine paid by prostitution offenders: HB 1291
 Sexual assault victims, records concerning, restricting disclosure by tenant screening service providers: HB 1529, ***SSB 5568, CH 54 (2013)**
 Sexual assault, victims, paid sick and safe leave, establishing minimum standards: HB 1313
 Sexual assault, victims, paid sick and safe leave, geographic limitations on local leave programs: HB 1781, ESB 5726
 Sexual assault, victims, paid sick and safe leave, state preemption of local leave regulation: HB 1780
 Sexual offenses, with minor victim, including legal elements and conviction consequences in public school sexual health education: HB 1397
 Stalking victims, records concerning, restricting disclosure by tenant screening service providers: HB 1529, ***SSB 5568, CH 54 (2013)**
 Stalking, victims, paid sick and safe leave, establishing minimum standards: HB 1313
 Stalking, victims, paid sick and safe leave, geographic limitations on local leave programs: HB 1781, ESB 5726
 Stalking, victims, paid sick and safe leave, state preemption of local leave regulation: HB 1780
 Trafficking and related crimes, victim who is prostitution offender, vacating of conviction: HB 1292
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 Alcohol tasting, permit to allow community and technical college students at least age 18 to taste alcoholic beverages in certain culinary or alcohol-related classes: ***SSB 5774, CH 59 (2013)**
 ASSET program, alliance for student success in education and training, establishment: HB 1871, SSB 5754
 Culinary arts training educational institutions, culinary class restaurant wine specialty license and special event endorsement, creating: HB 1805
 Culinary or alcohol-related classes, community or technical college, permit to allow students at least age 18 to taste alcoholic beverages in: ***SSB 5774, CH 59 (2013)**
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 Workforce training, state comprehensive plan for, seeking approval of "high skills, high wages" plan: HCR 4403

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- Abuse, health care professional license suspension and practice prohibition: ***HB 1003, CH 86 (2013)**
- Adult family homes, vulnerable adults in, meeting special needs of: HB 1701, ***SSB 5630, CH 300 (2013)**
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- Employee fair classification act: HB 1440, HB 2334
- Employment laws and contracts, local, preemption by state of Washington: HB 2591
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- Minimum wage, employer failure to pay, good faith defense: HB 1462, SB 5158
- Minimum wage, employment status of independent contractors in news business for purposes of: HB 1659, ***SB 5476, CH 141 (2013)**
- Minimum wage, hourly, increasing: HB 2672
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- Prevailing wages, exemption from paying, certain filings no longer required when exempt: HB 1254
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 Business license center, participation by board: HB 1403, E2SSB 5680
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